



## **TRN-14.29 – Wheelchair Accessible Vehicle (WAV) Service Performance Guidelines**

*Administrative Rule Adopted by Portland Bureau of Transportation Pursuant to Rule-Making Authority Portland City Code 16.40.970*

- I. Recommendations for rule adoption and code revisions. At the recommendation of the PFHT Advisory Committee, the Director may adopt administrative rules pursuant to Chapter 16.40.970 and may provide to the Bureau Commissioner-in-Charge a recommendation to revise any sections here within Chapter 16.40.

Under the authority of 16.40.970, I am adopting Administrative Rule TRN-14.29 WAV Service Performance Guidelines. All companies, vehicles and drivers are subject to the requirements of Chapter 16.40, Private for-Hire Transportation (PFHT).

Wheelchair Accessible Vehicle (WAV) services, for all PFHT services permitted under the authority of Chapter 16.40, must comply with WAV Service Performance Guidelines established in this Administrative Rule. Failure to comply may result in penalties ranging from a class A to a class D violation.

### **Vehicle specifications and requirements**

All vehicles must be properly licensed and permitted and are required to adhere to the requirements outlined in Chapter 16.40.

All vehicles must meet the minimum requirements established by the Americans with Disabilities Act (ADA), unless a certificate has been granted by the Federal Transit Authority (FTA) to depart from the ADA standards and to use alternative designs or technologies that provide accessibility at least equal to those provided by the ADA requirements.

All WAVs must be clean, presentable, odor free, and free from soil and grime. Customers who are sensitive to perfumes and chemicals may suffer potentially serious health consequences, triggered by exposure to scented products. Consequently, drivers are asked to refrain from the use of personal scented products in the vehicle where the sole purpose is to produce a scent, such as perfume, aftershave, and cologne and to avoid the use of strongly scented personal hygiene products such as laundry soap, dryer sheets hand lotion, powder, hair spray, and deodorant.

### **Wheelchair loading and securement**

All WAV providers are required to follow all Federal and State laws related to securing and transporting citizens with electric, manual wheelchair, or scooters. It is the responsibility of the PFHT driver to use sound judgement, best practices and established safety standards and company policies when loading, unloading and securing passengers. Always park the vehicle in



a safe and accessible location for loading. Always park the vehicle in a safe location for loading the community member's device. Pay close attention to traffic patterns, location of sidewalk aprons and covered areas. Drivers must ensure that all electric, manual wheelchair, or scooters are secured using a 4-point securement system when possible, and that all passengers riding on their electric, manual wheelchair, or scooters are wearing a lap and shoulder belt, as required by the federal ADA.

No driver shall transport a passenger in the event a passenger expresses concern with the way their device has been secured. Drivers are responsible for reporting worn or damaged belts and restraints to the vehicle's registered owner and/or the person responsible for maintaining the vehicle. No person shall place a vehicle in service if chair restraints are damaged or defective in any way.

### **Customer service and communication with customers**

Every passenger must be treated with dignity, respect and patience. All drivers must abide by the City's non-discrimination clause. The City of Portland operates without regard to race, color, national origin, religion, sex, sexual orientation, gender identity, marital status, age or disability in accordance with the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related statutes and regulations, including Title II of the ADA, ORS Chapter 659A, and Portland City Code Chapter 23. Title VI of the Civil Rights Act requires that no person in the United States shall be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any City program or activity, on the grounds of race, color, or national origin.

When a community member requests a WAV, the dispatcher should ask the community member where the driver should look for them to ensure they can be located without delay (e.g., inside a facility, at the entrance of the address, across the street from the address). The dispatcher must ask the community member for the safest way to load the electric, manual wheelchair, or scooters (e.g., nearby accessible ramps, one-way streets that will prevent loading safely). The dispatcher should always request a phone number for the community member to be used when the driver arrives and is unable to locate them. When a driver arrives at a pickup location and the passenger is not visible, and the community member's phone number is provided, and the driver is equipped with a working mobile phone, the driver should call the community member that requested the ride to locate them. Drivers not equipped with a mobile phone can contact dispatch to make the call on their behalf, or the driver should go to their door, knock, or ring the bell. Unless the community member has previously asked the driver to do so, honking the horn to alert them is not acceptable. When the driver finds the community member, they must introduce themselves and offer their assistance. Offer to assist the community member with items they may be carrying. Offer to open, close or hold doors whenever doing so may assist the community member. Never leave the community member waiting in the vehicle unless a necessity requires



you to do so. The vehicle must be running and the climate control must be set so that the community member remains comfortable and safe.

### **Driver training**

Pursuant to Chapter 16.40, all Drivers must complete the City of Portland training/education program for the permit type they are certified for.

Drivers participating in the Accessible Service Subsidy Program will be required to complete additional training required for entry into that program.