

Chapter 29

Transportation

29.1 Authority: 34 CFR 361.48(h)

29.2 Policy

Transportation services in support of other vocational rehabilitation activities, such as vocational counseling and guidance, career assessment and planning, benefit planning, vocational training, placement, and restoration may be provided when comparable services and benefits and client resources are not available or must be supplemented in order for the eligible individual to participate in the vocational rehabilitation activities. The least expensive method that meets the individualized needs of the eligible individual will be selected unless contraindicated by the disability, individual circumstances, or excessive time constraints. These factors must be clearly documented in the client record. As with all paid services, USOR policy is to provide only necessary, appropriate, and least possible cost options that meet the individualized needs of the eligible individual.

29.3 Procedures

A. Public Transportation/ Taxi Service:

Whenever available, public transportation such as bus, light rail and commuter rail shall be the preferred and primary mode of transportation services in support of other vocational rehabilitation activities. The client record shall clearly document the exploration of public transportation and any justifications for an exception to USOR policy regarding the preferred use of public transportation. Where necessary, appropriate, and least possible cost options include the use of single trip taxi services, VR Counselors must document the search for alternative options and the justification for the use of such services. Only customary and reasonable fares shall be paid.

B. Authorizing for Travel Expenses:

Clients who have alternative means of transportation such as private vehicles may have mileage over and above normal personal mileage in support of vocational rehabilitation activities. Rates shall not exceed the current rate approved and paid to state employees for private vehicle use. VR Counselors must document the justification for travel costs in the client record. VR Counselors shall document the estimated miles associated with the activities in the IPE and document a justification for the amount being authorized. If the client uses his/her own vehicle costs may be provided on a per-mile-basis, on a cost-of-fuel basis, or on a fee-for-trip basis as negotiated by the VR Counselor and acceptable to the eligible individual. If the client is transported by a third party, costs may be negotiated with the third party in the same manner as above. The third party may also be paid for his/her time with the minimum wage being the approved rate for the driver.

In the event that client travel requires lodging and per-diem, travel rules, rates and policy for state employee travel must be followed. VR may authorize for hotel costs up to the approved nightly rates for state employee travel and food at the per diem rate for state employees. Other state travel rules shall be followed in determining the appropriateness of travel reimbursement. The VR Counselor must obtain receipts for any funds authorized directly to the client that accounts for the entire authorized amount and demonstrates the funds were used for the intended purpose.

C. Vehicle Rental:

In rare cases the most cost-effective means to meet short-term transportation needs for a client to participate in vocational rehabilitation activities may be vehicle rental. In such cases the justification for rental shall be clearly documented in the client record to include exploration of services in section A and B above, a cost analysis demonstrating the cost-effectiveness of such an approach, and the terms and conditions of any rental. The state contract vendor for rentals shall be used for client rentals with the least possible cost option being preferred unless client record documentation justifies an alternative based on disability, individual circumstances, and/or client safety.

D. Client-Owned Vehicle Modifications:

In the event that a client requests USOR to modify a vehicle already owned by the client, the VR Counselor shall ensure the vehicle is:

- a) Examined by an "Automotive Service Excellence" ASE certified mechanic mutually selected by the VR Counselor and eligible individual and be determined to be suitable to safely and reliably meet the vocational rehabilitation needs of the individual; or
- b) Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the client have been identified, costs estimated, and factored into the necessary, appropriate, and least possible cost justification.
- c) Owned by the client (Verify Title) and the client has a current license to operate the vehicle.
- d) Evaluated by the Occupational Therapist at the Utah Center for Assistive Technology to determine the client's individualized vehicle modification needs, the viability and feasibility of modifying the client's vehicle, and obtain cost estimates to be used in justifying and documenting the necessary, appropriate, and least possible cost of the service.
- e) The VR Counselor must document that a conversation with the client notified the individual that USOR is not responsible for future equipment removal and restoration of the vehicle to the original condition, that the client is responsible for establishing a savings account for the eventual replacement and/or repairs to the equipment, and the costs of vehicle maintenance and adequate insurance is the client's responsibility.

