

**Southwest Area Regional Transit District**

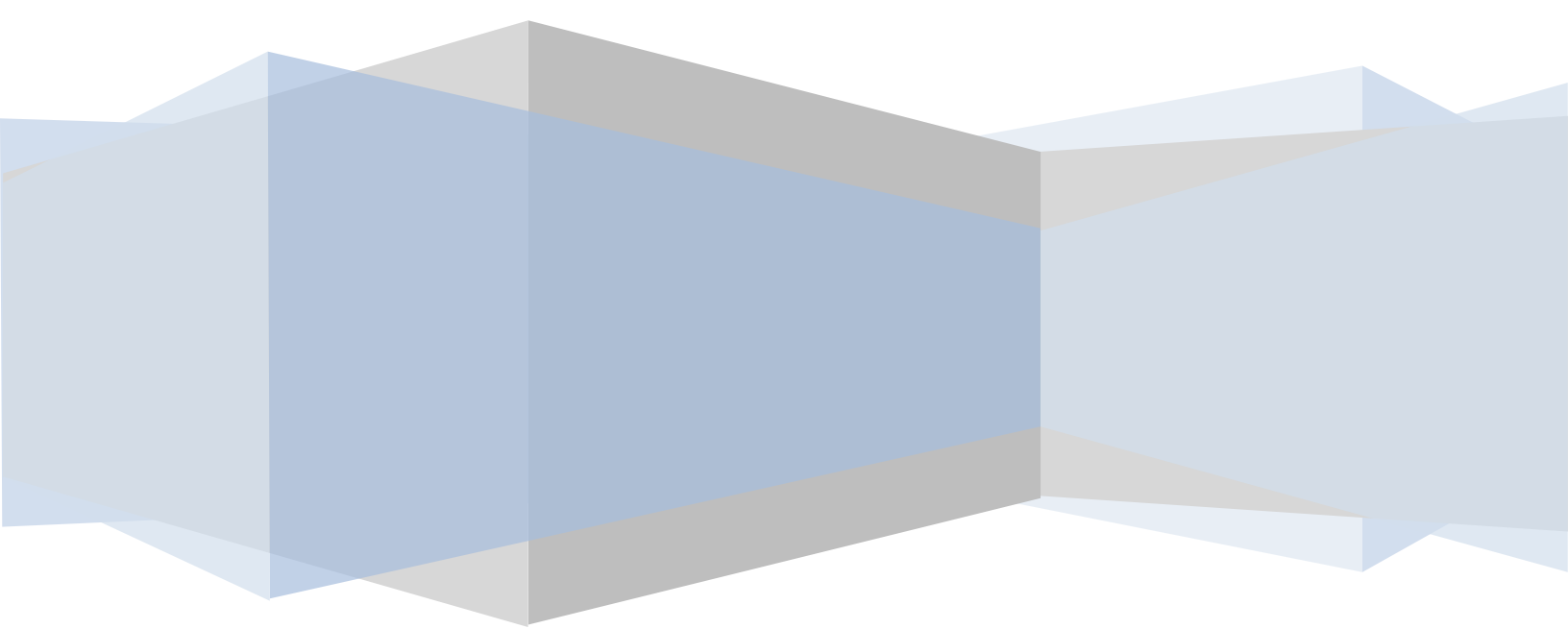


# **PASSENGER HANDBOOK**

**Adopted by Board of Directors – June 5, 2012**

**Revised by Board of Directors – August 21, 2019**

**Revised by Board of Directors – September 22, 2022**



## **INTENT OF PASSENGER HANDBOOK**

Southwest Area Regional Transit District is the public transportation provider for Dimmit, Edwards, Kinney, La Salle, Maverick, Real, Uvalde, and Zavala, counties. This service has a set of policies that passengers must follow.

This booklet provides the policies pertaining to passenger safety and responsibilities for using our service.

It is for the benefit of all passengers that policies regarding passenger safety and responsibilities are followed. The policies in this booklet are critical to the efficiency and effectiveness of our Rural Transit District.

All policies will be enforced in a consistent and fair manner. If you feel you have been dealt with unfairly, an appeals complaint process and telephone comment number are included in this booklet on pages 17-18.

