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# RTD Paratransit Accountability

**RTD Accountability Committee,  
Colorado Energy Office**

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# Study Purpose

Senate Bill 25-161, signed into law, May 13, 2025, by Governor Jared Polis:

*“(3) Evaluation and recommendations. (a) the purpose of the committee is to evaluate and make recommendations on:*

*(iii) the paratransit services provided within the district's geographic service area. As used in this subsection (3)(a)(iii), "paratransit services" means complementary parallel transit services for individuals with disabilities who are unable to utilize regular or fixed-route transit services for some or all of their transit needs.”*

# RTD Transportation Programs



## Access-a-Ride (AaR)

- Complies with the FTA ADA regulations, uses designated paratransit vehicles to accommodate eligible riders with a wide range of disabilities, intent is to provide “access” to public transportation.
- Door-to-door service only within  $\frac{3}{4}$  mile of regular fixed route service and only when those fixed routes are operating
- Requires trip reservations in advance
- Fare: \$4.50 per one-way trip



## Access-on-Demand (AoD)

- Optional “premium” service for paratransit-eligible riders
- Curb-to-curb service, available throughout the RTD service area, 24/7.
- Same-day, on-demand rides, limited to 60 trips per month
- Utilizes commonly available rideshare services as primary delivery mechanism
- Fare: Subsidized up to \$25 per trip, customer is responsible for remainder over \$25

# Federal Requirements for ADA Paratransit

- Eligibility from the Federal Transit Administration, the federal regulatory authority

“Disability alone does not determine paratransit eligibility; the decision is based on the applicant’s functional ability to use the fixed route bus and is not a medical decision.

The substantive eligibility process is not aimed at making a medical or diagnostic determination. While evaluation by a physician (or professionals in rehabilitation or other relevant fields) may be used as part of the process, a diagnosis of a disability is not dispositive. What is needed is a determination of whether, as a practical matter, the individual can use fixed route transit in his or her own circumstances.”

# Federal Requirements for ADA Paratransit

- Service Requirements as defined in the regulations implementing the Americans with Disabilities Act of 1990, aka, “the six service criteria”
  1. **Service Area** – established by proximity to non-commuter fixed-route bus and rail services, available within  $\frac{3}{4}$  mile of RTD’s non-commuter bus routes and light rail stations.
  2. **Response Time** - Service must be available on request the previous day, people can request and receive service at any requested time on any day for which the fixed-route system operates. The maximum request time can be developed locally but must not be less than three days. RTD’s current policy allows AaR reservations up to seven days in advance
  3. **Fares** - The fare for an ADA paratransit trip cannot exceed twice the full fare of a comparable trip on the fixed-route system, with no discounts considered. Current AaR fares are:
    - Local fare - \$4.50
    - Denver International Airport - \$19.00
    - LiVE - \$2.25/\$9.50 to airport

# Federal Requirements for ADA Paratransit (cont.)

4. **Trip Purpose Restrictions** - Transit agencies cannot impose restrictions or priorities based on the purpose of a trip; service must be provided to eligible riders regardless of where they are going.
5. **Hours and Days of Service** - Paratransit must be provided on the same days and during the same hours as the fixed-route services for any given trip.
6. **Capacity Constraints** - Transit agencies are prohibited from limiting the availability of service by placing constraints on capacity, meaning they must have adequate resources to meet the demand from eligible riders.

**Curb to Curb versus Door to Door** – The regulations allow this decision to be reached locally. RTD's process resulted in a door to door service.

These criteria can be exceeded, but they must be met at the minimum level, as well. The regulations are clear that anything beyond these criteria cannot be used as a reason for not meeting the criteria, that includes the costs of the services.

# Access versus Mobility

- **Access** - a person can find their way to get to a service. It may not be convenient, it may be limited, and it may be expensive, but they can utilize it.
- **Mobility** – a person has choice and freedom over their movement. They can get where they want, when they want, and within a cost that fits into their personal budget.

A parallel

- Library systems that offer large static buildings brimming with literature and media, versus a “bookmobile” that makes its way into rural areas served by the library system
  - Bookmobile provides **access** to the library system
  - People who can reach the main library have **mobility**

# Access versus Mobility

- **AaR** – Designed to meet the minimum requirements of the ADA and a considered a guarantee of **access** to public transit. At the time regulations were drafted (they became effective in 1992) this was considered an over-reach by many in the transit industry and an under-reach by the people who would use the service.
  - Subscription rides for repetitive trips are offered
  - Service is door to door, including being escorted, if needed
  - Reservations can be made in advance
  - Drivers are specifically trained for assisting people with disabilities
  - Drivers are closely regulated to spot possible safety and personal security issues



# Access versus Mobility

- **AoD** – Offers options to people, essentially improved **mobility**
  - Same day trip requests, allows spontaneity
  - Trips are origin to destination, no trip sharing which is common with AaR, service is faster
  - For some AoD riders, there is no fare
  - Riders can see their vehicle's status as it arrives for their trip, no uncertainty with a 30 minute pick-up window
  - Services like AoD are possible due to advancements in technology and the rise of ridesharing
  - Service is curb to curb, there is no assurance of operator assistance
  - Operators are not generally specifically trained about the needs of riders with disabilities
  - Lyft and Uber operators are not screened, or actively monitored

