

Gavin Newsom | Mayor

Tom Nolan | Chairman

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Cameron Beach | Director

Malcolm Heinicke | Director

Bruce Oka | Director

Nathaniel P. Ford Sr. | Executive Director/CEO

June 17, 2010

Honorable James J. McBride
Superior Court of California
County of San Francisco
Civil Grand Jury
400 McAllister Street, Dept. 206
San Francisco, CA 94102

Re: Grand Jury Request for Information from the San Francisco Municipal
Transportation Agency (SFMTA)

The SFMTA is in receipt of your request for information dated April 22, 2010.

Enclosed with this letter you will find a number of attachments that are responsive to aforementioned items 3, 4 and 6.

I trust that the attachments satisfy the Grand Jury's request. If there is additional information or clarification required, please contact me at 415.701.4720.

Sincerely,



Debra A. Johnson
Director of Administration, Taxis and Accessible Services

cc: Leslie A. Koelsch, Grand Jury Office
SF Board of Supervisors
Manish Goyal, Mayor's Office of Public Policy & Finance
Nathaniel P. Ford Sr.

2009 - 2010 Civil Grand Jury Report: Americans with Disabilities Act: Is San Francisco in Compliance?

California Penal Code Sections 933.05(a) requires the responding party or entity identified in the report to respond to the Presiding Judge of the Superior Court, within a specified number of days. For each Finding of the Grand Jury, the response must either 1) agree with the finding or 2) disagree with it, wholly or partially, and explain why.

Further as to each recommendation, the responding party must report either that:

<p>1. Recommendation has been Implemented - Summary of how it was Implemented</p>	<p>2. Recommendation has not been Implemented but will be Implemented in the Future - Timeframe for Implementation</p>	<p>3. Recommendation Requires Further Analysis -Explanation & Timeframe for officer or agency to be prepared to discuss (Less than six months from release of report)</p>	<p>4. Recommendation Will Not Be Implemented because it is Not Warranted or Not Reasonable - Explanation</p>
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For each finding and recommendation below, indicate which action you have taken or plan to take and provide the required information. Attach additional sheets if necessary.

Response Required From: San Francisco Municipal Transportation Agency

Explanation

<p>Finding # 3 Not Applicable</p>	<p>SFMTA Accessible Services is unable to comment on or contribute to this recommendation as it relates to private sector ADA compliance issues which are not in the purview of SFMTA. The Mayor's Office on Disability may have further recommendations on how the City could incorporate a grievance process for private entities into the City's grievance process.</p>
<p>Recommendation # 3</p>	<p>Recommendation Requires Further Analysis By January 2011, the MOD in association with City departments' ADA Coordinators should initiate a study to determine the feasibility of the expansion of the grievance procedure to incorporate private sector ADA compliance issues as an alternative to litigation.</p>
<p>Finding # 4 Not Applicable</p>	<p>SFMTA has made great strides in updating our transit facilities to meet Federal accessibility standards. Any facility modifications done by SFMTA always include accessibility upgrades and funding for those upgrades. Department of Public Works and the Mayor's Office on Disability are the main entities in charge of the Facilities Transition Plan and SFMTA has and will continue to cooperate with these departments regarding its implementation.</p>
<p>Recommendation # 4</p>	<p>Recommendation Requires Further Analysis San Francisco should obtain and distribute the needed funding through all available and creative means including targeted bond issues to accelerate the achievement of compliance goals in 10 years. Consistent funding levels must be maintained in order to retain, develop, and expand the pool of valuable experienced personnel.</p>
<p>Finding # 6 Agree ____ Disagree X</p>	<p>SFMTA has significant disability awareness training programs in place. SFMTA Safety and Training works closely with SFMTA Accessible Services to develop and deliver an effective disability awareness curriculum. An intensive training is provided to new transit operators in the early days of their training period so that they carry an awareness of the needs of seniors and persons with disabilities throughout their training program. Basic accessibility awareness trainings include specialized instruction including, review of the ADA, definition of disability, discussion of hidden disabilities, tips on communicating with persons with disabilities,</p>

