



Americans with Disabilities Act (ADA) Reasonable Modification Policy

It is Commonwealth Office of Transit Authority's (COTA) policy to make reasonable modification to its policies, practices, or procedures when requested to do so by individuals with disabilities when such accommodations are necessary to avoid discrimination on the basis of disability.

Requests for modification of COTA's policies and practices may be denied only on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of COTA's services, programs, or activities. For example, if an individual request the driver of a fixed-route service to stop at a location that is not on the schedule, this is a fundamental alteration to fixed-route service;
2. Granting the request would create a direct threat to the health or safety of others. For example, when assisting a passenger means leaving the transit vehicle unattended in a high traffic area, that could likely result in a collision and endanger the safety of the other passengers; or
3. Without the requested modification, the individual with a disability is able to use the entity's services, programs, or activities for their intended purpose. For example, a passenger asks to sit in the same seat every time because of a personal preference.

In determining whether to grant a requested modification, COTA will be guided by the provisions of United States Department of Transportation at 49 CFR Appendix E to Part 37.169.

When choosing among alternatives for accommodations, COTA will give priority to those methods that offer services, programs and activities to qualified individuals with disabilities in the most integrated setting appropriate for the needs of the individual(s) with disabilities. In any case in which COTA denies a request for an accommodation, COTA will attempt to ensure that the individual with a disability receives the services or benefits provided by COTA by other means that comport with this policy.



Commonwealth of the Northern Mariana Islands
Commonwealth Office of Transit Authority
Office of the Governor



Process for Requesting Modifications/Accommodations for Individuals with Disabilities

Request for modifications of COTA's policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. COTA is best able to address and accommodate a request when customers make their request for modifications in advance. The process for making a request is as follows:

1. Individuals requesting modifications shall describe what they need in order to use the service.
2. Individuals requesting modifications are not required to use the term "reasonable modification" when making a request.
3. Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service, for example, during the paratransit eligibility process, through customer service inquiries, or through the COTA's complaint process.
4. Where a request for modification cannot practically be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit or fixed-route trip of which the individual with a disability was unaware until arriving), COTA's transit operators shall make a determination of whether the modification should be provided at the time of the request. COTA's transit operators may consult with the entity's management before making a determination to grant or deny the request.

Requests may be denied on one or more of the following grounds:

1. Granting the request would fundamentally alter the nature of COTA's services, programs, or activities. For example, if an individual request the driver of a fixed-route service to stop at a location that is not on the schedule, this is a fundamental alteration to fixed-route service;
2. Granting the request would create a direct threat to the health or safety of others. For example, when assisting a passenger means leaving the transit vehicle unattended in a high traffic area, that could likely result in a collision and endanger the safety of the other passengers; or



Commonwealth of the Northern Marianas Islands
Commonwealth Office of Transit Authority
Office of the Governor



3. Without the requested modification, the individual with a disability is able to use the entity's services, programs, or activities for their intended purpose. For example, a passenger asks to sit in the same seat every time because of a personal preference.

Requests may be made through the following means:

- Call (670) 664-2690 or (670) 664-2682
- Send email to: alfreda.camacho@gov.mp

You may also submit a written request online at <http://www.cota.gov.mp/index.php/contact-us>. Click on the Contact Us tab. You will find a form to complete your request.

Operator availability may be very limited when providing service and if the request would require extended consideration, we may not be able to grant your request immediately, and you may be encouraged to submit a written request for further consideration in future trips.

COTA's ability to grant the requested modifications may vary by route, day of travel, time of day, or other circumstances. For example, while a request may be able to be granted in one instance, that same request may be denied in another instance if granting the request would fundamentally alter the nature of the service or create a safety threat, or if the request is fundamentally not a functional necessity.

In the case of denial of a request, COTA will take, to the maximum extent possible and in compliance with its policies, any other appropriate actions to ensure you receive service.

Designated employee for compliance: COTA has designated Diego B. Songsong, ADA Compliance Coordinator, as the employee responsible for ensuring compliance of this policy and for administering the prompt and equitable resolution of any related complaints. Contact information is as follows:

Commonwealth Office of Transit Authority

Suite 216, Marians Business Plaza

Susupe

Caller Box 10007

Saipan, MP 96950

Telephone No.: (670) 664-2682

Email: diego.songsong@gov.mp

Website: <http://www.cota.gov.mp/>



Commonwealth of the Northern Marianas Islands
Commonwealth Office of Transit Authority
Office of the Governor



How to File a Complaint: Complaints regarding the administration of our compliance with this policy shall be made in writing either by letter or email addressed to COTA's ADA Compliance Coordinator, or by completing and returning the ADA Complaint Form found at: http://www.cota.gov.mp/downloads/forms/COTA_ADA_Complaint_Form-f.pdf.

All complaints will be handled in accordance with COTA's Grievance Procedures found at: http://www.cota.gov.mp/downloads/forms/COTA_Grievance_Procedures_Under_ADA.pdf. COTA will make every effort to make a prompt and equitable resolution of any complaint. COTA's response to any complaint will be in writing and will include COTA's decision and reason(s) therefore.

If COTA is unable to resolve the complaint, you can file a complaint with the Federal Transit Administration Office of Civil Rights. Complaints should be filed within 180 days from the date of the incident.

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, DC 205590

Include the following information with your complaints:

- Statement of events including the date(s) and time(s)
- Any supporting documentation



Commonwealth of the Northern Mariana Islands
Commonwealth Office of Transit Authority
Office of the Governor



"Driving You Forward"

ACKNOWLEDGEMENT

I hereby acknowledged that I have approved the Commonwealth Office of Transit Authority's American with Disabilities Act (ADA) Reasonable Modification Policy on December 18, 2019.

ALFREDA P. CAMACHO
Special Assistant for Public Transportation

12/18/19
DATE

