

# **Alliance for Community Transportation (ACT) Service Standards for Volunteer Driver Programs**

**Updated July 2017**

## **I. Introduction**

The Alliance for Community Transportation (ACT) has been recognized as the Regional Coordination Council (RCC) for Southeast New Hampshire (Region 10) by the Statewide Coordinating Council (SCC), as authorized by RSA 239-B. The RCC duties are to:

- Facilitate the implementation of coordinated community transportation in the region
- Encourage the development of improved and expanded regional community transportation services
- Advise the SCC on the status of community transportation in their region

In recognition of the fact that coordination of transportation services will be accomplished through contracts with transportation providers for service delivery, ACT has developed common baseline standards for that service delivery. The service standards are expected to provide purchasers of transportation, as well as the users of that transportation, with assurances of consistent standards of coordinated transportation services in Region 10.

As it is expected that the Coordinator will not be directing the delivery of service by Region 10's volunteer driver programs, but instead will be connected to those programs for distribution of volunteer driver reimbursement funds as well as general cooperative relationships, the "standards" that follow are designed to acknowledge the more distant relationship of the Coordinator to service delivery than will be needed with non-volunteer services, but recognizing the interest to provide safe and responsible transportation in the region.

To accomplish this coordination, ACT has identified a lead agency to serve as the "coordinator" or "mobility manager" for said services. Service standards will be incorporated into contracts for service delivery and include expectations for reporting service data so that future coordination efforts will be improved and appropriately priced.

## **II. Definitions**

**ACT** – Alliance for Community Transportation: The organization recognized as the Regional Coordination Council (RCC) for the Southeast New Hampshire region. ACT is a collaborative of organizations "working to expand affordable and efficient community transportation in Southeast New Hampshire".

**ADA** – Americans with Disabilities Act of 1990: The law prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation. Public transit vehicles and facilities must be accessible to persons with disabilities. Additionally, for those who cannot access or navigate the fixed-route bus service, a paratransit service that compliments the fixed route bus service must be available.

**Coordinator** – The entity through which transportation demand and service delivery is coordinated; also referred to as COAST or COAST Call Center

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**Curb to Curb Service** – Demand response transportation wherein the rider is responsible for getting him/herself between the vehicle and the door of the residence or other destination.

**Demand Response Service** – Transportation services that are delivered to an individual's location in response to a specific request for service; such services are typically provided as "curb to curb" services.

**Door to Door Service** – Demand response service in which the driver of the vehicle will provide assistance to the rider between the vehicle and the door of the rider's origin and/or destination.

**Driver** – The person operating the vehicle delivering transportation services.

**Driver Record Report (Certified)** – A driver record issued by NH DMV that covers 7 years of court convictions, 10 years of DWI convictions, and 5 years on crash involvement. The printed report is stamped with a raised seal and stamped with the Director's signature and the phrase "Certified – True & Correct."

**Driver Record Report (Non-Certified)** – A driver record issued by NH DMV that covers 7 years of court convictions, 10 years of DWI convictions, and 5 years on crash involvement.

**Federal Transit Administration (FTA)** – FTA is the Federal agency within the United States Department of Transportation that provides funding and sets rules, guidance, and best practices for public and coordinated transportation.

**Funding Agency** – The organization funding the transportation service.

**Lead Agency for POS** – The entity identified by the RCC to manage the Purchase of Service Program and hold 5310 POS funds, which is the Rockingham Planning Commission.

**Lead Agency for Formula Funds** – The entity identified by the RCC to provide staffing for RCC activities and receive applicable funds, which is COAST.

**Manifest** - A daily list of assigned trips issued to the Provider by the Coordinator, to be completed in accordance with the Scope of Services. The manifest will also include information on any special needs of the rider and how that rider will pay for the ride.

**Provider** – The entity that delivers the transportation service. Unless otherwise agreed upon, the Provider will be responsible for providing both vehicle and driver.

**RCC** – A Regional Coordination Council, as recognized by the SCC and defined by RSA 239-B, is responsible for facilitating and enhancing the coordination of transportation services in a designated region of New Hampshire.

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**Region 10** - Identified by the SCC, the Southeast New Hampshire region is comprised of 23 Rockingham County communities, all 13 Strafford County communities, and the two southernmost Carroll County communities.

**SCC** – The Statewide Coordinating Council, created in 2006 through RSA 239-B, is composed of stakeholders in the state-wide delivery of community transportation services and serves to improve the coordination and development of community transportation throughout the State of New Hampshire.

**Trip** – The transportation service delivered to an individual from the point of origin or boarding to the destination or point of departure from the vehicle.

**Volunteer Drivers** – Persons who provide transportation services in their own personal vehicles to individuals without compensation from either the rider or the Provider; mileage reimbursement is not considered “compensation”.