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## **PUBLIC TRANSIT SERVICES**

SWART prides itself on providing safe and reliable transit services to the general public of for Dimmit, Edwards, Kinney, La Salle, Maverick, Real, Uvalde, and Zavala, counties. Transit is open to everyone. SWART operates a demand response service. Request must be made at least one business day prior to the desired trip date and may be scheduled up to 60 days in advance. Fixed Route services are also provided in specific communities.

### **Public Transportation**

Hours of service are Monday through Friday – 5:00 a.m. to 5:00 p.m.

Some weekend services are offered depending on the area. Services are

not provided on the following holidays unless otherwise deemed by

management:

New Year's Day  
Martin Luther King Jr. Day  
President's Day  
Good Friday  
Memorial Day  
Juneteenth Day  
Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Day after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

## **SCHEDULING RIDES**

Requests for service shall only be accepted between the hours of 8:00 a.m. to 3:00 p.m., Monday through Friday. Reservations are made based on availability. Each original and return trip will be recorded separately, and each direction shall be recorded as a one-way trip. The trip shall be scheduled to show the required time to be at the destination. Passengers are responsible for calling SWART's toll free phone number for trips not originating from home. Passengers are only allowed 3 local destinations per day not including their return trip home.

In order to schedule a trip, one must speak with a scheduler/dispatcher who may require the following in scheduling a trip:

1. Passenger Name
2. Address
3. Phone Number
4. Destination Name
5. Destination Address
6. Expected Arrival Time

### **Advance Scheduling**

A request for demand service should be made at least one business day or up to 14 days prior to the desired trip time.

### **Same Day Scheduling**

Request for same-day service will be accepted from 10:00 AM to 4:00 PM, Monday through Friday for local services. The scheduler/dispatcher will attempt to schedule both the original and return trip into existing schedules utilizing the following criteria:

- a. The vehicle must have seating/mobility device space available.
- b. The vehicle must be in the near vicinity/location of the origin and destination in order to accommodate the request without disrupting the passengers already scheduled.
- c. Time must be available to allow the trip to be accommodated without disrupting the passengers already scheduled.
- d. The scheduler may refuse the request for same-day service if it cannot be worked into the existing schedule, or it otherwise causes operational problems for SWART.
- e. Dispatcher shall contact Vehicle Operator in county of same day passenger to verify if trip meets requirements as listed above. If Vehicle Operator does not feel that their schedule can allow for the same day

- rider, then the trip will not be scheduled.
- f. Double fare will be charged for same day service.

The passenger will be advised, when accepting the scheduled ride, that there may be considerable waiting time for a return vehicle during peak periods and the possibility that SWART will not be able to accommodate one leg of the trip or the other.

**Demand Response Service:**

In demand responsive services with service availability or capacity constraints, this means having the same constraints for all riders do not prohibit demand services from having trip denials or providing trips on first come first serviced basis.

Capacity constraints prohibited under 49 CFR § 37.131(f)).

Such may include but are not limited to trip denials, first-come, first-served, waiting lists, trip caps, long ride time, and trip-purpose.

## RIDING SWART

SWART is a public transit system, providing rides for many passengers each day. Vehicle Operators cannot be at three or four pick-up points at one time and must allow for time to ensure that the rider makes it from origin to destination by scheduled appointment time. Therefore, passengers must be ready for pick-up and allow for travel time for transportation to the destination. For local scheduled trips, passengers should be ready at least one hour prior to required arrival time at destination. In the event, that a rider will be required to be ready earlier, then the dispatcher will contact passengers by telephone as to the approximate pick-up time.

SWART will attempt to drop off passengers no more than 1 hour prior to expected arrival time. When passenger calls for return pick up, SWART will make every effort to pick them up within 1 hour of their call.

When the Vehicle Operator arrives at the pick-up location, he/she is not required to wait more than five (5) minutes for the public transit passenger. Services are a curb-to-curb service unless the rider is a person with a disability. If the rider does not appear, the Vehicle Operator will knock and ask dispatch to make a courtesy call if the telephone number is available. Vehicle Operators will leave a no-show card at the passenger's home. The calling card will simply notify the passenger that SWART or its appropriate sub-contractor arrived and left the pickup location.

Service may not be rendered if origin or destination location cannot be accessed by the vehicle or if the location does not provide safe passage for the vehicle or safe access to and/or from the vehicle by the passenger. The Vehicle Operator shall attempt to make reasonable accommodations and if not possible then they shall immediately call the dispatch office for further instruction in such a case. Steep driveways, deteriorated sidewalks, etc., may result in denial of service.

