



Citizens Advisory on Transit

Regular Meeting

<http://www.rochestermn.gov/>

~ Agenda ~

Nicholas Lemmer

Thursday, August 22, 2019

4:30 PM

Room 104, City Hall

- I. Call to Order**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - 1. July 2019 Meeting Minutes
- IV. ZIPS No show policy update**
 - 1. No show policy change
- V. Adjourn**

MINUTES
CITIZENS ADVISORY ON TRANSIT
June 25th 2019
4:30 PM
Rochester, MN

Members present:, Alan Johnsrud, Karen Doering, Rod Ehni, Joel Lovelace, and Tracy Shramm
Staff: Scott Retzlaff
Operators: None

1. Call to order at 4:30 by Johnsrud.
2. Approval of Agenda Lovelace, 2nd by Ehni, Approved
3. Approval of Minutes Shramm, 2nd by Lovelace. Approved.
4. Other Business
 - a. Officers needed – vice chair and secretary.
 - i. Vice chair – Shramm volunteered
 - ii. Secretary – Lovelace volunteered
 Motion made by Doering to approve. 2nd by Ehni. Approved.
 - b. Amrita Prakaashana has resigned due to time constraints. The Mayor’s office was informed on 7/18 of her resignation.
5. ZIPS no show policy update. The attached ZIPS no show policy was reviewed.
City staff discussed the background and need for a revised and updated no show policy: System wide ZIPS is experiencing a 6% no show rate. This impacts on time performance, other system efficiencies, and cost. Prior to implementing this change there would be a large initiative to educate riders of this policy.
Shramm would like to know more about the cancellation and record keeping portion that the operator would have to implement ie: cancellation numbers, after hour cancelations, and communication.
Motion made by Ehni to table item until next meeting for more discussion and study. 2nd by Doering. Approved.
Side bar: First Transit managers are requested to be available to answer questions.
6. Adjourn. Motion to adjourn by Doering. 2nd by Shramm. Approved Meeting adjourned 5:50.

Meeting video link:

<http://rochestercitymn.igam2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=3553&Format=Agenda>

The City needs to change the ZIPS no-Show policy in order to clarify that the policy is based on a true pattern or practice of no-shows.

Current Language

In its current form in the ZIPS Operating Policies and Guidelines, Section 5.12 describes the procedures for suspension of service for infractions as follows:

CURRENT 5.12 Procedures for Suspension of Service

The operator shall keep a record of such incidents as described under Section 5.9. Such records shall list individual's name, date of occurrence and nature of incident. Two incidents will result in a written notice from the operator explaining the inconvenience caused to the service and other users. A third incident may result in suspension of service to the user. The operator with the concurrence of the City shall notify the user of such suspension by letter.

Suspension of service for reasons listed under Section 5.9, Items C, D, and E shall be for a minimum of one year.

The system may temporarily terminate service to an individual on an immediate basis if the incident is considered to be a threat to the safety of the individual and/or other passengers. The operator will, in such cases, consult with the individual or responsible guardian. Immediate suspension of service will require concurrence of the City.

An appeal of a determination to terminate service to an individual may be made within 60 days of the date of notice of suspension (under reasons listed under Section 5.9), by notifying the Department of Public Works. The Department of Public Works will notify the Eligibility Review Committee of the challenge and schedule a review for the next available meeting of the Committee at which time the individual may attend and discuss the situation. The Eligibility Review Committee shall make a final determination on all cases involving a challenge within 30 days. A written notice of such findings shall be sent to the individual.

Temporary reinstatement will be granted to persons whose appeal is not decided within 30 days.

Section 5.12 states that if there are two no-shows, it will result in a written notice from the operator explaining the inconvenience caused to the service and other users. A third incident may result in suspension of service to the user. That suspension shall be for a minimum of one year.