# National Perspective

- Agencies throughout the US have active and mature programs like AoD, or they are experimenting with implementing them. There are great lessons learned.
- The minimum service requirements of the ADA unintentionally set barriers to mobility, once those barriers are removed, especially the ability to be spontaneous and to always have point to point service, result in increased demand if the service is reliable. Demand per person usually rises 2 to 3 times the baseline usage of service under ADA criteria.
- In most cases where pilots were initially established without trip caps, or cost barriers, they have been subsequently added to manage demand to make service financially sustainable.
- For example, Chicago RTA, this summer, had to allocate an additional \$40 million to the regional paratransit provider to bridge costs of the on-demand service in 2025. The program is not quite two years old. Program modifications were implemented, a fare increase (\$2.00 to \$3.25) and a more significant trip cap, (30 rides per month versus the prior 8 rides per day).
- Similar histories are available from Boston and New York. Even smaller agencies have had the same experience.

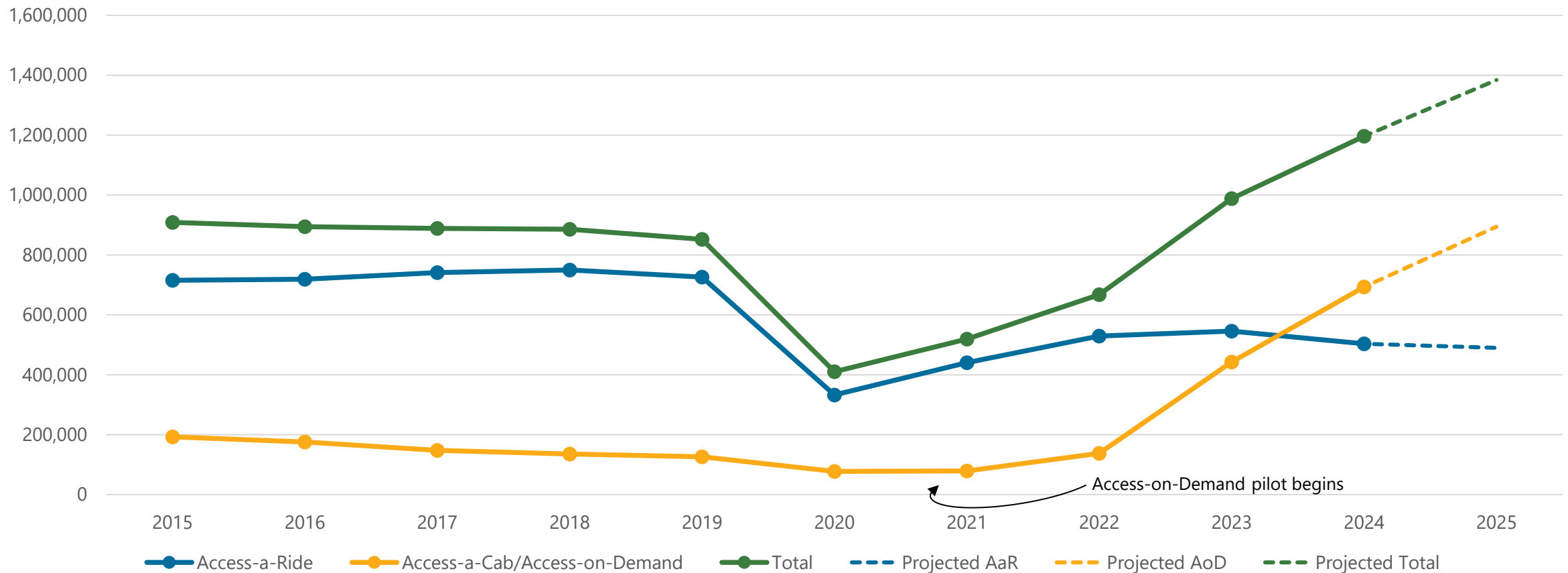
# Key Takeaways

- The current RTD decision process is a controversial and highly-emotionally charged process with multiple dimensions of equity and fairness overlapping with practical, legal, and financial considerations. There are no “right” answers.
- AoD is a relatively new program that has proven to meet rider needs in a way that conventional paratransit service, such as AaR, cannot:
  - In the words of riders, AoD is “life changing” and “a game changer”
  - AoD offers improved mobility compared to AaR
- AoD has had a significant increase in demand and program costs in a short period of time
  - RTD is attempting to find a balance between the utility of the service and the financial sustainability of the program
  - Based on experience in other urban areas, the rider response and the financial issues were completely predictable