To increase efficiency, SWART is a "shared-ride" service; passengers must often ride while other passengers are picked up and dropped off. Contracted services are a more specialized service in which destinations outside of the normal route schedule and one rider trips are negotiated at an at cost rate and does not fall under the auspices of the subsidized public transit service. Three (3) riders are required for an out of area trip to be made.

Vehicle Operators will provide door-to-door service for persons over the age of 60 and for the passengers who are disabled but **are not permitted to enter a passenger's home. All other passengers will be serviced curb-to-curb.**

Vehicle Operators are not permitted to maneuver a mobility device up or down steps. Vehicle Operators are not permitted to lift passengers.

When needed, Vehicle Operators will request from riders to vacate seats in order to make room for an individual with a disability.

Vehicle Operators are not allowed to enter upon property (fences or porches) unless animals are restrained to avoid possibility of biting.

Vehicle operators have the right to determine whether they are safely able to drive vehicles through covered driveways, low hanging tree areas, damaged roads and driveways, or non-structured/non-paved roads during inclement weather.

Vehicle Operators have the discretion to assign seats and determine placement when necessary for the efficiency and/or safety of the operation.

Private homes:

- Vehicle Operators will not enter private homes for any reason.
- Vehicle Operators may assist passengers to board and to exit the vehicles only.

Business/Medical facilities/Public buildings:

- Vehicle Operators may assist passengers to board and to exit the vehicle only. Vehicle Operators will not assist passenger past this point.
- It is the individual's, personal care attendants, or care provider's responsibility to ensure that passengers are on time and waiting for their ride.
- Vehicle Operators will not enter nursing homes, medical facilities, shopping centers, or businesses in an attempt to find passengers. Passengers must be waiting at the designated pick-up point.



## **CANCELLATIONS**

It is requested that passengers notify the dispatch office of any necessary cancellations at least two (2) hours prior to the scheduled trip. This allows the dispatch office to reassign that time to another passenger whose service request was previously denied. A cancellation is considered “**late**” if it is made less than two (2) hours prior to the trip (or after 7:00 a.m. for those trips scheduled before 9:00 a.m.). Trips can be cancelled by notifying dispatch directly on the “My Ride App”.

## **NO SHOWS**

A no show is defined as any instance in which a passenger does not keep their scheduled ride and fails to notify the SWART office at least two hours prior to scheduled pick up time.

If a passenger is not ready or is a no show at the time of the scheduled pick up from his/her residence, SWART will make an attempt to return but will charge a double fee. If a passenger is a no shows on a trip other than from home, and later calls for a return trip, SWART will attempt to return at the earliest time possible, within service hours, depending upon vehicle availability and will charge a double fee. No guarantees of return are made.

Abuse of the system, such as scheduling rides and repeatedly not taking them may result in a review of past services provided and a suspension of transportation services.

The No-Show Policy for all Public Transportation customers will be as follows:

- 1) No shows will be charged the one-way leg of the trip.
- 2) Two no-shows within a one-month period will result in a letter of notification and the passenger being placed on no-show status.
- 3) A third no-show within a one-month period will result in a review of past services provided and a customer's record on no-shows. This review could result in a letter of notification that riding privileges on SWART has been suspended. If determined preventable, no-show will result in suspension of services for 1 week. A second occurrence of three no-shows within a one-month period will result in a 2-week suspension. A third occurrence of three no-shows within a one-month period will result in a month suspension.
- 4) Non-Emergency Medical (Medicaid) Transportation no-shows for approved Medicaid customers will be submitted to funding source for reporting purposes.
- 5) Suspension periods cannot be split or otherwise divided or altered without approval by the General Manager.

## **FARES STRUCTURE**

All passengers are required to pay a fare for each one-way trip. Riders may pay their ride at the time of reservation by either credit card, bank card, pre-paid and electronic fare card, and cash. Please review to Scheduled Routes Brochure for current passenger fare rates.

**Cash:** Cash will only be accepted while paying in advance at SWART Offices. Vehicle Operators will not accept cash.

**Pre-Paid Electronic Fare Cards-** SWART sells prepaid Electronic Fare Card. This option allows the customer to pay for trips in advance in increments of \$5. Electronic Fare Cards are not redeemable for cash. SWART is not responsible for lost or stolen electronic fare cards. Balances remain on the customer's electronic fare card account when cards are lost. Lost or stolen cards must be reported to SWART as soon as possible. To replace a fare card, the rider is subject to pay a replacement fee. SWART will not reimburse riders for unused rides. Customers are able to check their balance on the "My Ride App".