E. USED Vehicle Purchases/Modifications:

In general USOR will not purchase or participate in the purchase of vehicles unless the client's individual circumstances and disability related factors require the purchase of a vehicle. Some vocational goals such as self-employment may also present exceptions to this

policy. In general USOR may participate in the purchase of a vehicle if:

1. It is clearly documented in the client record that vehicle purchase is the most cost-effective, necessary, and appropriate alternative to assist the individual in participating in vocational rehabilitation activities and employment. This should include exploration of client relocation if possible. This documentation must demonstrate the consideration of transportation alternatives listed in sections A, B, and C above.
2. It is clearly documented in the client record that a review of the client's living expenses and income or projected income demonstrates personal funds are/will be substantial enough to meet operating/maintenance costs, and eventual replacement of the vehicle.
3. The client can/ will be able to afford and obtain adequate insurance coverage as required by the state and is licensed to operate the vehicle legally in the state.
4. When, after exploration of all other transportation means discussed in sections A, B, C, and D above, the purchase of a vehicle is documented to be the most appropriate, necessary, and least possible cost option available to meet the vocational rehabilitation needs of the eligible individual it is USOR policy to explore and document used vehicle options available on the market at the time.
5. When a used vehicle is available and meets the needs of the eligible individual USOR considers this to be the appropriate, necessary and least possible cost option as long as the vehicle is:
 - a) Examined by an "Automotive Service Excellence" ASE certified mechanic mutually selected by the VR Counselor and eligible individual and be determined to be suitable to safely and reliably meet the vocational rehabilitation needs of the individual; or
 - b) Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the client have been identified, costs estimated, and factored into the necessary, appropriate, and least possible cost justification.
 - c) If the used vehicle is an adapted and/or modified vehicle it is important to obtain a Utah Center for Assistive Technology (UCAT) evaluation of the basic condition of the assistive technology or accessibility equipment.
 - d) If retrofitting or modification of the accessibility equipment is necessary cost estimates should be obtained and factored into the necessary, appropriate, and least possible cost justification.
 - f) If the used vehicle requires modification and installation of accessibility equipment a UCAT evaluation must demonstrate that the used vehicle when modified will meet the needs of the client.
 - g) The VR Counselor must document that a conversation with the client notified the individual that USOR is not responsible for future equipment removal and restoration of the vehicle to the original condition, that the client is responsible for establishing a savings account for the eventual replacement and/or repairs to the vehicle and equipment, and the costs of vehicle maintenance and adequate insurance is the client's responsibility.

F. NEW Vehicle Purchases/Modifications:

In general USOR will not purchase or participate in the purchase of new vehicles unless the client's individual circumstances and disability related factors require the purchase of a vehicle. Some vocational goals such as self-employment may also present exceptions to this policy. In general USOR may participate in the purchase of a vehicle if:

1. It is clearly documented in the client record that vehicle purchase is the most cost-effective, necessary, and appropriate alternative, including exploration of client relocation, in order to achieve the objectives and goals of the IPE. This documentation must demonstrate the consideration of transportation alternatives listed in sections A, B, and C above.
2. It is clearly documented in the client record that a review of the client's living expenses and income or projected income demonstrates personal funds are/will be substantial enough to meet operating/maintenance costs, and eventual replacement of the vehicle.
3. The client can/ will be able to afford and obtain adequate insurance coverage as required by the state and is licensed to operate the vehicle legally in the state.
4. After exploration of all other transportation means discussed in sections A, B, C, and D above, the purchase of a vehicle is documented to be the most appropriate, necessary, and least possible cost option available to meet the vocational rehabilitation needs of the eligible individual it is USOR policy to explore and document used vehicle options available on the market at the time.
5. A used vehicle is available and meets the needs of the eligible individual USOR considers this to be the appropriate, necessary and least possible cost option as long as the vehicle is:
 - a) Examined by an "Automotive Service Excellence" ASE certified mechanic mutually selected by the VR Counselor and eligible individual and be determined to be suitable to safely and reliably meet the vocational rehabilitation needs of the individual; or
 - b) Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the client have been identified, costs estimated, and factored into the necessary, appropriate, and least possible cost justification.
 - c) If the used vehicle is an adapted and/or modified vehicle it is important to obtain a Utah Center for Assistive Technology (UCAT) evaluation of the basic condition of the assistive technology or accessibility equipment.
 - d) If retrofitting or modification of the accessibility equipment is necessary cost estimates should be obtained and factored into the necessary, appropriate, and least possible cost justification.
 - h) If the used vehicle requires modification and installation of accessibility equipment a UCAT evaluation must demonstrate that the used vehicle when modified will meet the needs of the client.
 - i) The VR Counselor must document that a conversation with the client notified the individual that USOR is not responsible for future equipment removal and restoration of the vehicle to the original condition, that the client is responsible for establishing a savings account for the eventual replacement and/or repairs to the vehicle and equipment, and the costs of vehicle maintenance and adequate insurance is the client's