The City feels that this one year minimum suspension is not reasonable and does not take trip frequency into account. This could result in a suspension of customers who have not demonstrated a true pattern or practice of no-shows

Section 5.12 makes reference to Section 5.9. Section 5.9 states:

CURRENT 5.9 Reasons for Suspension of Service On a Temporary or Permanent Basis

The ZIPS system reserves the right to terminate service to any individual based on the following reasons:

- a. A person is no longer eligible based on disability status.
- b. A person's disability or condition is judged to be medically unstable and there is the foreseeable need for medical attention during transport.
- c. A person has a continual problem with "no shows" define under Section 5.11.
- d. A person has exhibited behavior problems and/or disorderly conduct during transport.
- e. A person has caused incidents or situations that affect the delivery of service and are disruptive to the service.

Section 5.9c makes reference to Section 5.11. Section 5.11 states:

CURRENT 5.11 No-Shows

"No shows" are defined as reservations for service where the vehicle has been dispatched to the pickup point and the individual is not present or cancels without prior notification.

Proposed Changes

City staff is proposing the following revised No-Show policy to replace the current Section 5.12 and current Section 5.11. Current Section 5.9 would be eliminated and incorporated into proposed Section 5.12 and proposed Section 5.13.

This change will be implemented after contacting and informing all current ZIPS users of the policy change.

PROPOSED Section 5.12 Suspension of Service

- A. Violation of ZIPS No-Show Policy. While a ZIPS user cannot be terminated from using ZIPS due to excessive late ride cancellation and no showing for a pick-up, they can be temporarily suspended as long as the policy allows for suspension appeals.
- B. Pattern and Practice of No Shows. A ZIPS user may be suspended from ZIPS paratransit service when they show a "pattern and practice" of No Shows (during a 30 day look back period) which occurs once:
 - a. A ZIPS user has been a registered ZIPS user for 30 calendar days; **AND**
 - b. A ZIPS user has scheduled 20 trips since registering; **AND**
 - c. A ZIPS user has accumulated 3 No Shows since they were registered; **AND**
 - d. The number of No Shows represents more than 6% of their requested trips within a 30-day look back period.

- C. The No Show is excused if it occurred as the result of a situation beyond the customer's control. Please note that "beyond the customer's control" does not include situations such as not feeling well just before the agreed-on pickup time, forgetting you had something else scheduled, oversleeping, or forgetting something in your apartment. It would include situations such as an emergency medical issue requiring an ambulance and/or hospitalization happening prior to being picked up for a scheduled ride, a maintenance problem in your building or home that does not allow you to get to the pickup point, weather related delays, ZIPS bus breakdown, or ZIPS scheduling errors.

The following are examples of what would and would not constitute a pattern and practice of No Shows:

Example 1: A ZIPS user has been a registered ZIPS user for 30 calendar days, has booked 25 trips during a 30 day look back period, and misses 3 trips. This ZIPS user **has a pattern and practice** of No Shows because (a) the ZIPS user had 3 No Shows, and (b) those No Shows represent at least 6% of the total trips booked ($3/25 = 12\%$);

Example 2: A ZIPS user has been a registered ZIPS user for 2 years, has accumulated 5 no shows in those 2 years, has booked 40 trips during a 30 day look back period, and missed 2 trips in those 30 days. This ZIPS user **does not have as a pattern and practice** of No Shows because those No Shows does not represent at least 6% of the total trips booked ($2/40 = 5\%$);

Example 3: A ZIPS user has been a registered ZIPS user for 30 calendar days, has booked 25 trips during the 30 day look back period, and misses 2 trips. This ZIPS user **does not have a pattern and practice** of No Shows because the ZIPS user did not have 3 or more No Shows during the 30 day look back period.

*Note: Because there were not at least 3 No Shows, the fact that the ZIPS user missed 20% of their scheduled rides is irrelevant for purposes of determining whether there has been a pattern and practice of No Shows.)