**Charge Accounts:** Charge account will be provided to only those individuals whose rides are charged to an approved agency or facility with an agreement for services with SWART. Individuals will not be allowed to charge rides.

### **Non-Emergency Medical (Medicaid) Transportation:**

When contracted, SWART provides transportation services to medical facilities including doctor offices, dentist, hospitals, etc. Medicaid recipients may qualify for Title XIX Medical Transportation services. To determine eligibility, customers must contact 1-877-633-8747. Additional medical transportation specific policies, procedures, and regulations will apply.

### **Credit Card or Bank Card**

Credit card or bank card payments may be made via telephone or in person when scheduling a trip. There will be a processing charge for paying with credit card or bank card.

## **SEAT BELT POLICY**

The Vehicle Operator and all passengers are required to use seat belts. If a passenger refuses to wear his or her seat belt, the Vehicle Operator should call the dispatch office for further instructions. SWART adheres to the Americans with Disability Act requirements.

Passengers with the inability to wear a seatbelt for any reason including medical or refusal to wear a seatbelt will not be serviced for safety reasons and must disembark the vehicle immediately.

Passengers utilizing mobility devices including common and non-conventional mobility devices will be required to have their mobility device properly secured with a six-point tie down safety restraint system, including shoulder and lap belts.

If a passenger is unable to fit within the seat belt due to size, then an extension will be utilized. Passengers needing a belt extension must request one at the time they schedule their trip. Vehicle Operators will also notify the Chief Operations Manager so that a seat belt extension can be ordered.

## **ESCORTS/GUESTS**

Personal care attendants are persons who are directly involved in the mobility assistance of their attendee and will be allowed to ride free of charge while accompanying their attendee. Generally, the following conditions would warrant a fare free attendant: immobility, disorientation, non-comprehension, and communication impairment, and others as recommended by the General Manager.

Personal care attendants are required to specifically assist the passenger. This assistance includes, but is not limited to, the following duties:

- Assisting the passenger from his/her door to the bus and back again;
- To and from the restroom;
- Opening doors;
- Pushing mobility device to and from the vehicle;
- Carrying packages; and
- Communicating with the Vehicle Operator (if passenger is unable).

Any other person riding with a passenger will be considered a guest and will be required to pay full fare.

## **CHILD RIDER POLICY**

It is the policy of SWART to provide the most effective, efficient, safest, and uninterrupted transportation service. In providing this service it is necessary to establish policies that govern SWART's role and responsibilities in the transportation of children under the age of 17. All children must follow all rules, regulations, and policies. Violations of these rules by either the child or parent may lead to service suspension. These roles and responsibilities are as follows:

- All children who are under eight years of age are required to be restrained in an approved child passenger safety seat unless the child is at least 4 feet, 9 inches in height as State law mandates.
- Passengers traveling with children under the age of eight, will be required to provide their own infant carrier and/or booster seat approved for use in vehicles.
- Children under 1 year of age should have child safety restraint facing seat.
- The passenger escorting the child will be responsible for placing the infant into the carrier and securing the carrier with a safety belt.
- An adult must accompany children under the age of fifteen (15). The General Manager must approve exceptions to this policy.

## **WEATHER**

### **Discontinuing Service Due to Weather Conditions:**

Vehicle Operators will make every effort to provide service whenever scheduled. In the event extreme weather conditions exist which make travel unsafe, the General Manager reserves the right to discontinue services until conditions are more favorable. If service is temporarily discontinued, employees are to report to work unless otherwise instructed by their immediate supervisor. The dispatch office shall attempt to contact any scheduled passengers at the telephone numbers listed in the agency customer database. Service disruptions will be posted on SWART's social media platforms.

### **Severe Weather Condition Riding Tips:**

- Keep current on weather conditions, which may affect SWART services
- If streets are icy or flooded, allow additional travel time.
- Avoid delays by being on time and having correct fare ready.
- Clean footwear of mud and slush before boarding so it does not gather on the steps and floor of the bus, causing danger to others.
- Wait until the bus comes to a complete stop before leaving your seat and before boarding.
- At all times, watch your step, wear your seatbelt, and wear appropriate winter clothing.