- responsibility.
6. USOR will not purchase a new vehicle for eligible individuals who do not require a modified or accessible vehicle to meet their vocational rehabilitation needs. Exceptions may be made in the case of self-employment goals requiring such a vehicle in the business plan.
 7. If a search for used vehicle options fails to locate a used vehicle to meet the vocational rehabilitation needs of the client, and the client requires a modified or accessible vehicle due to the nature of their disability, the VR Counselor and client may explore necessary, appropriate, and least possible cost options on new vehicle purchases.
 8. In order to consider USOR participation in the purchase and modification of a new vehicle the VR Counselor must:
 - a) Document the justification for exploration of new vehicle purchase including all other alternatives explored including public transportation.
 - b) Obtain a UCAT assessment of the client's ability to safely operate a modified vehicle.
 - c) Obtain a UCAT assessment that includes recommended AT equipment and modifications, specific minimum specifications of both the necessary AT equipment and vehicle. USOR will fund the entire cost of AT and modifications but usually will not fund the entire purchase price of the vehicle. (See e.below)
 - d) Verify that the client has a current Utah State Driver's License and is insurable.
 - e) USOR generally will not fund the entire purchase cost of a new vehicle purchase. Exceptions may be made in cases where the client's primary income is SSI/SSDI due to reimbursement relationships with SSA where USOR will be able to recoup the entire cost of the purchase one the individual is employed. However, USOR does encourage exploration of client participate in such purchases wherever possible.
 - f) Explore the client's ability to obtain an auto loan for the purchase of the vehicle in full or in part. The amount of allowable expense is calculated by determining, or estimating, the work-related mileage plus mileage related to an approved VR service, as a percentage of the total annual mileage of the vehicle. An amount up to that percentage of the full cost of such a vehicle may be considered.

Example: A client is seeking to purchase a van that costs \$20,000. The anticipated VR-related use of the van is for transportation to and from vocational training, and to and from restoration services under the IPE. The round-trip mileage to school and back is 30 miles. The client goes to school 4 times per week for 36 weeks per year. The client's only other VR related use of the vehicle is one 18 mile round trip per month to meet his counselor. The possible VR cost participation would be calculated as follows:

30 miles round-trip times 4 trips per week, plus one 18 mile round-trip = 138 miles per week

138 miles a week times 36 weeks per year = 4968 total miles VR-related travel

4968 divided by 15,000 estimated annual miles* = 33.1 or 31%

31% times \$20,000 = \$6624.

\$6624 is the share of the cost that VR could pay.

NOTE: If the actual total annual mileage use of a vehicle is unknown, a standard estimate of 15,000 miles will be used

Estimated Annual Mileage – Disability/Employment Mileage

When a vehicle requires the installation of AT, e.g., a van lift, up to the full purchase and installation costs of the AT may be provided in addition to the pro-rata amount for purchase. Therefore, when a used vehicle is purchased that is already equipped with AT, the full cost of that AT may be provided. Participation in the remainder of the cost of the vehicle may then be pro-rated based on the determined or estimated percent of use of the vehicle in use related to work or an approved VR service.

29.4 29.4 Necessary Client Notifications On Vehicle Purchases

It is USOR policy that the VR Counselor document that the client is informed of the following points and understands their personal responsibility on each point:

1. Vehicles and AT modifications are items that will wear out over time. The VR Client needs to proactively plan for the costs associated with maintenance, repair, and eventual replacement as USOR will not typically provide this kind of service twice to the same client. The client should be encouraged to open a dedicated savings account to enable them to save for the eventual repair and replacement of the vehicle and modifications.
2. The client is responsible to maintain the vehicle in safe working order as USOR typically will not pay for ongoing maintenance and repairs.
3. Insurance must be maintained on the vehicle in accordance with state law.
4. If the vehicle is not being used for employment purposes USOR may reclaim the equipment for use by other eligible individuals.

29.4 Financial Needs Test

Utah State law requires the application of a financial needs test prior to most paid services. (See CSM Chapter 8) As in all VR cases, the eligible individual may volunteer to contribute to the cost of services regardless of their financial needs test and should be encouraged to do so where appropriate.

29.5 Approvals IPE & Purchasing

See CSM Chapter 12 for approval authority levels and purchasing policy. As with all purchases VR Counselors are required to obtain the appropriate level of approval, include the service in an IPE signed by the eligible individual, and ensure compliance with state purchasing policies. VR Counselors should utilize the DRS Purchasing Agent to ensure that purchases are within procurement policy and regulations.

29.6 Exceptions to Policy

Occasionally VR Counselors may encounter unique personal circumstances that may justify seeking exceptions to policy in order to most effectively serve the client. VR Counselors through collaboration and consultation with the eligible individual and the supervisory chain of command should seek exceptions to policy as needed to effectively serve the eligible individual.