

173-3-02 Transportation service.

(A) Transportation service is designed to move individuals to and from community resources, services and activities through the use of a motorized vehicle and driver.

(B) Area agencies on aging shall include these service specifications as contractual requirements with service providers for the use of Older Americans Act Title III funds, senior community services funds, Alzheimer's respite funds, JCFS elderly transportation funds and contractually linked local funds.

(C) A unit of service is a one-way passenger trip. The contracted unit rate shall reflect the provider's fully allocated costs, including administrative expense, training and record documentation costs.

(D) Provider requirements include the following:

(1) The provider may be an individual or an agency.

(2) The provider must document that all vehicle operators and owners maintain proof of financial responsibility as required in section 4509.10.1 of the Revised Code.

(3) A copy of the certificate of insurance and the vehicle registration must be maintained in each vehicle.

(4) The provider must have a written plan for regularly scheduled maintenance and safety inspections for the vehicles in service, and must document compliance with the plan.

(5) The provider must assure that each vehicle is inspected every twelve months by a certified mechanic, the highway patrol safety inspection unit, or the Ohio medical transportation board, and is certified to be safe. Inspections must include the elements listed in appendix A of this rule.

(6) Providers must assure that all vehicles are equipped with:

(a) A means of two-way communication using either vehicle radios or cellular telephones;

(b) Emergency equipment;

(c) An isolation and biohazard disposal kit that is permanently installed or secured in the vehicles cabin; and,

(d) Functional seat belts for each individual transported.

(7) Vehicles equipped for transporting a passenger who remains in a wheelchair must be equipped with permanently installed floor wheelchair restraints for each wheelchair position used. Providers must inspect their vehicles for compliance with the items listed in appendix B on a daily basis.

(E) Providers must assure that drivers:

(1) Maintain a safety checklist that includes items listed in appendix C of this rule and that must be completed by the driver daily prior to transporting consumers.

(2) Maintain service logs, manifests or trip sheets daily that include all of the following:

- (a) Date of service;
- (b) Consumer name, pick up point and destination point; and,
- (c) Driver's signature.

(3) Assist the consumer in transferring to and from the consumer's home, into and from the vehicle, and to and from the trip destination point as necessary to assure that they safely reach their destination.

(F) The provider must assure and document that prior to transporting consumers, each driver meets all of the following requirements:

(1) A current and valid motor vehicle operator's license appropriate to the type of vehicle to be operated with fewer than six points against the driver issued under Chapters 4506. or 4507. of the Revised Code, or their equivalent if the operator is a resident of another state;

(2) A valid copy of a signed statement from a licensed physician acting within the scope of the physician's practice declaring that the driver does not have a medical or physical condition, including vision impairment that cannot be corrected, that could interfere with safe driving, passenger assistance, and emergency treatment activity or could jeopardize the health and welfare of a client or the general public;

(3) The result of a chemical test or tests of the operator's blood, breath, and/or urine conducted at a hospital or other institution approved by the Ohio medical transportation board for the purpose of determining the alcohol and drug content of the applicant's blood, breath and/or urine;

(4) A certificate of completion of a training course in first aid and cardio-pulmonary resuscitation (CPR) offered by the American red cross, the American heart association, the national safety council, or an equivalent course approved by the Ohio department of aging;

(5) At least two years of licensed driving experience; and,

(6) Ability to understand written and oral instructions and document services delivered.

(G)

(1) The provider must assure and document that each driver obtains the following:

(a) A certificate of completion of an introductory defensive driving course sponsored or endorsed by the national safety council or the Ohio department of transportation, and completion of a four hour refresher course every three years thereafter.

(b) A certificate of completion of an introductory training course approved by the Ohio department of aging, addressing the transport of older persons and people with disabilities, and a refresher course every three years thereafter, both of which must include:

- (i) Sensitivity to aging;
- (ii) Overview of diseases and functional factors commonly affecting older adults;
- (iii) Environmental considerations affecting passengers;
- (iv) Instruction in consumer assistance and transfer techniques;

- (v) Management of wheelchairs, how to properly secure a wheelchair;
- (vi) Inspection and operation of wheelchair lifts and other assistive equipment; and,
- (vii) Emergency procedures.