### **Severe Weather Passenger Guide**

Severe rainstorms, thunderstorms, and icy roads can affect SWART's service. The following may occur any time hazardous road conditions exist:

- Travel time may increase
- Bus service on less traveled streets, especially those not sanded or that is flooded, may be cancelled.
- In case of severe weather, the General Manager may approve all passengers to be taken home immediately.
- If passengers are not able to get to vehicle prior to severe weather arriving, passengers will be asked to remain in facility until severe weather has passed.
- If vehicle is caught in severe weather, then the Vehicle Operator will make every attempt to get to the nearest safe area and have passengers exit the vehicle until severe weather has passed.

Passengers and/or care providers are responsible for ensuring that passengers are properly dressed for their ride. Bus operators will not assist passengers with their clothing. This includes proper coats, hats, gloves, and footwear.

## **SERVICE FOR MOBILITY DEVICE USERS**

Service will be provided utilizing specialized equipment (lifts, ramps, etc.) for mobility device users.

SWART vehicle operators are not allowed to assist passengers using mobility devices up or down any steps. If such condition exists, passengers are responsible for arranging assistance from someone other than SWART bus operator. If no assistance can be readily available, SWART vehicle operator will refer the rider to the dispatch office who in turn will refer the situation to SWART's Mobility Management Specialists.

### **Accommodation of Common mobility devices:**

SWART will accommodate common mobility devices—Common mobility devices are devices, which do not exceed 30 inches in width and 48 inches in length when measured two inches above the ground, and do not weigh more than 800 pounds when occupied.

### **Accommodation of Non-Conventional Mobility Devices:**

SWART will make every reasonable effort to accommodate various mobility device models and mobility devices available to passengers. However, due to the increasing size and weight of such equipment, some limitations will be necessary in order to insure the safe transport of these mobility devices and passengers. The following policy will apply to all oversized, three-wheeled, or other non-conventional mobility devices.

Passengers may be allowed to ride on small, non-conventional mobility devices, and may independently transfer to a regular vehicle seat once inside the vehicle if there is seat availability. Such a request should be made at the time of scheduling the trip for better planning purposes. If the passenger is unable to independently transfer, either an attendant may assist them, or the passenger will be allowed to stay in non-conventional mobility device.



## **REASONABLE MODIFICATION FOR SERVICE PROVISION**

As per §37.169 (c)(1)-(3), SWART will adhere to regulations where public entities that provide designated public transportation shall make reasonable modifications in policies, practices, and procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility.

## **SERVICE ANIMALS & ACCOMMODATION OF ANIMALS**

Animals other than service animals as described are allowed to ride a SWART vehicle in a secured pet travel carrier. This includes Emotional Support Animals.

It is the policy of SWART to allow service animals to accompany their owner without restraint. Under the Americans with Disabilities Act of 1990, a service animal means any guide dog, signal dog, or other animal that is required to aid the owner and that is individually trained to do work or perform tasks for the benefit of an individual with impaired vision, alerting individuals with impaired hearing to intruders or sounds providing minimal protection or rescue work, pulling a mobility device, or retrieving dropped items.

The Americans with Disabilities Act of 1990 allows for the imposition of legitimate safety requirements that are necessary for the safe operation of SWART. SWART can generally require use of a secured pet travel carrier for any animal that, in the opinion of the General Manager or his/her designee is a health or safety hazard regardless of the kind of training it has received and what function it serves for its owner.

## **BACKING POLICY**

SWART Vehicle Operators are instructed to avoid BACKING UP if at all possible. In the event that a vehicle operator must back up they should:

- Get to know the vehicle's blind spots. In a medium-sized truck, blind spots can extend up to 16 feet in front and 160 feet behind a vehicle. Vehicle Operators need to remember that mirrors can never give the whole picture while backing.
- Think in advance. Vehicle Operators should not put themselves into unnecessary backing situations.
- Park defensively. Vehicle Operators must choose easy-exit parking spaces that don't crowd neighboring vehicles and park their vehicle in the center of the parking space.
- When parking in an alley. If an alley doesn't permit driving all the way through or room to turn around, a Vehicle Operator should back into it (if local ordinances permit) so that when leaving the vehicle can pull forward into the street.
- Do a walk-around. Walking around a vehicle gives a Vehicle Operator firsthand view of the backing area and any limitations. They can check for children, soft or muddy areas, potholes, tire hazards, and other dangers.
- Know the clearances. When performing a walk-around, Vehicle Operators can check for obstructions, low-hanging trees and wires, and any other potential clearance-related problems.
- Every backing situation is new and different. Sometimes a Vehicle Operator visits the same location several time a day and should be watchful each visit for changes and any new obstacles.
- Use a spotter. A Vehicle Operator should use another person to help them when backing if possible. The Vehicle Operator and spotter should use hand signals instead of verbal ones and make sure they understand each other's signals. Don't have the spotter walking backwards while giving instructions.
- When a Vehicle Operator spots for themselves, they need to return to the vehicle and start backing within a few seconds after finishing the walk-around. This will allow extraordinarily little time for people and/or obstacles to change behind the vehicle. Backing without a spotter should only take place after a Vehicle Operator has as much

