



## INTRODUCTION – KITSAP TRANSIT NO-SHOW POLICY

The U.S. Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulation allows transit agencies to suspend, for a reasonable period of time, the provision of paratransit service to riders who establish a pattern or practice of missing scheduled trips, also known as no-shows, as permitted under 49 CFR § 37.125(h). In permitting suspensions, the DOT ADA regulation acknowledges that paratransit riders who repeatedly fail to appear for their prearranged rides can have a detrimental effect on operational efficiency, cost, and the quality of the service for other riders (Disability Rights Education & Defense Fund, 2010).

Yet people with disabilities will experience the same kinds of unexpected schedule changes as everyone else. In addition, some people with disabilities have variable conditions that change from day to day. For these reasons, ADA paratransit riders' plans will sometimes change (Disability Rights Education & Defense Fund, 2010). Consistent with 49 CFR § 37.131(c)(3), riders may not be penalized for trips missed for reasons beyond their control. The goal of Kitsap Transit's no-show policy is to balance these needs.

A no-show is a trip that has not been canceled at least two (2) hours prior to the scheduled pick-up time or if a rider fails to board the vehicle within five (5) minutes of the arrival of the vehicle, as long as the operator arrived within the pick-up window.

### **A no-show occurs when:**

- There has been no call by the rider (or the rider's representative) at least two (2) hours prior to the scheduled pick-up time to cancel the scheduled trip time OR
- The vehicle arrives at the scheduled location within the 30-minute window AND
- The operator cannot reasonably see the customer approaching the vehicle after waiting five minutes AND
- The Dispatch office has been notified by the operator, and the Dispatch office has verified that the operator is at the correct location.

### **A no-show may also occur when:**

- The operator arrives and the rider cancels their ride at the time of pick-up.
- The rider arrives to take the ride after or as the operator has departed the pick-up location.

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Revised Date: 02/26/2026

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To avoid potential no-shows and potential suspension of ADA paratransit services trips should be canceled at least two (2) hours prior to the scheduled pick-up time, 24 hours a day by calling Kitsap Transit's reservation line at (360) 479-7272, or 1-800-422-2877.

### WHEN YOU HAVE A NO-SHOW

Kitsap Transit's ACCESS program schedules pick-up and return trips separately. In accordance with FTA Regulations, Kitsap Transit's ACCESS program assumes all scheduled return trips are needed unless notice is given by the rider or their representative. If a rider is a no-show for their first trip of the day, we will not automatically cancel subsequent trips of the day. This is consistent with FTA regulations. If, however, the rider does not need the subsequent trip(s), they should cancel them as soon as possible out of courtesy for other riders.

Kitsap Transit's ACCESS team will **NOT** strand riders who have been transported to their destination but are a no-show for their scheduled return trip home. If a rider misses their scheduled return trip, they must notify Kitsap Transit by calling the reservation line at (360) 479-7272, or 1-800-422-2877 and when the rider is ready for their return trip, a vehicle will be sent as soon as possible; however, no pick-up window will be guaranteed.

### WHAT IS WITHIN THE RIDER'S CONTROL?

No-shows are not excused when the trip is not canceled at least two (2) hours prior to the scheduled pick-up time and is missed for circumstances within the rider's control, including but not limited to:

- Rider did not cancel at least two (2) hours prior to the scheduled pick-up time
- Rider didn't want to travel today
- Rider changed their mind about needing appointment
- Rider didn't know that they had scheduled a ride or was supposed to call to cancel
- Rider got another ride
- Rider told someone else they were not planning to travel (operator, facility, etc.) or someone else booked the ride for them
- Rider does not want to ride with specific operator or rider, or on a specific vehicle

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## WHAT IS BEYOND THE RIDER'S CONTROL?

Kitsap Transit's no-show suspension policy does not count a no-show beyond the control of the rider, and that riders are encouraged to contact Kitsap Transit's reservation line at (360) 479-7272, or 1-800-422-2877, if a no-show was beyond a rider's control. There are many circumstances that may be beyond the rider's control, including but not limited to:

- Family emergency
- Illness that precluded the rider from calling to cancel
- Personal attendant or another party who didn't arrive on time to assist the rider
- Rider was inside calling to check the ride status and was on hold for extended time
- Rider's appointment ran long and did not provide opportunity to cancel in a timely way
- Another party cancelled rider's appointment
- Rider's mobility aid failed
- Sudden turn for the worse in someone with a variable condition
- Adverse weather impacted rider's travel plans, precluding the rider from cancelling in a timely way

Transit agency error, which may not be counted as a rider no-show, includes but is not limited to:

- Vehicle arrived late, after the pickup window
- Vehicle arrived early, before the pickup window, and rider was not ready to go
- Vehicle never arrived
- Vehicle went to the wrong location
- Operator didn't follow correct procedures to locate the rider
- Rider cancelled in a timely way but the cancellation was not recorded correctly or wasn't transmitted to the operator in time

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## CALCULATION METHOD TO DETERMINE NO-SHOWS AND/OR LATE CANCELLATIONS

At the end of each month, those riders who have been recorded as having 6 (six) or more no-shows will be reviewed to identify the rider’s trip and no-show history, as well as their frequency of travel. Each no-show will be verified before suspensions are proposed. Those riders who have 6 (six) or more no-shows and whose average no-show rate is greater than 15% in a month will have suspensions imposed, as outlined in the “length of suspensions” section below. Occurrences beyond the rider’s control are not part of the calculation.

