



MUNICIPALITY OF FAJARDO

AMERICANS WITH DISABILITIES ACT (ADA) COMPLAINT PROCEDURE

The Municipality of Fajardo has adopted a complaint procedure providing for prompt and equitable resolution of complaints alleging any actions prohibited by the U.S. Department of Transportation regulations implementing 49 CFR Part 37 Subparts A and G. 49 CFR states, in part, that “No entity shall discriminate against an individual with a disability in connection with the provision of transportation service” and “Notwithstanding the provision of any special transportation service to individuals with disabilities, an entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity’s transportation service for the general public, if the individual is capable of using that service”.

To file an ADA complaint:

1. A complaint should be filed in writing, verbally, or electronically; contain the name and address of the person filing it and briefly describe the alleged violation of the regulations. Customers can register a complaint at 787-863-4115, blanca.huertas@fajardopr.org.
2. A complaint should be filed within 180 days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow the filing of complaint. The investigation shall be conducted by the ADA Coordinator or designee. These rules contemplate informal but thorough investigations, affording all interested people and their representatives, if there is any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than thirty (30) days after its filing.
5. The ADA Coordinator shall maintain the files and records of Transportation Services relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution.

The request for reconsideration should be made within ten (10) days to Blanca Huertas, ADA Coordinator, Municipality of Fajardo.

7. The right of a person to a prompt and equitable resolution of his/her complaint filed pursuant to this policy shall not be impaired by the person’s pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

8. These rules should be constructed to protect the substantive rights of interested people to meet appropriate due process standards and to ensure that the Municipality of Fajardo complies with the ADA and implements regulations.

ADA Coordinator contact information: Blanca Huertas to 787-863-4115, blanca.huertas@fajardopr.org, located at Federal Programs Office in Calle Dr. Lopez, Fajardo.

FTA’s practice is to encourage riders and others to resolve issues with local agencies when possible before filing a complaint with FTA. As part of its ADA oversight responsibilities, FTA processes complaints filed against transit providers by members of the public alleging noncompliance. Any person who believes himself/herself or any specific class of individuals to be harmed by failure to comply with [Part 27] may, personally or through a representative, file a written complaint with the responsible Departmental official.

A Complaint must be filed not later than 180 days from the date of the alleged discrimination unless the time for filing is extended by the responsible Departmental official or his/her designee. Those wishing to submit a complaint may do so at the Planning Office.

Location: Federal Programs Office, Calle Dr. Lopez #6, Fajardo, Puerto Rico, 00738.

Email: blanca.huertas@fajardopr.org

For those who require this document in an alternate format, please contact the municipality at 787-863-415.