(2) The certificates of completion to which this rule applies must be received as follows:

(a) For all new drivers, the certificates of completion must be for training received by the driver within the first six months following the date on which the driver is hired or retained by the provider.

(b) For all drivers hired or retained by a provider prior to the effective date of this rule, the certificates of completion must be obtained for training received in the first six months following the effective date of this rule, unless the provider can verify that the driver successfully completed the required training at some time within the three-year period immediately preceding the adoption of this rule. Drivers who successfully completed one or both of the introductory training courses required by this rule within the three years immediately preceding the adoption of this rule shall be deemed to have complied with the requirement for the introductory training course(s) for which the training was received, and will only be required to complete the required refresher course(s) every three years after the date the certificate(s) of completion was received.

(H) To the extent feasible, the provider is required to participate in the design and delivery of a coordinated community non-emergency human services transportation system within their service area.

(I) Area agencies on aging must deem those vehicles licensed as ambulettes by the Ohio medical transportation board as complying with paragraph (D) of this rule.

(J) Area agencies on aging must deem those drivers employed as drivers of urban or rural transit systems as meeting the requirements in paragraph (F) of this rule.\

HISTORY: Replaces: 173-39-20 (Emer.)

Effective: 03/30/2006

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Promulgated Under: 119.03

Statutory Authority: 173.02, 173.391, 173.392

Rule Amplifies: 173.01, 173.39, 173.391, 173.392

Prior Effective Dates: 12/16/2005 (Emer.)

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APPENDIX A

Required Annual Inspection Elements for vehicles equipped to concurrently transport five or more participants.

A. Seating

1. All seats must be sevuely fastened to the floor.
2. No broken tubing or protuding pieces of metal should be around seats.

B. Defrosters & Heaters

1. Must operate as designed.
2. Heater cores must be clean and free of leaks and obstructions to the flow of air.
3. Hoses must not have cracks or leaks and must otherwise be in good condition.
4. Fan guards must be metal or plastic.

C. Windshield Wipers/Washers

1. Must operate as designed.
2. Wiper blades in the vehicle operator's field of vision must be clean.
3. Wiper blades must not be brittle or badly worn.

D. The Floor Must Be Metal and Intact Without Holes

E. Mirrors

1. Must have at least one rear view interior mirror that is properly secured and in proper placement.
2. Must have at least one mirror on each side of the vehicle that is properly secured and in proper placement.
3. Prismatic lens must be properly installed.
4. All mirrors must enable vehicle operators to see a clean image (i.e., without cloudiness, cracks, or other obstacles on the mirror to interfere with reflection).

F. Emergency Equipment

1. Three red reflectors must be stored in the vehicle.

2. The vehicle must have a five pound dry chemical fire extinguisher with the minimum rating outlined in section 20.b.c. of the Ohio fire code and based on section 10 of the National Fire Protection Association. The fire extinguishers must be securely mounted near the vehicle operator for easy access.

3. The vehicle must be equipped with a first aid kit.

G. Brakes

1. Properly located and free of crimps, rust, breaks in integrity, and not in contact with inappropriate vehicle components.

2. Tail exhaust pipes are properly secured to prevent dropping on brake lines.

3. Vehicles using vacuum-assisted brakes: wheel cylinders, master cylinders, hydrovac, and hose connections must be free of fluid leaks.

4. Vehicles using air brakes: reservoirs, chambers, valves, connections, and lines must be free of air leaks.

5. During inspections, brake pads must be checked against the vehicle manufacturer's specifications.

6. All moisture ejection valves must be free of leaks and in proper working order.

H. Emergency Brake

1. The vehicle must have a functional emergency brake that is capable of stopping or holding the vehicle in an emergency or while parked. The emergency brake shall hold the vehicle on any grade and under all conditions of loading on a surface free of snow, ice, or loose material.

2. If the emergency brake is located on the drive shaft, the brakes shall:

a. Hold the vehicle in parked position;

b. Be properly mounted; and

c. Have cables that are properly lubricated and not hazardously worn.

I. Steering Gear

1. The steering shaft must have no more than one half-inch upward motion when the steering wheel is pulled upwards.

2. The steering gear assembly, power steering unit, brackets, and mounting bolts must be

securely fastened.