information about the area as possible. A back up alarm can help warn away pedestrians and Vehicle Operators of other vehicles who may try to enter the area the vehicle is backing into.

## **MEDICAL OXYGEN FOR PERSONAL USE**

Oxygen will be transported only when medically necessary. It will be in a cylinder maintained in accordance with the manufacturer's instructions. The manufacturer's instructions and precautions are usually printed on a label attached to the cylinder. Vehicle Operators will inspect each cylinder to assure that it is free of cracks or leaks, including around the valve area and pressure relief device. Vehicle Operators will also listen for leaks. Leaking, dented, gouged, or pitted cylinders will not be transported. Cylinders will be limited to the extent practicable. Cylinders will be secured to prevent movement and leakage. They will not be placed in aisle or sources of heat or potential sparks. Under no circumstances should smoking or open flames (cigarette lighter or matches) be permitted in the passenger compartment when medical oxygen is present.

### **CARRY-ON PACKAGES**

Passengers shall limit their carry-on packages to no more than the equivalent of six (6) standard size paper bag or plastic grocery bags/items at one time unless they have an attendant traveling with them to load/unload the packages. Oversized packages will be refused for transport. No one package shall weigh more than 10 pounds. Passengers must make other arrangements for delivery of any item larger than specified. Vehicle Operators will only assist with the six (6) standard size grocery bags/items weighing 10 pounds or less.

## **RULES FOR PASSENGER CONDUCT**

Rules of conduct on SWART vehicles are the same as the laws governing conduct in public places.

SWART vehicles and premises are equipped on onboard security cameras for the safety of the passengers, customers, and SWART staff. Such recordings will be offered to law enforcement and SWART Liability Coverage Representative if needed. No person shall, while a passenger on any vehicle or premises that is operated by SWART as a public conveyance, do any of the following acts:

- Smoke or possess any lighted or smoldering pipe, cigar, or cigarettes;
- Consume any beverages, food, or alcohol (unless medically necessary);
- Intentionally deface, damage, write upon, or soil any part of the vehicle;
- Spit, urinate, or defecate in or upon any vehicle;
- Throw, deposit or place paper, bottles, cans or any other garbage or solid waste in or upon a vehicle (each vehicle has garbage receptacles);
- Throw any object of any kind within a vehicle or out any door or window of a vehicle;
- Play audio or video devices, unless played through headphones so that it is inaudible to other passengers and the Vehicle Operator.
- Bring any pet or animal on to a vehicle other than a guide dog accompanying a person with a disability, or an animal in a cage or approved standard pet carrier;
- Stand or walk around in a vehicle while it is in motion;
- Possess any explosives or carry any corrosive acid or flammable liquid not in a sealed container;
- Possess firearms, with the exception of law enforcement officers;
- Bring any laundry on board unless it is in an enclosed bag;
- Intentionally interfere with the Vehicle Operator's operation of the vehicle;
- Conduct any unnecessary conversation with the Vehicle Operator, so that the Vehicle Operator's attention will not be diverted from the safe operation of the vehicle;
- Use profane or abusive language toward the Vehicle Operator or other passenger or act in a hostile or threatening manner on board the vehicle;
- Bring on board any baggage or articles due to their size, would restrict free movement of passengers;
- Bring on board gasoline or a gasoline container or any type of hazardous material. (Respirators and portable oxygen supplies are permitted to be carried and used on board by a person needing them for health reasons)
- No unauthorized passenger or hitchhikers are permitted into vehicles.
- Passengers are not allowed to record (video or voice) other passengers or Vehicle Operators while the vehicle is in motion or on route which can disrupted the safety of the services being provided.