**Wheelchair** - Any mobility device that does not exceed 30 inches in width and 48 inches in length when measured two inches above the ground and a maximum weight of 600 pounds for the device and the user combined, including three-wheeled scooters and other non-traditional mobility devices.

### **III. Insurance**

- A. The Provider shall not provide services under agreement with the Lead Agency for POS until it has obtained all insurances required under this paragraph and such insurance has been approved by the Coordinator. The Coordinator shall be supplied with certificates of such insurance by Provider at least ten (10) business days prior to the initiation of any work:
1. Workers' Compensation Insurance: The Provider shall maintain Workers' Compensation insurance in accordance with the laws of the State of New Hampshire as necessary. In addition to statutory workers' compensation, coverage will include employer's liability with limits of: Each accident \$500,000; disease, policy limit \$500,000; disease, each employee \$500,000.
  2. Commercial General Liability: The Lead Agency for POS and the Provider shall maintain Commercial General Liability Insurance coverage to include:
    - a. Premises operations (bodily injury and property damage): \$1,000,000 per occurrence and \$2,000,000 aggregate
    - b. Products/Completed Operations Aggregate: \$1,000,000
    - c. Personal and Advertising Injury: \$1,000,000
    - d. Medical Payments: \$5,000
    - e. Damage to rented premises: \$100,000 per occurrence
    - f. The Coordinator and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
    - g. The Lead Agency for POS and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
    - h. That the “Commercial General Liability” will be “at occurrence”
    - i. That the policy will provide for “contractual liability” coverage.
  3. Vehicle Liability: If the agency owns vehicles used in providing services, the Provider shall maintain commercial automobile insurance coverage forms:

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- a. Bodily injury and property damage combined single limit per occurrence of \$1,000,000. This coverage shall apply to any auto or all owned, hired, non-owned and leased vehicles.
  - b. Medical Payments: \$5,000
  - c. Uninsured/Underinsured Motorists Liability: \$1,000,000
  - d. Hired/Non-owned Automobile Liability: \$1,000,000
  - e. The Coordinator and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
  - f. The Lead Agency for POS and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
4. Personal Vehicle Liability: The Provider will ensure that Volunteer Drivers shall maintain the following minimum automobile liability insurance coverage:
- a. Bodily injury coverage of \$100,000 per individual/\$300,000 per occurrence
  - b. Property damage coverage of \$100,000 per occurrence
  - c. Medical Payments: \$5,000
  - d. Uninsured/Underinsured Motorists Liability: \$100,000 per individual/\$300,000 per occurrence
5. Hired & Non-owned Auto Liability: The Provider shall have “hired & non-owned” automobile liability coverage to be applied in the event of “at-fault” occurrences involving the Volunteer Drivers’ personal vehicle while transporting riders arranged through the Provider. Employees and Volunteer Drivers will be listed as “additional insured”. The minimum coverage will be \$1,000,000.
6. Umbrella Liability: The Provider shall purchase and maintain additional limits of liability coverage above the required automobile liability and commercial general liability as umbrella liability “at occurrence” in the amount not less than \$1,000,000.
- a. The Coordinator and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
  - b. The Lead Agency for POS and its officers, directors, employees, volunteers, and agents shall be listed as “additional insured”
7. Employee Dishonesty or Fidelity Bond: The Provider shall maintain an Employee Dishonesty or Fidelity Bond in the amount of \$25,000
- B. Provider agrees to furnish the Lead Agency for POS with a certificate of insurance evidencing that the Coordinator is listed as “additional insured” on the Provider’s Commercial General Liability, Umbrella Liability coverage, and commercial automobile insurance coverage as outlined in this Agreement. Prior to cancellation of any coverage for which Coordinator is required to be named an additional insured, Coordinator shall be provided with written notice of cancellation of such policy by mailing of physically delivering to Coordinator such written notice of cancellation, stating the reasons for cancellation, at least: (1) 10 days before the effective date of cancellation if such coverage is to be canceled for: (a) Nonpayment of premium; or (b) Substantial increase in hazard; (2) 60 days before the effective date of cancellation if such coverage is to be canceled for any other reason.
- C. The insurances specified in paragraphs A (1) through A (6) shall be obtained from an acceptable insurance company authorized to do business in the State of New Hampshire and shall be taken out before work is commenced and kept in effect until all work required to be performed, under the terms of this Agreement is satisfactorily completed. The Provider shall forward a copy of the required certificates of insurance identifying the required coverage and effective dates as well as additional insured status to the Lead Agency for POS on an annual basis. Deductibles under the above specified

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insurance policies shall be reasonably satisfactory to Coordinator. There shall be no exclusion on the commercial general liability insurance policy for any abuse, molestation or sexual assault by employees of the contractor.

- D. The policy shall provide cross coverage with respect to liability claims of any one insured against any other insured.