3. If installed, power steering must be operative, properly mounted, and have correct fluid levels and belt tensions.

4. Tie rod ends must function properly.

5. Tires must not rub any chassis or body component in any position.

J. The Horn Must Operate As Designed

K. Windshield/Windows

1. Window glass must be free of chips or cracks and be securely mounted without exposed edges.

2. Plexiglas may not be used to replace safety glass.

L. Emergency Door (Applicable to Bus-Type Vehicles)

1. The door must be able to open to its maximum width without catching or binding.

2. All handles must be permanently installed.

3. Operating instructions for the emergency door must be lettered or decaled inside the emergency door.

4. The safety buzzer must operate as designed, and be placed in the vehicles operator's area to warn passengers that the emergency door is opened..

5. The door must be free of temporary or permanent obstructions.

6. No padlocks or other added security devises are to be used to secure the door while the vehicle is in motion.

M. Springs/Shocks Must Be Intact and Properly Mounted

N. Tires

1. Must have no less than two sixteenth inch tread pattern measured anywhere on the tire.

2. Retread tires should not be located on the steering axle.

3. Must be free of irregular wear, cuts, bruises, and breaks.

4. Must be balanced and in proper alignment.

5. All lugs must be present and fitted tightly on tires.

6. All tread types must match mated tires.

O. Exhaust System

1. Must be intact and operating as designed.

2. All pipe and muffler joints must be properly welded or clamped.

3. Exhaust manifolds must be free of cracks and missing bolts.

P. Lights must operate as designed and meet ORC and OAC requirements for vehicle lighting.

Q. The vehicle body condition must be intact and free of broken parts that can cause injury.

R. Gas Tank Must

1. Be free of rust/damage and /or leaks.

2. Be securely mounted.

S. The seating area and aisle must be free of debris.

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APPENDIX B

Required Daily Wheelchair Lift Inspection Elements

For each day services are provided, providers must complete and document an inspection of the wheelchair lift prior to any participant service that day according to these specifications:

1. Run the lift through one complete cycle to be sure that it is operable.
2. Check for any signs of seal leaking or binding or hardware.
3. Check for frayed or damaged lift cables, hydraulic hoses, or chains.
4. Check for physical damage and jerky operation.
5. Check for hazardous protusions and exposed edges. Assure that all protusions are adequately padded and protected.
6. Check all fasteners and assure that all bolts are snug.
7. Make sure the lift is properly secured to the vehicle when stored.
8. Clean the lift completely of dirt, mud, gravel, and corrosive elements such as salt.
9. Lubricate the lift in compliance with the manufacturer's requirements.
10. Providers shall not use the lift any time repairs are necessary.

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APPENDIX C

REQUIRED VEHICLE SAFETY CHECKLIST ELEMENTS

Vehicle ID: Odometer: Date:

Interior:

Clean Appearance

Seats (tears, loose armrests, etc.)

Seat Belts

Wheelchair Restraints

Wheelchair Lift Ramp (good condition & secure)

Cargo Barriers (secure & in place)

Floor Coverings (safe & clean)

Electrical/Mechanical:

Brakes

Heater/Air Conditioning/Defroster

Horn

Gauges (oil, fuel, temperature, etc.)

Two-way communication device

Windshield wipers & washers

Jack & tire tools

Emergency Brake

Lights:

Headlights: high & low beams

Tail Lights, Marker Lights

Brake Lights

Turn Signals (front and rear)

Backup Lights

4-Way Hazard (front and rear)

License Plate Light

Interior Lights

Exterior:

No Body Damages

Clean Appearance

Mirrors (Adjusted and Clean)

Windows (Clean)

Doors (Operable In/Outside)

Door Locks (Operable)

Winter:

Shovel

Non-Corrosive Traction Material (Sand or clay litter)

Blankets

Fluids:

Engine Oil

Brake Fluid

Engine Coolant

Power Steering*

Automatic Transmission*

Fuel

Windshield Washer

Battery

Belts & Hoses:

Fan

Alternator

Heater Hose

Radiator

No Leaks under Vehicle

Tires:

Inflation

Wear

Sidwall or Tread

Damage

Spare

Emergency Equipment Available:

Biohazard Kit

First Aid Kit

Flares or Reflectorized Triangles

Fire Extinguisher

*Must Be Checked At Operating Temperature