

**ALASKA RAILROAD CORPORATION
POLICIES AND PROCEDURES FOR PROVIDING
TRANSPORTATION SERVICES TO INDIVIDUALS
WITH DISABILITIES**



I. ALASKA RAILROAD CORPORATION
TRANSPORTATION SERVICES FOR INDIVIDUALS
WITH DISABILITIES POLICY STATEMENT

It is the policy of the Alaska Railroad Corporation (“ARRC”) that no person shall, on the basis of a mental or physical disability, be excluded from participation in or denied the benefits of ARRC’s transportation services. To that end, ARRC shall provide its transportation services to the public in compliance with the relevant requirements of the Americans With Disabilities Act, 42 U.S.C. § 12101 *et seq.* (“ADA”). ARRC has adopted the following ADA Procedures to ensure its compliance with this policy.

The responsibility for the day-to-day implementation of ARRC’s ADA Procedures is assigned to the Manager, Guest Services, in consultation with the ARRC Legal Department. All ARRC employees share in ARRC’s ADA responsibility, however, and trained employees will provide assistance to all passengers with disabilities whenever necessary.

ARRC’s passengers with disabilities have the right to expect that they will be treated in a nondiscriminatory manner by ARRC and that ARRC will make its stations and vehicles fully accessible to them as required by the ADA. To the extent that they feel that expectation is not being met, they also have the right to file a complaint with ARRC.

ALASKA RAILROAD CORPORATION



Clark Hopp
Chief Operating Officer

II. DEFINITIONS

The following definitions apply to these Procedures:

- A. **ADA** The Americans With Disabilities Act, 42 U.S.C. § 12101 *et seq.*
- B. **ARRC** The Alaska Railroad Corporation.
- C. **ARRC Facilities** Any or all portions of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property open to passengers as part of ARRC's provision of transportation services.
- D. **Disability** This term has three definitions:
 - (1) a physical or mental impairment that substantially limits one or more of an individual's major life activities;
 - (2) a record of such an impairment; or
 - (3) being regarded as having such an impairment.
- E. **Disability Discrimination** Any act, or any failure to act, which has the purpose or effect of limiting, excluding or denying an individual with a disability the use of ARRC's transportation services, provided the individual is capable of using ARRC's transportation services.
- F. **Procedures** The ARRC's ADA Procedures.
- G. **Reasonable Modification** A change or alteration to an ARRC policy or procedure necessary to avoid discrimination on the basis of a disability or to provide access to ARRC services.
- H. **Station** The portion of a property located appurtenant to a right of way on which ARRC rail transportation is operated, and which is used by the general public and is related to the provision of transportation. The term does not include flag stops or conditional stops.

III. DESIGNATION OF PERSONNEL RESPONSIBILITY

- A. **ARRC Manager, Guest Services.** Responsibility for the day-to-day

implementation of the ARRC ADA Procedures is assigned to the Manager, Guest Services, with advice and assistance from the ARRC Legal Department.

- B. ARRC OnBoard Services Supervisors.¹** Responsibility for the frontline implementation of the ARRC ADA Procedures at stations and on board the trains is assigned to the ARRC OnBoard Services Supervisors and Tour Guides. This includes the operation of the wheelchair lift, if required. The OnBoard Services Supervisors are assigned to each passenger train. If there is no OnBoard Services Supervisor assigned to the train, the responsibility for the day-to-day implementation of the ARRC's ADA Procedures is assigned to the Conductor.
- C. ARRC Legal Department.** The ARRC Legal Department is responsible for advising the ARRC on the requirements of the ADA and for assisting with the training of individuals responsible for the provision of ARRC passenger services, as needed.
- D. ARRC Bag Handlers, Station Agents, OnBoard Services Supervisors, Passenger Operations Managers, Conductors, and Tour Guides.** Responsibility for the operation of ARRC's wheelchair lifts is assigned to these employees as required.