#### **IV. Service Standards**

##### **A. Service Type**

- 1. The Provider will provide Curb to Curb demand response services, unless otherwise agreed upon through the Service Contract scope of work.
- 2. Shared rides will be provided whenever possible.

##### **B. Conduct Toward Passengers**

- 1. Courteous and respectful behavior is expected of all parties involved in the scheduling, dispatching and delivery of the rider's trip. Under no circumstances should a customer be spoken to harshly, abusively, loudly, or disrespectfully.
- 2. The Provider may refuse to transport any person or persons who are a threat to the health, safety, or welfare of the Provider's Volunteer Drivers, employees or other passengers. If the Coordinator serves as the Provider's "call center", the Provider will ensure the Coordinator has an updated list of approved riders.

##### **C. Constraints on Passengers**

- 1. Passengers may not smoke in a Volunteer Driver's vehicle, but eating and drinking in a Volunteer Driver's vehicle is at the discretion of the Driver.
- 2. Passengers are expected not to be disruptive to other passengers or the driver.
- 3. Passengers may be limited to two bags or packages, but more may be permitted if space allows; bags or packages must be stored safely.
- 4. Passengers are expected to follow basic safety rules, including use of seat belts

##### **D. Children**

- 1. Age: Children under the age of 18 may not ride unaccompanied by an adult unless a separate agreement exists between the Lead Agency for POS, Coordinator, Funding Agency and Provider under a specific contract for service.
- 2. Safety Restraints: Persons under the age of eighteen must use safety restraints per NH RSA 265:107-a. Children under the age of 6 will ride in an approved child restraint device, per RSA 265:107-a, installed in the rear seat and children aged 6-12 years will travel in a rear seat position. Guardians accompanying such children will be responsible for securing the children and provide any necessary child safety devices.

#### **V. Vehicle Standards, Inspections and Maintenance**

- A. The Provider will ensure that the Volunteer Drivers' vehicles are properly registered and inspected as required by the State of New Hampshire.
- B. Volunteer Drivers' vehicles will be equipped with the following:
  - 1. Seat belts for each vehicle occupant
  - 2. A cell phone or other mobile communications device.

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- C. The Provider shall expect that the Volunteer Driver's vehicle is properly maintained and the vehicle's interior and exterior are clean and hazard-free before providing service.
- D. The Provider shall maintain and monitor records of Volunteer Drivers' vehicle registration/inspection expirations and ensure that all Volunteer Drivers' vehicles meet State registration and inspection requirements.

## **VI. Driver Standards**

The Provider will ensure that the following mandatory requirements are attained for current Volunteer Drivers:

### **A. Qualifications**

- 1. The Provider's Volunteer Drivers must have and maintain a current valid operator class license appropriate for the vehicle being operated.
- 2. The Provider will ensure that the following background checks are made for each Volunteer Driver upon commencement of service, at least every 5 years thereafter or before commencement of service under this program:
  - a. Providers will submit their drivers' information to the BEAS State Registry, per RSA 161-F:49.
  - b. Providers will have a current Criminal Record Check obtained for the Volunteer Drivers through the NH State Police, as well as a current check on the NH State Police's Sex Offender Registry is conducted for each driver. Volunteer Drivers who live in, or have lived in, other States within the past 10 years must have a similar criminal background check from those States, as well.
  - c. Provider will require Volunteer Drivers to self-report any incidents or convictions that will subsequently appear on future checks of the above registries.
- 3. Volunteer Drivers who have a record resulting from the above-noted checks:
  - a. Will be excluded from service if convictions include:
    - 1. Violent crimes
    - 2. Felony convictions
  - b. May be considered for a waiver from exclusion by the Provider, if so desired, in consultation with the Coordinator.
- 4. Volunteer Drivers will have and maintain a good driving record. The Provider will ensure that each Volunteer Driver has a current Certified or Non-Certified Driver Record Report on file, updated annually, as well as a driving record that includes all other states in which they lived during the past 10 years. The Provider will require Volunteer Drivers to self-report any driving infractions that will appear on subsequent driving record checks. Drivers with records that indicate any of the following violations in available driver records will be disqualified from ACT services:
  - Convictions for driving under the influence of drugs or alcohol
  - Reckless driving/driving to endanger
  - Leaving the scene of an accident
  - Driving without a license
  - Driving with a suspended license
  - Repeated moving violations as defined by the state issuing the license
- 5. Volunteer Drivers must be at least twenty-one (21) years of age.

