

MASS TRANSPORTATION AUTHORITY SERVICE ANIMAL PROCEDURE

The Mass Transportation Authority (MTA) is committed to providing safe, reliable, courteous, accessible, and user-friendly services to its customers. Department of Transportation (DOT) Americans with Disabilities Act (ADA) Regulation 49 C.F.R. Section 37.167(d) requires transit entities to permit service animals to accompany individuals with disabilities in vehicles and facilities.

This Service Animal Procedure outlines the guidelines and steps that are applied to permit service animals to accompany individuals with disability when using MTA services.

DEFINITION

Under Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations of 49 C.F.R. Section 37.3, “service animal” is defined as “any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to:

- guiding individuals with impaired vision
- alerting individuals with impaired hearing to intruders or sounds
- providing minimal protection or rescue work, pulling a wheelchair
- fetching dropped items.”

GUIDELINES

Passengers who bring a service animal onto an MTA vehicle or a public area are expected to maintain control of the service animal at all times. MTA requires that a service animal be harnessed, leashed, or tethered while in public places, unless these devices interfere with the service animals work or the persons disability prevents use of these devices. In such cases, the person will be required to maintain control of the animal via voice, signal, or other effective means.

People with disabilities are not required to professionally train the animal, and they have the right to train their own service animal. Also, service animals are not required to wear a vest, ID tag or specific harness.

TRANSIT PROVIDERS MAY ASK:

- Is this a service animal?
- What task has the animal been trained to perform?

TRANSIT PROVIDERS MAY NOT:

- Ask for proof of disability or the animals certification.
- Require a person with a service animal to sit in a particular seat on the vehicle.
- Charge a cleaning fee - unless the animal causes damage.

A passengers request that the driver take charge of a service animal may be denied. Caring for a service animal is the responsibility of the passenger or a personal care attendant (PCA) who is riding with the passenger.

For the safety of others, all service animals must remain clear of any exits and may not block the aisle of the vehicle.

DENIAL OF SERVICE ANIMALS TRAVELING


The MTA may refuse to transport service animals that are deemed to pose a direct threat to the health or safety of drivers or other riders, create a seriously disruptive atmosphere, or are otherwise not under the passengers control. Examples include wandering around the vehicle, blocking an aisle or exit, aggressive behavior towards people or other animals, biting, and repeated barking. Denial would be for the service animal only, not the passenger.

EMOTIONAL SUPPORT ANIMALS

Passengers are not allowed to travel on MTA vehicles and be in MTA facilities with comfort, emotional support animals, or other pets which are not service animals.

Any animal that provides emotional support, comfort or companionship is not considered a service animal under the ADA.

MASS TRANSPORTATION AUTHORITY


Edgar H Benning
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