IV. ACCESSIBILITY OF ARRC FACILITIES

- A. ARRC Stations.** The ADA, enacted in 1990, stated that (1) all new facilities constructed after January 25, 1992 by public entities for designated public transportation must be accessible and usable by individuals with disabilities; (2) alterations to such existing facilities must be accessible "to the maximum extent feasible;" (3) key stations for commuter rail must be accessible by July, 1993; and (4) key stations for intercity rail service must be accessible by July, 2010. In 1992, in an effort to ensure that ARRC was in compliance with these requirements, ARRC retained the services of ADAG Compliance Services, an Alaskan consulting firm, to evaluate ARRC's passenger services facilities and to make recommendations on actions to be taken to achieve compliance.

ADAG Compliance Services evaluated the Anchorage Depot, the Fairbanks Depot, and ARRC's passenger loading areas in Seward, Whittier, Portage, Wasilla, Talkeetna, and Denali. The evaluation focused on all aspects of the ADA Accessibility Guidelines for Buildings and Facilities ("ADAAG"), including parking lots, curb cuts/ramps, exterior and interior doors, brochure racks,

¹ As used in this Policy, "OnBoard Services Supervisor" means an employee with ARRC job title "Supervisor, OnBoard Services."

telephones, drinking fountains, ticket booths, baggage areas, restrooms, passenger platforms, floor surfaces, and handrails. At the conclusion of the inspections, ADAG Compliance Services submitted reports to ARRC enumerating steps to be taken at each location to bring ARRC into compliance with the ADA. Thereafter, the ARRC Chief Engineer issued a memorandum to the relevant ARRC departments directing that the recommendations be carried out at each location.

In 1997, ARRC conducted a follow-up inspection to make sure that ARRC remained in compliance with the ADA. By this time, new facilities had been erected in Seward, Talkeetna, and Portage, and each of these was evaluated as well. On the whole, the deficiencies noted were minor in nature, but each was reported to the Engineering Department for correction. To date, no complaints have been filed with ARRC regarding the accessibility of ARRC stations.

- B. ARRC Vehicles.** The ADA requires ARRC to operate at least “one car per train” that is accessible to individuals with disabilities, including individuals who use wheelchairs. ARRC always exceeds this requirement.

The ADA requires that, when a rail carrier buys a new or used vehicle, or when the carrier remanufactures an existing vehicle, the carrier must ensure that the vehicle is in compliance with the accessibility requirements of 49 C.F.R. Parts 37 and 38. Currently-owned vehicles that are not remanufactured need not be made accessible, but must be used on a consist that contains an accessible vehicle so there is at least “one car per train” that is accessible. ARRC is in compliance with these requirements.

- C. ARRC Lifts and Securement Devices.** ARRC maintains movable wheelchair lifts at each of its station stops. Each of the lifts is load tested far in excess of the poundage required by the ADA.

ARRC wheelchair lifts are inspected and maintained by the ARRC Heavy Equipment Shop in accordance with the ARRC Wheelchair Lift Maintenance Procedures. Day-to-day inspections are carried out by ARRC Bag Handlers charged with the responsibility of operating the lifts. A wheelchair lift operating and maintenance manual is kept in each ARRC baggage office. Although ARRC has never experienced a lift failure, it is prepared to provide alternative accessible transportation for individuals with disabilities if a lift is inoperable.

Unlike buses, rail cars are not required by the ADA to have securement devices. ARRC does not provide such devices on its passenger equipment.

- D. Stop Announcements.** ARRC stops are announced over the public address system by ARRC Tour Guides or OnBoard Services Supervisors and broadcast throughout all ARRC cars. Passengers with hearing impairments are personally notified of stops by the Tour Guide or OnBoard Services Supervisor. Seat assignments in ARRC passenger cars are based on the passenger's destination, so ARRC onboard employees can easily identify where each passenger is going and ensure that the passenger disembarks at the appropriate stop.