# Access-on-Demand Growth

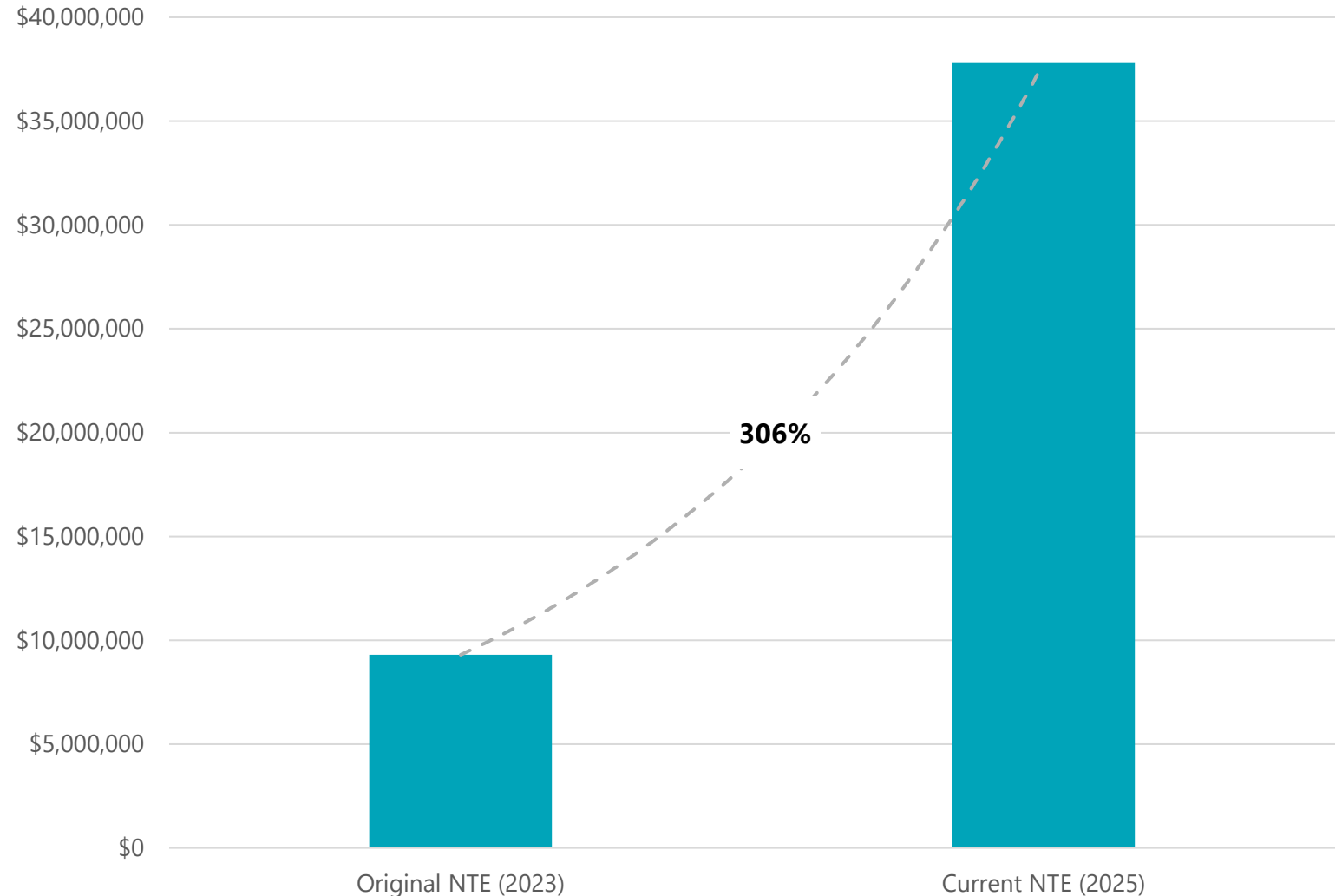
- Paratransit trips have surpassed historical levels by 50%

Number of Trips



# Financial Sustainability

- Graphic shows 3-year (2023 through 2025) costs for contracted services of AoD program at inception and current appropriation.
- RTD has fiscal responsibility - rapid increases in program costs and how it influences financial sustainability of the whole organization.



# Key Takeaways

- Despite calls to convert all AaR to AoD, that move is a violation of current federal law and could create legal issues for RTD
- Wheelchair Accessible Vehicles (WAVs) from the AaR program are used to support the AoD program
  - Endangers ability to meet demand in the AaR program without capacity constraints
  - Violation of ADA paratransit regulations to tell a person requesting a ride from the AaR program that there is no vehicle available
  - Equally, it is a violation of the broader ADA to offer a publicly available service, such as AoD, in a manner that is not accessible to people who use mobility devices

# Key Takeaways

- RTD decision process to make modifications to the AoD program is on-going, proposals have been forwarded, they have not been adopted
- RTD Board and staff understand the gravity of the issue in front of them and are committed to finding a solution that works for the current and future riders of RTD's paratransit programs that also works for the balance of the RTD system and its financial underpinnings
- Engagement with the community at the Board and staff levels has been extensive, and the decision process has been careful and deliberate
- Improvement could be made in fact-based information on the issues of the fare and subsidy level proposals
- There will be criticism of whatever decision is reached as there is no perfect answer.

# Thank you!



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