

CONCURRENCE IN SENATE AMENDMENTS

AB 1250 (Papan)

As Amended September 03, 2025

Majority vote

SUMMARY

Requires a transit operator that provides or contracts for the provision of paratransit services to establish a streamlined recertification process by January 1, 2027 for persons who receive or are eligible to receive paratransit services.

Senate Amendments

- 1) Requires transit operators on or before January 1, 2027 to establish a streamlined recertification process for eligible persons.
- 2) Specifies that a streamlined recertification process shall use a phone interview, mail-in form, or online survey to collect the following information for the purposes of verification:
 - a) Physical address.
 - b) Mailing address, if different from physical address.
 - c) Emergency contact.
 - d) Telephone number.
 - e) Updated mobility devices.
 - f) Status of disability, with identification of any worsening of the person's disability, any additional disability, any changes to the person's functional abilities, and any changes to the person's use of an assistive device.
 - g) First and last name.
 - h) Date of birth.
- 3) Allows a transit operator to request an updated photo of the eligible person if they required a photo for their initial determination.
- 4) Requires a transit operator to have eligible persons to complete the recertification process once every five years.
- 5) Allows an eligible person to request recertification at any time and requires them to complete the process every five years thereafter.
- 6) Requires transit operators on or after January 1, 2027 to use the streamlined recertification process unless one of the following conditions applies:

- a) There is a review to broaden the person's eligibility for paratransit services based on either the person's disability worsening or the person having an additional disability.
 - b) The person is temporarily eligible for paratransit services.
 - c) The transit operator has implemented service changes or improvements that may impact the person's eligibility for paratransit services.
 - d) The eligible person has moved to a new physical address and the change of physical address is reasonably expected to modify their eligibility for paratransit services.
- 7) States that this does not prohibit a transit operator from establishing and using a different recertification process for persons who are not defined as eligible persons.
- 8) States that this does not prevent a transit operator from contracting the eligibility process for paratransit services, so long as the final decision regarding an eligible person's eligibility for paratransit services is made by the transit operator.
- 9) Defines "eligible persons" as persons who receive, or who are eligible to receive, paratransit services based on a disability and whose disability cannot reasonably be expected to improve over time, as determined by the person's qualified licensed medical professional, and whose ability to access the fixed route system cannot reasonably be expected to improve over time, as determined by the transit operator.
- 10) Defines "recertification process" as the process by which a transit operator may require persons who have previously been determined eligible for the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) complementary paratransit service to have their eligibility reviewed again.

COMMENTS

Paratransit is a specialized, demand-responsive transportation service for individuals who, due to disability, are unable to use regular fixed-route public transit. These services are typically operated by local transit agencies and may be provided directly or through contracts with private companies.

Federal and state law. Under the Americans with Disabilities Act of 1990 (ADA), public transit agencies operating fixed-route systems must provide complementary paratransit services that mirror the fixed-route system in terms of service area, hours, and fares. ADA paratransit eligibility is defined in three categories:

- 1) Category 1: Individuals who cannot independently use the fixed-route system due to a physical or cognitive disability.
- 2) Category 2: Individuals who can use fixed-route transit but no accessible vehicle is available on the route they need.

- 3) Category 3: Individuals with a specific impairment-related condition that prevents them from getting to or from a bus or rail stop.

Disability alone does not determine paratransit eligibility. The decision is based on the applicant's functional ability to use the fixed route bus and is not a medical decision. The Department of Transportation (DOT) ADA regulations in Appendix D to 49 United States Code Section 37.125 specifies: "The substantive eligibility process is not aimed at making a medical or diagnostic determination. While evaluation by a physician (or professionals in rehabilitation or other relevant fields) may be used as part of the process, a diagnosis of a disability is not dispositive. What is needed is a determination of whether, as a practical matter, the individual can use fixed route transit in his or her own circumstances." Transit agencies, with input from the communities they serve, devise the specifics of their individual eligibility processes. The DOT ADA regulations in Section 37.125 set only broad requirements that all agencies must incorporate, such as written notification of eligibility decisions and an opportunity for an appeal.

While "ADA paratransit" under federal law refers to specific transportation services for individuals meeting certain eligibility criteria, California law uses the terms "paratransit" and "dial-a-ride" more broadly to include a wider range of services for people with disabilities.

Transit providers that receive public funding under the Mills Act must not deny paratransit service based on:

- 1) Whether the person has access to a household vehicle.
- 2) Whether the person lives outside the service area—as long as they are within the area at the time of service and meet eligibility criteria.