V. ARRC PROVISION OF TRANSPORTATION SERVICES TO INDIVIDUALS WITH DISABILITIES

ARRC provides transportation services to individuals with disabilities in accordance with the following policies:

- A. ARRC does not discriminate against individuals with disabilities in connection with its provision of transportation services, provided the individual is capable of using ARRC services.
- B. ARRC maintains in operative condition those features of its facilities and vehicles that are required to make the facilities and vehicles accessible to and usable by individuals with disabilities.
- C. ARRC repairs its accessibility features promptly if they are damaged or out of order. When an accessibility feature is out of order, ARRC takes reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.
- D. ARRC does not require passengers who use wheelchairs to travel in the designated wheelchair well if the passenger does not wish to do so. Passengers using a wheelchair may transfer to regular seating on ARRC vehicles and ARRC will store the passenger's wheelchair until needed.
- E. Passengers who use wheelchairs who wish to travel in their wheelchairs must use the designated wheelchair area on ARRC vehicles.
- F. ARRC does not charge individuals with disabilities for special accommodations or services.
- G. ARRC does not require individuals with disabilities to be accompanied by an attendant.

- H. ARRC does not refuse service to individuals with disabilities because of any disability-related conduct they may exhibit that may be perceived as annoying. On the other hand, ARRC may refuse service to any individual based on the individual's violent, seriously disruptive, or illegal conduct.
- I. ARRC provides a minimum of one car per train that is readily accessible and usable by individuals with disabilities.
- J. ARRC maintains portable lifts at each of its stops for use by individuals who use wheelchairs (or other mobility devices) and their accompanying traveler, if any and if desired, as well as all other individuals with mobility impairments. Each lift is ADA compliant.
- K. ARRC clearly communicates boarding procedures to individuals with disabilities, accommodates early boarding for individuals with disabilities, and allows adequate time for individuals with disabilities to board or disembark. Prior arrangements are not required for special boarding.
- L. ARRC allows service animals to travel with their owners and does not require any type of certification for the service animal except as permitted by law.
- M. All information about ARRC's transportation services are adequately communicated to individuals with disabilities.
- N. Throughout an ARRC trip, ARRC personnel announce stops and destination points sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. Other announcements may also be made upon request of an individual with a disability.
- O. ARRC allows individuals with disabilities to travel with a respirator or portable oxygen supply, consistent with applicable U.S. Department of Transportation rules on the transportation of hazardous materials.
- P. ARRC does not refuse to serve an individual with a disability or require anything from the individual that is outside the boundaries of the law because an insurance company conditions coverage or rates on the absence of individuals with disabilities or on requirements contrary to law.

VI. TRAINING OF PERSONNEL

- A. General.** ARRC provides training to both current and newly-hired employees

who are assigned to passenger service duties on the ARRC's obligations under the ADA to provide transportation services to individuals with disabilities. ARRC trains its personnel to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous manner.

- B. Train and Engine Service Employees.** Each spring, train and engine service employees (conductors, locomotive engineers, and brakemen) receive recurrent training on operational issues, including ARRC's obligations to provide transportation to individuals with disabilities. Newly-hired train and engine service employees receive this training as part of their orientation program.
- C. On-Board Services Supervisors.** Much like the train and engine service employees, the On-Board Services Supervisors receive ADA training as part of their spring orientation program.
- D. Tour Guides.** ARRC typically staffs each passenger train with one or more Tour Guides who assist passengers, provide a running commentary on the tourist attractions of Alaska, and ensure that all passengers enjoy a safe and comfortable trip on the Alaska Railroad. These employees, who often have the most one-on-one contact with ARRC passengers, undergo a semester-long course on customer service and the history, traditions, wildlife, plants, and other features of Alaska. A specific portion of their training is devoted to the appropriate manner of dealing with individuals with disabilities. Their course manuals provide information on disabilities in general, the differences among various disabilities, "disability etiquette," access awareness, and travel tips for mobility-impaired, vision-impaired, and hearing-impaired travelers. ARRC Tour Guides are also trained in operating wheelchair lifts.
- E. Bag Handler.** ARRC Bag Handlers, who may be called upon to operate ARRC's wheelchair lifts, receive recurrent spring training or new-hire orientation training on both the mechanical components of operating the lifts and the appropriate manner of providing customer service to individuals with disabilities.