appropriate terminology to use when referring to persons with disabilities, ADA accessible transit service requirements, access bus features, light rail access features, elevator access, accessible wayside platforms and lifts, historic streetcar accessibility, providing assistance to customers who are blind, using wheelchairs, with deafness or hard of hearing, speech impairments, mental illness and individuals with developmental disabilities, information on discount fare programs, and an overview on the Paratransit program. Persons with disabilities and seniors who are Muni customers serve as community experts and participate in the training presentations. These community trainers also often have extensive experience with Muni, representing groups such as Retired / Senior Muni operators, the Muni Accessibility Advisory Committee and the SFMTA Board.

Yearly Verification of Transit Training (VTT) classes are mandatory for all operators on all modes of transit service. The VTT curriculum also emphasizes operator responsibilities to serve persons with disabilities and seniors to ensure that transit services are compliant with federal accessibility standards and inclusive to all San Franciscans. Systemwide accessibility trainings are also delivered to other front line staff who interact with the public including station agents, proof of payment inspectors, and street supervisors with particular emphasis on interfacing with transit customers – especially those who are seniors and persons with disabilities.

In 2009, SFMTA partnered with the Mayor's Office on Disability and the Lighthouse for the Blind and Visually Impaired to develop a bus operator training video that focuses on the needs of customers with visual disabilities. Using this video as an additional refresher training in good Customer Services with particular emphasis on aspects of service related to persons with disabilities and their needs was developed and rolled out throughout the Muni system.

Copies of materials used in these trainings can be made available upon request.

To ensure that operators remain in compliance with both agency policies regarding customers with disabilities and Federal civil rights legislation, SFMTA has a clandestine observer program. This program is comprised of community members with disabilities who frequently ride the system and submit reports of their observations of service compliance.

SFMTA has a detailed process for addressing Transportation-related accessibility complaints. This is communicated to senior and disabled customers through a printed guidebook ("SFMTA Access Guide: Transit Information for Seniors and People with Disabilities"), through the SFMTA website (<http://www.sfmta.com/cms/raccess/mauindx.htm>) and through the 3-1-1 Customer Service Center. This information is available in alternative formats: Braille, Large Print, electronic text, and audio CDs, etc.

Specifically from Customer Rights and Responsibilities

"Commendations and Complaints"

Muni relies on feedback from customers, both negative and positive, to help us continue to provide good transit service. We encourage customers to let us know if they encounter difficulties with an operator or have problems with faulty equipment. To report an equipment problem, or make a complaint about an operator; the following information needs to be provided:

- The time, date and location of the incident;
- The line designation (letter or number) and the direction of travel (e.g. inbound or outbound; north, south, east or west);

	<ul style="list-style-type: none"> • The number of the vehicle. On buses the four digit vehicle number is on the front and back of the coach exterior and above the windshield inside the coach. A metal plate with Braille and raised characters is installed approximately 60 inches above the floor behind the operator compartment on buses and light rail vehicles. • The operator's cap number (a four digit number on the shirt sleeve or cap); • A general description of the operator; • A description of the incident; and • The complainant's contact information. <p>For customer complaints about possible ADA violations by the operator, SFMTA Customer Services and Operations will attempt to identify the operator using the information provided by the complainant. If the operator is identified the customer will be invited to attend an administrative hearing with the operator, his or her union representative and a neutral hearing officer. The hearing officer will hear testimony from all the parties and make a determination on the validity of the complaint.</p>
<p>Recommendation # 6</p>	<p>Recommendation has been Implemented By June 2011, the City should develop training programs in areas of assistance and sensitivity to the needs of disabled persons, especially at MTA and SFPD. These programs should be implemented by December 31, 2011.</p>