Providers may still offer subscription-based services and are not required to lower rates charged to other agencies. Additionally, providers are not required to operate outside their service areas (unless mandated by the ADA) and cannot require ID as a condition of service unless otherwise permitted. Transit providers must accept valid disability ID cards issued by other providers. Complaints about non-compliance may be filed with a transportation planning agency or county transportation commission, and individuals may request the Attorney General's involvement for resolution.

Disability recertification. Federal law, when referring to public entities required to provide complementary paratransit service, states that, "The entity may require recertification of the eligibility of ADA paratransit eligible individuals at reasonable intervals" (49 United States Code 37.125). In California, individuals with permanent disabilities are required to recertify their paratransit eligibility every two to five years, despite their condition remaining stable. The application presents barriers, including:

- 1) Long, not easily accessible forms (especially for screen reader users).
- 2) The need for medical certification, which typically incurs a cost.
- 3) Difficulty getting to a doctor's appointment if the individual is not already paratransit-eligible.

Inconsistencies across the state. Transit agencies across the state may apply eligibility rules and processes differently, creating an additional barrier for individuals who utilize paratransit services across different parts of the state. Inconsistencies in statewide process are highlighted in the report Caltrans prepared pursuant to AB 1351 (Lackey), Chapter 627, Statutes of 2019, which found that most transit agencies do not accept online applications, fare payment options vary, and the majority of agencies do not advertise cross-eligibility of services with other California paratransit agencies. Caltrans recommends the following actions:

- 1) Opportunities for outreach and training could be sought to promote compliance with current state and federal laws which could proceed prior to and in conjunction with the release of statewide guidelines.
- 2) Identify and maintain a list of each operator's paratransit contact person.
- 3) Each service provider could clearly post information about their paratransit services in an easy-to-find location on their website.
- 4) Establish a digital statewide eligibility verification service that is ADA-accessible and easy to use.
- 5) Require transit operators that receive Mills Act funding to honor eligibility from a centralized service alongside their existing processes.
- 6) Publish use of a verification system per agency.
- 7) Publish Mills Act agency compliance.
- 8) Develop eligibility verification guidelines for agency websites.

According to the Author

"AB 1250 will ensure that individuals with permanent disabilities are not required to recertify their eligibility for paratransit services, except in clearly defined circumstances. Paratransit is a critical service that helps Californians with disabilities stay mobile, independent, and engaged in their communities.

Currently, many transit providers require recertification every 2 to 5 years—even when a person's condition is lifelong and unlikely to change. The application process can be lengthy, difficult to navigate for individuals using assistive technology, and requires medical certification. For many, the cost and logistical challenge of reaching a doctor's appointment—especially without reliable transportation—pose significant barriers.

AB 1250 is about dignity and inclusion. This bill acknowledges that for many riders, their disability status is permanent. By allowing for a lasting eligibility determination in these cases, the bill reduces unnecessary burdens on individuals and improves efficiency for transit agencies, freeing up resources to focus on service delivery.

California has a strong record of advancing equity in transportation. AB 1250 builds on that foundation by making the paratransit system more accessible, practical, and respectful of the needs of those it serves."

Arguments in Support

The California Council of the Blind writes, "Although federal regulations do not require transit districts to redetermine eligibility for someone whose disability is not expected to improve, many districts require recertification of all paratransit riders at prescribed intervals. In addition, applications for recertifying paratransit service eligibility often require certification by a physician. In order to meet this requirement riders, many of whom are on fixed incomes, must often bear the expense of obtaining a physician's certification.

A number of people determined eligible for Para Transit services have a disability or medical condition that cannot reasonably be expected to improve. Not only would such Para Transit riders benefit from a system that could deem their disability or medical condition as stable, but staff time and money could be saved on the part of Para Transit service providers, eliminating the need for periodic redetermination applications through such designation. It is likely that more than 250,000 persons with disabilities use paratransit services in California. If 80% of these individuals did not require recertification, savings could run to several million dollars annually."

Arguments in Opposition

No opposition on file.

FISCAL COMMENTS

Unknown.

VOTES:**ASM TRANSPORTATION: 16-0-0**

YES: Wilson, Davies, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Hart, Hoover, Jackson, Lackey, Lowenthal, Macedo, Papan, Ransom, Rogers, Ward

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 71-0-8

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bryan, Chen, Ellis, Nguyen, Sanchez, Schultz, Sharp-Collins, Wicks

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes,

Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab,
Weber Pierson, Wiener

UPDATED

VERSION: September 03, 2025

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FN: 0001613