



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

GENERAL COUNSEL

1200 New Jersey Avenue, SE
Washington, DC 20590

49 CFR §§ 37.187, 37.193

GUIDANCE ON INTERLINE SERVICE AND NOTICE TO PASSENGERS

The U.S. Department of Transportation believes that a passenger with a disability who purchases a ticket or makes a reservation for an interline trip that will connect to a small, fixed-route over-the-road bus (OTRB) operator should, at the time of booking, be notified that the small carrier may require 48 hour advance notice in order to provide an accessible bus and, if there is less than 48 hours at booking, of the possibility that an accessible bus may not be available at his or her transfer point to complete the subsequent leg of the trip.

This notice is intended to help prevent a situation in which a passenger traveling from Point A to Point C is unexpectedly stranded at Point B. To avoid such a situation, when a passenger, booking an interline trip connecting with a small operator, visibly appears or self-identifies as someone with a disability requiring an accessible bus, the large operator should inform the passenger that the small operator may require 48 hour advance notice to provide accessible service. To help inform the public, one way large operators could provide this notice is on their Web sites.

Who should follow this guidance?

This guidance applies to all large, fixed-route OTRB operators¹ (companies) engaged in interline service.

What is the problem that this guidance is addressing?

If a passenger buying a ticket for an interline trip does not realize that a small operator involved may need 48 hours to get an accessible bus for its portion of the journey, the passenger requiring the accessible bus may be unable to complete the trip in a timely manner.

What is interline service?

An interline trip involves a passenger purchasing a ticket or making a reservation with one operator, for a fixed-route trip of two or more stages, in which another operator provides service for one or more of the transportation stages. For example, a passenger goes to the ticket office of Operator X, a large, fixed-route operator, and buys a ticket from Point A to Point C. The ticket

¹ A large operator is a Class I carrier, which the Department of Transportation defines as a carrier with \$5 million or more in gross annual operating revenues, adjusted by the current Producer Price Index of Finished Goods (PPI), compared to 1986 as a base. As of 2011, a large operator is a carrier with approximately \$9.3 million or more in gross annual transportation revenues. Revenues from all affiliated companies are considered in determining whether a carrier qualifies as a large operator.

provides for the passenger to transfer at Point B to a bus operated by small, fixed-route Operator Y. This arrangement is an interline trip.

What communication is currently required?

Interline service requires communication among the different bus companies. When a passenger with a disability reserves or purchases a ticket for an interline bus trip, the primary operator must arrange for an accessible bus to be provided for each of the subsequent stages of the trip by communicating with the other operators involved with the trip. Subsequent operators have a responsibility to maintain open channels of communication and pay attention to communications received from booking operators.

How should notice be provided?

The U.S. Department of Transportation believes that large operators engaged in interline service should notify the public (e.g., on its Web site, promotional materials), in a manner that is readily accessible to, and usable by, people with disabilities, of the possibility that small operators may require 48 hour notice for accessible service, identify all routes that may be affected by this advance notification requirement, and provide this information at the time that the passenger books the trip.

Why should this notice be provided?

Under the U.S. Department of Transportation's Americans with Disabilities Act regulations, large, fixed-route OTRB operators are required to have 100 percent of their fixed-route fleets readily accessible to, and usable by, individuals with disabilities, including individuals who use wheelchairs, by October 29, 2012. However, small, fixed-route operators and demand-responsive operators do not have a parallel fleet accessibility requirement. Consequently, many or most of these small and demand-responsive OTRB operators that are not subject to the October 29 deadline, may not have fully accessible fleets by October 29, 2012. By law, such operators can require up to 48 hours' advance notice to provide accessible service.

If passengers are informed of the 48-hour notice requirement for small operators involved in interline trips, they could reserve later trips, make alternate travel arrangements, or research overnight accommodations at their transfer points in the event they are informed that the small operators cannot provide accessible buses at the time requested and they may need to wait overnight or longer for accessible service.

Further, it is the position of the U.S. Department of Justice that, after October 29, 2012, the failure of a large, fixed-route, OTRB operator to inform persons with disabilities, at the time of purchase and reservation, that interline carriers transporting passengers on one or more legs of their trip can require 48 hour notice of accessibility needs, would deny an individual the opportunity to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodations of that operator.

The General Counsel of the U.S. Department of Transportation has reviewed this document and approved it as consistent with the language and intent of 49 CFR Part 37.