The formula for determining the average no-show rate is:

**Total no-shows/trips per month= Average no-show rate for the month**

***Example: 6 no-shows/38 total trips = 15.79% and would be subject to suspension under this policy***

A pattern of no-shows is defined as a consistent pattern of missing scheduled trips over a specified period. This pattern is used to determine if a rider should be suspended from service. The specific period is defined as one month.

## ALERTING THE RIDER OF NO-SHOWS

Kitsap Transit alerts riders about no-shows on their record as the no-shows occur. Rider notification about no-shows will include Kitsap Transit contact information and riders are encouraged to contact Kitsap Transit if they think any of the no-shows were not in their control and/or were charged in error. If the rider has a no-show, the rider will be notified by either post card sent to the mailing address on file, or by email (only by request) within the next five (5) business days. The postcard will notify the rider of the date and time of the no-show and how many no-shows have occurred in the month of occurrence.

## NOTIFICATION BEFORE SUSPENSIONS

Before any suspension of service due to no-shows, Kitsap Transit will notify the individual rider in writing, citing specifically the full reason for the proposed suspension and its length,

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including the exact no-show dates, times, pickup locations, and destinations on which the proposed suspension is based, using accessible formats when requested.

The notification will include information about the appeal process, including how to file an appeal. It will also include a statement that the suspension is not based on any no-shows beyond the rider's control, nor on any trip missed due to Kitsap Transit's error or lateness. The statement will also include how to contact Kitsap Transit's ACCESS program about no-shows beyond their control.

Kitsap Transit will allow 15 calendar days between receipt of a notice of a proposed suspension of service and the proposed date on which the suspension becomes effective.

## **LENGTH OF SUSPENSIONS**

If a rider is determined to have an excessive no-show rate, the rider will be notified in writing and provided 15 calendar days to make alternate arrangements or to initiate the appeal process. The notification will provide a summary of the verified occurrences and information about appeals. If a rider has a urgent medical need during a suspension, they should contact the reservation line at (360) 479-7272, or 1-800-422-2877 to request an exception to the suspension of service. Kitsap Transit will consider if the trip can be accommodated during the suspension. Suspensions will be made in a progressive manner, with the first suspension being three (3) days, and subsequent suspensions being twice the original suspension, six (6) days.

## **APPEAL PROCESS FOR NO-SHOWS & SUSPENSIONS**

Kitsap Transit provides all riders with the opportunity to file an appeal of Kitsap Transit's decision to issue a no-show or to suspend the provision of ACCESS paratransit service due to a pattern of missing scheduled trips. If a rider requests an appeal, Kitsap Transit paratransit service will continue to be provided to the rider until the appeal is heard and decided.

To request an appeal, the rider may do so by calling the reservation line at (360) 479-7272, or 1-800-422-2877. A Kitsap Transit representative will contact the rider within ten (10) business days of receiving the appeal request to schedule a meeting time to hear the appeal.

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Kitsap Transit's appeal process includes an opportunity to be heard and to present information and arguments. All relevant records to the decision to issue a no-show or suspend services will be made available to the rider upon request.

For a no-show appeal, the process will be conducted in writing. The rider may submit their appeal in writing or by calling the reservation line at (360) 479-7272, or 1-800-422-2877. The decision on a no-show appeal will be made by a Kitsap Transit representative uninvolved with the initial decision to issue a no-show. Written notification of the results of the appeal decision will be provided, with detailed, specific reasons stated within ten (10) business days following the conclusion of the appeal investigation. This information will be made available in accessible formats upon request.

For a suspension appeal, the process will be conducted in person or in writing per the rider's desired method. The rider may submit their appeal in writing or by calling the reservation line at (360) 479-7272, or 1-800-422-2877. While the hearing is intended to be informal, the rider may bring a representative. The rider may waive the hearing and proceed on the basis of written presentations for the appeal. The decision on an appeal of a suspension will be made by a Kitsap Transit representative and a department uninvolved in the initial decision to suspend service. Written notification of the results of the appeal decision will be provided, with detailed, specific reasons stated within ten (10) business days following the conclusion of the appeal hearing. This information will be made available in accessible formats upon request.

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