VII. REQUEST FOR REASONABLE ACCOMMODATION and COMPLAINT PROCEDURES

- A. Request for Reasonable Modification.** An individual with a disability may request that ARRC make a reasonable modification to its policies or procedures in order to avoid discrimination on the basis of a disability or to provide the individual access to ARRC services. Such requests should be made in advance of

the need for the modified service whenever feasible. ARRC will give every consideration to granting the request for a reasonable modification unless:

1. Granting the request would fundamentally alter the nature of ARRC's services, programs, or activities;
2. Granting the request would create a direct threat to the health or safety of others;
3. Without the requested modification, the individual requestor is able to fully use ARRC's services, programs, or activities; or
4. Granting the request would cause an undue financial and administrative burden for ARRC.

All requests for a reasonable modification, including those received by ARRC personnel directly from a passenger, must be sent to:

Alaska Railroad Corporation
Attn: Reasonable Modification Coordinator
327 West Ship Creek Avenue
Anchorage, Alaska 99501
Telephone: (907) 265-2682
Facsimile: (907) 265-2443
TTY: (907) 265-2620
or 7-1-1

Email: sellerswarehamt@akrr.com

- B. Filing a Complaint.** Individuals who feel that they have been discriminated against on the basis of a disability in connection with ARRC's provision of transportation services may file a complaint with the ARRC Manager, Guest Services. The complaint must be in writing and specify the date of the alleged discriminatory event, the identity of the individual responsible for the alleged discriminatory event (if known), the facts surrounding the alleged discriminatory event, and the relief sought by the complainant. The complaint must be filed within 45 calendar days of the date of the alleged discriminatory event. Complaints should be forwarded to:

Alaska Railroad Corporation
Attn: Manager, Guest Services
327 West Ship Creek Avenue

Anchorage, Alaska 99501
Telephone: (907) 265-3957
Facsimile: (907) 265-2235
TTY: (907) 265-2620
or 7-1-1

Email: RemleyT@akrr.com

An ADA Complaint Form is available on the ARRC's website at <https://www.alaskarailroad.com/corporate/civil-rights>.

- 1. Processing of the Complaint.** Upon receipt of a complaint, the Manager, Guest Services will begin an immediate and thorough investigation into the allegations of the complaint.
- 2. Informal Resolution.** The parties may reach an amicable resolution to the complaint at any time in the process.
- 3. Decision.** If the parties are unable to reach an amicable resolution to the complaint, the Manager, Guest Services will respond to the complainant within 30 calendar days of having received the complaint and explain the results of the investigation and the conclusions reached with regard to the complaint. With the agreement of the complainant, the 30-day time limit may be extended.
- 4. Appeal.** Complainants who are not satisfied with the decision of the Manager, Guest Services may, within 15 calendar days of receiving the decision, appeal the decision to the ARRC President and CEO. The appeal must be in writing and must specify the grounds on which the complainant is dissatisfied with the Manager's decision.
- 5. Decision.** The President and CEO may resolve the appeal in an informal manner or may issue a decision within 30 calendar days of having received the appeal. The decision of the President and CEO shall be final.
- 6. Complaint to Federal Transit Administration.** In addition to, or in lieu of, filing a complaint with ARRC, a passenger may also file a complaint with the FTA. Complaints must be in writing and must be filed within 180 days of the alleged discriminatory event. The complaint must include:
 - A summary of the allegations and any supporting documentation.

- Sufficient details for an investigator to understand why the complainant believes ARRC violated the ADA, with specifics such as dates and times of incidents.
- Any related correspondence from ARRC.

The complaint must be signed and mailed to:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590