- B. Performance: While passengers are on-board, drivers will:

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1. Perform their duties with due regard for the safety, comfort and convenience of passengers and their property.
  2. Be courteous and exemplary in speech and action while transporting passengers.
  3. Comply with all state and local laws regarding the speed and method of operation of vehicles.
  4. Wear clothing which is neat and clean in appearance, appropriate and not so loose as to be a hazard to safe operation of the vehicle.
  5. Announce their presence at the specified entrance of the building of trip origin in an attempt to locate the passenger(s) if the passenger(s) does not appear for the pickup at the scheduled time.
  6. Not smoke in the vehicle.
  7. Not play loud music or other AV equipment that may interfere with the safe operation of the vehicle or may be annoying to passengers. Portable devices with headphones are not permitted to be worn by drivers while they are on duty and/or operating a vehicle.
  8. Never leave a vehicle unattended, except in an emergency. In such an emergency, passengers may be left in the vehicle or removed to the surrounding environment: whichever is safer. This section does not apply to circumstances in which a driver temporarily leaves a vehicle to assist other clients in entering and leaving the vehicle, or announcing the presence of the vehicle in accordance with item "5" in this section.
  9. Ensure that only the driver occupies the driver's seat.
  10. Not permit, under any circumstances, for their vehicle to be used to push any other vehicle, nor for their vehicle to be pushed with another vehicle.
  11. Not, under any circumstances, speak harshly to or discipline any passenger.
  12. Not accept personal tips or gratuities.
  13. Wear seatbelts when transporting riders.
  14. Not fuel the vehicle.
  15. Not engage in activities that may distract from driving safely (ie., cell phone use, etc.)
- C. The following are not permitted by Volunteer Drivers:
1. Use of or being under the influence of substances that may impair safe driving (ie: alcoholic beverages, illegal or prescribed drugs or even "over the counter" drugs such as antihistamines) while transporting passengers for the Provider.
  2. Use of physical force to settle a dispute with a fellow volunteer, passenger(s) or the general public while on duty. In self-defense, a driver may use no more force than is reasonably necessary.

## **VII. Driver Training**

- A. The Provider must ensure that Volunteer Drivers have, at a minimum, the following training requirements:
1. Completion of an approved Defensive Driving course, with refresher training to be completed every 3 years. New volunteers may have up to 90 days to acquire such training.
  2. Completion of the following training elements within 120 days of starting service with the Provider:
    - a. Emergency and accident procedures training approved by the Coordinator; refresher training at least every 3 years
    - b. Passenger assistance/service/safety training approved by the Coordinator; refresher training at least every 3 years

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- B. Written documentation of training received by each driver will be maintained on file by the Provider and made available for review upon request by the Coordinator.

### **VIII. Incident & Accident Reporting**

The Provider shall report to the Coordinator all accidents and incidents

#### A. Definitions:

##### 1. Accident:

- a. A “vehicle accident” is defined as “the vehicle making contact with an immobile or mobile object”; the degree of damage is irrelevant.
- b. A “passenger accident” is when an injury or possible injury occurs to an individual who is boarding, being transported, or de-boarding the vehicle, unrelated to a “vehicle accident”; the degree of injury is irrelevant.

##### 2. Incident:

- a. A “vehicle incident” is differentiated from a “vehicle accident” by the lack of contact with another object, yet involves the vehicle’s use while transporting any passenger. Examples may include a complaint about the vehicle or the driver’s operation of the vehicle.
- b. A “passenger incident” is when a passenger has engaged in or been subject to behavior or actions that are improper such as verbal or physical abuse, inappropriate contact or other behaviors generally considered unacceptable by or to passengers or may include concerns by a driver about a passenger’

B. Reports of accidents or incidents should be conveyed to the Coordinator by the Provider within 48 hours of receipt of such reports.

C. For incidents or accidents reportable to authorities (insurance, law-enforcement), the Provider will be circumspect in its conveyance of information regarding such incidents and accidents and will be guarded in its comments to the media about such situations.

### **IX. Records/Reporting**

The Provider will be responsible for maintaining separate records for services provided to or reimbursed by the Lead Agency for POS. Those trip records will be maintained by the Provider for at least one fiscal year after the delivery of service. Trip records will be on Lead Agency for POS -provided forms that should be transmitted electronically to the Lead Agency for POS.

Records to be maintained by the Provider will include, but are not limited to:

- A. Volunteer Driver qualification (background checks & driving record), licensing, & training records
- B. Vehicle data & maintenance records
- C. Operating data\*:
  - a. Volunteer driving hours
  - b. Vehicle miles
  - c. Total passenger boardings
  - d. Service donations or fares collected by Provider
  - e. Number of unduplicated riders
  - f. Number of trips by persons with disabilities
  - g. Number of trips by elderly persons
  - h. Number of occasions of use of a child safety restraint
  - i. Number of user cancellations
  - j. Number of no-shows by users
  - k. Trip purpose

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- l. Number of unfilled trip requests
- m. Number of trips missed by Provider
- n. Service disruption reports
- o. Town of origin
- p. Destination town

\* Note: Operating data requirements may be amended through the contract “scope of work” to account for specific funding program requirements and/or data recording constraints of the web-based coordination software.