Example 4: A ZIPS user has NOT been a registered ZIPS user for 30 calendar days, has booked 30 trips during a 30 day look back period, and misses three trips. This ZIPS user **will not have a pattern and practice** of No Shows because the ZIPS user has not been a registered ZIPS user for 30 calendar days.

- D. Calculations for penalties. Calculations for penalties begin once a passenger a ZIPS user has been a registered ZIPS user for 30 calendar days and a ZIPS user has scheduled 20 trips. The ZIPS computer system keeps track of each trip a customer has requested, scheduled, taken, cancelled and/or "no showed." When a No Show occurs, the computer will calculate the percentage of No Shows for that customer's scheduled trips for the preceding 30 days. This will be calculated as follows:

$$(\text{No Shows}/(\text{Scheduled Trips} - \text{Cancelled Trips})) \times 100 = \% \text{ of No-Shows.}$$

E. Penalties. Once a ZIPS user has met the thresholds in 5.12B, penalties for No Shows are listed below:

1. 1st occurrence: no penalty. A letter of notification and a copy of the No Show policy will be mailed to the ZIPS user.
2. 2nd occurrence: seven (7) consecutive days suspension
3. 3rd occurrence: fourteen (14) consecutive days suspension
4. 4th occurrence: thirty (30) consecutive days suspension

ZIPS will use a rolling 30 day time period when keeping track of non-show penalties. Any penalties older than 30 days will not be used in calculating the suspension length.

All penalties imposed under this policy are first subject to the appeals process listed below in 5.12G.

F. Other Reasons for Suspension of Service. The ZIPS system reserves the right to suspend service to any individual immediately based on the following reasons:

1. A person is no longer eligible based on disability status.
2. A person's disability or condition is judged to be medically unstable and there is the foreseeable need for medical attention during transport.
3. A person has exhibited behavior problems and/or disorderly conduct during transport.
4. A person has caused incidents or situations that affect the delivery of service and are disruptive to the service.

Under 5.12F3 and 5.12F4, ZIPS may temporarily suspend service to an individual on an immediate basis if the incident is considered to be a threat to the safety of the individual and/or other passengers. The operator will, in such cases, consult with the individual or responsible guardian. Immediate suspension of service will require concurrence of the City.

G. Notification and Appeals Process. Customers (or responsible guardian) who are in violation of the above Sections 5.12A, 5.12B, and 5.12F will receive written notice of the violation. The notice will include details of the violation, dates of violation(s), pending dates of suspension of service, and the appeals process.

Prior to notification being sent, the ZIPS operator will consult with the City.

An Appeal of a Determination to Suspend Service to an Individual may be made within 14 days of the date of notice of suspension, by notifying Rochester Public Transit. Rochester Public Transit will notify the Eligibility Review Committee (see Section 2.6) of the challenge and schedule a review for the next available meeting of the Committee at which time the individual may attend and discuss the situation. The Eligibility Review Committee shall make a final determination on all cases involving a challenge within 30 days of the meeting. A written notice

of such findings shall be sent to the individual. During the Appeal, a ZIPS user will be allowed to continue to use ZIPS temporarily pending the outcome of the Appeal. Following the suspension period, customers would be able to resume service.

PROPOSED Section 5.11 will be revised as follows:

“No-Shows” are defined as follows:

1. The customer cancels the trip less than 60 minutes prior to the start of the scheduled pickup window.
2. The vehicle arrives on time, but the customer no longer wants the ride.
3. The vehicle arrives on time, but the driver cannot locate the customer at the requested pick-up location.
4. The vehicle arrives on time and waits for two (2) minutes, but the customer is not ready to go, and the driver must leave to stay on schedule.
5. If a No Show occurs on the first trip, the return trip will not automatically be cancelled unless a reasonable effort to contact the passenger has been made. Reasonable effort means that dispatch will attempt to contact the passenger utilizing their contact information that is on file. Contact may be made through telephone, text message, and/or email.

PROPOSED Section 5.9:

This section has now been incorporated into 5.11 and 5.12.