The Vehicle Operator may refuse to transport or may have the rider removed if any

violations are experienced as mentioned above. If assistance is required, the Vehicle Operator will contact the dispatcher and/or law enforcement.



## **REFUSING SERVICE**

SWART reserves the right to refuse service to any passenger (including those with a disability) who displays the following behavior:

- Positive COVID conditions
- Intoxicated or Disruptive
- Belligerent/rude
- Poses a safety or health threat to themselves or others
- Unreasonable personal hygiene
- Operating any audio or visual equipment, which infringes upon other passengers' comfort or safety or impairs the Vehicle Operator's ability to transport passengers safely.

SWART has zero tolerance towards violence. Any overt act of violence or threat of violence will result in termination of passenger rides. SWART also has set a policy, which include rules for passenger conduct when using the system. If the passenger cannot follow these behaviors, the following steps may be taken:

Behavior penalties:

- 1<sup>st</sup> offense – A warning letter will be sent
- 2<sup>nd</sup> offense – A second letter will be sent, and rides will be suspended for thirty days.
- 3<sup>rd</sup> offense – A third and final letter will be sent, and rides will be discontinued.

SWART reserves the right to terminate services immediately.

## **APPEAL PROCESS**

If you do not agree with the determination of a decision made by the Southwest Area Regional Transit District; you have the right to appeal the decision by the following the Appeals Process.

### **Procedure**

Southwest Area Regional Transit District will provide written notification to a passenger of any denial of services or assistance within 10 days of the adverse determination which shall include written instructions of the appeals process.

The passenger has a right to appeal the adverse decision. The passenger must provide written notice of the intent to appeal to the Southwest Area Regional Transit District within ten (10) business days the denial notice is received.

### **Appeals Office**

Southwest Area Regional Transit District  
Attn: General Manager  
713 East Main Street  
Uvalde, Texas 78801

### **Appeals Officer**

Sarah H. Cook  
General Manager  
830-278-4155 or 1-800-499-1617  
scook@paseoswart.org

### **Appeals Provisions**

The appeal will be heard by an Appeal Committee composed of three (3) District Management Personnel who are familiar with various policies of the agency. The appeal will be heard within ten (10) days of receipt of the written appeal. Vendors/bidders will be allowed to be present at the hearing and will have an equal opportunity to give testimony on their behalf. The Southwest Area Regional Transit District must record all appeal hearings. It will require a majority vote to sustain and approve assistance or deny the appeal and provide written notification to the vendor on the results of the appeal by close of business on the following day. After the appeals procedure, SWART must submit recording and documentation to any funding source related to the procurement and there will be no further oral testimony.

If the passenger does not agree with the agency's decision, he/she may appeal in writing to the proper funding agency relating to the service. The appeal must be performed within ten (10) days of the adverse determination made by our agency.

## **HEARING IMPAIRED**

The agency utilizes Relay Texas to ensure access to a telecommunications system for the deaf (TDD/TTY) to facilitate communication with hard of hearing, hearing impaired and deaf recipients. "Relay Texas", a telecommunication service established for the sensory impaired by the 71st Texas Legislature in 1989, allows an individual to make and receive calls from anywhere in the United States. The toll-free number will be printed on agency pamphlets/literature.

## **COMPLAINT/GRIEVANCE POLICY**

SWART serves a large diverse population of individuals with varying ages (children, teenagers, adults, and elderly), physical challenges, economic and financial status, and ethnic backgrounds.

SWART shall ensure that no person shall be excluded from the participation be denied the benefits of, or otherwise be subjected to discrimination under any program or activity undertaken by SWART, solely by the reason of his/her race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

It is our intent to provide courteous and professional services to the general public. If a person has a complaint, they may follow the complaint/grievance procedures.

As a recipient of Non-Emergency Medical (Medicaid) Transportation administered by the Texas Department of Human services and Public Transportation funds, administered by the Texas Department of Transportation, SWART hereby attests that it will abide by the eligibility guidelines and service priorities, as stipulated and set forth in the Agency's Contracts. In the event of a Public transportation complaint, the complainant should adhere to the complaint procedure that is listed below:

Complaint Procedure will be as follows:

In the event of a complaint, the complainant should contact the Administrative office at 830-278-4155 or by mail to 713 East Main Street, Uvalde, Texas 78801.

Contacts:

Carlos Mallen, CCTS  
Chief Operations Manager  
830-278-4155 or 1-800-499-1617  
830-900-9918

Upon receipt of the complaint, the SWART representative will request written detail of complaint or take an oral statement from the complainant. The complaint should include details regarding the situation: i.e. date, time, Vehicle Operator, problem, etc. All complaints or statements should be signed or if by telephone the actual complainant should be the person that calls. Complaints received by telephone will be investigated and resolved prior to ending the call. A written response will not be required if complainant is satisfied with the resolution. The General Manager will be notified upon receipt of all complaints, and the Assistant General Manager or an assigned staff member will conduct an investigation into written complaints. Upon completion of the investigation, a decision regarding the complaint will be rendered and a written response issued to the complainant no later than ten days after receipt of the complaint. A copy of the complaint and action taken will be forwarded to the funding source offices as required, and a copy will be kept on file at the SWART Administrative office.

In the event, the complainant is not satisfied with the decision and action taken by the Chief Operations Manager, the complainant should notify the General Manager in writing at the below listed address.

Sarah Hidalgo-Cook, General Manager  
Southwest Area Regional Transit District – SWART  
713 East Main Street, Uvalde, Texas 78801  
1(800)499-1617 or 830-278-4155  
830-900-9929 scook@paseoswart.org

The General Manager will review all information regarding the complaint and shall have the discretion to form an impartial panel of reviewers to assist him – comprised of: Transit District Board members, or public and private social service representatives. Following a review of the complaint, the General Manager shall inform the complainant of the findings of the review panel or his decision and action to be taken regarding complaint. A decision regarding the complaint will be rendered and a written response issued to the complaint no later than ten days after the General Manager receives the complaint.

#### Additional Non-Emergency Medical (Medicaid) Transportation Program Complaint Information

The Chief Operations Manager may also refer Non-Emergency Medical (Medicaid) Transportation Complaints directly to the HHSC Medical Transportation office at 1-877-633- 8747, MTP personnel submit an electronic copy of the complaint via email to the Operations Manager/Service Delivery Coordinator.

Upon receipt, the General Manager investigates the complaint by speaking with appropriate personnel involved in the incident. The General Manager will then assign an appropriate supervisor to investigate the complaint.

Upon completion General Manager documents the response directly on the Non-Emergency Medical Transportation Complaint Report and sends the completed report to the local Non-Emergency Medical Transportation supervisor via electronic mail within 5 workdays following receipt of complaint. A hard copy of the complaint (including response) is kept by the service delivery coordinator.

SWART personnel will at no time, follow up on a complaint directly with the complainant.

SWART shall ensure that its staff and its subcontractor's staff shall not retaliate or give the appearance of retaliation against an individual who has submitted a complaint against SWART or submitted a negative comment on the recipient survey.

## **COMPLAINT/GRIEVANCE PROCEDURES**

In the event of a complainant should contact the Administrative office:

Southwest Area Regional Transit District  
Attn: Sarah Hidalgo-Cook, MSCD, CCTM  
General Manager  
713 East Main Street  
Uvalde, Texas 78801  
830-278-4155 or 800-499-1617  
830-900-929 cell  
scook@pasoewart.org

Upon receipt of the complaint, the SWART representative will request written detail of complaint or take an oral statement from the complainant. The complaint should include details regarding the situation: I.E. date, time, Vehicle Operator, problem, etc. All complaints or statements should be signed or if by telephone the actual complainant should be the person that calls. Upon completion of the investigation, a decision regarding the complaint will be rendered and a written response issued to the complainant no later than ten days after receipt of the complaint. A copy of the complaint and action taken will be forwarded to the funding source offices as required, and a copy will be kept on file.

The General Manager will review all information regarding the complaint and shall have the discretion to form an impartial panel of reviewers to assist him – comprised of: Agency Administration, Transit Key Personnel, and/or Agency Board of Directors.

Following a review of the complaint, the General Manager shall inform the complainant of the findings of the review panel, or his decision and action taken regarding complaint. A decision regarding the complaint will be rendered and a written response issued to the complaint no later than ten days after the General Manager receives the complaint.

# Thank you for utilizing Public Transportation

Operated by  
Southwest Area Regional Transit District  
713 East Main Street  
Uvalde, Texas 78801  
830-278-4155  
830-486-0364 fax  
[www.paseoswart.org](http://www.paseoswart.org)