



## Report to the Legislature

### Special Transportation Service Complaints

January 2013



*Your Destination...Our Priority*



This report has been prepared as required by Minnesota Statutes (2012), section 174.30, subdivision 9, paragraph (b), which provides: “By January 15, 2009, and in every subsequent odd-numbered year by January 15, the commissioner shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over transportation policy and finance. The report must identify each complaint investigated by the commissioner under paragraph (a) [‘The commissioner shall investigate all complaints over which the commissioner has jurisdiction regarding special transportation service providers regulated under this section’], including, but not limited to, any findings and steps taken for resolution of the complaint.”

The cost of preparing this report was approximately \$300.

To request this document in an alternative format call 651-366-4718; 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You may also send an email to [bruce.lattu@state.mn.us](mailto:bruce.lattu@state.mn.us). Adequate notice is required.

## **Background**

This report documents the complaints made to the Minnesota Department of Transportation against special transportation service providers. Minnesota Statutes (2012), section 174.30, subdivision 9, requires the Commissioner of Transportation to submit this report by January 15 of every odd-numbered year. MnDOT regulates the transportation activities of providers of special transportation service, which is defined in Minnesota Statutes, section 174.29, subdivision 1, as “motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to service individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service...”

MnDOT commercial vehicle enforcement staff conducts regular compliance audits of special transportation service providers. During these audits, staff inspects vehicles (an annual requirement) and checks training and other qualifications of drivers. Currently, there are 224 special transportation providers in Minnesota, and MnDOT staff inspects their 2,149 vehicles. During compliance audits, providers are assigned a safety rating, with “satisfactory” being the highest rating possible. In 2012, 99 percent of the special transportation providers audited received a satisfactory safety rating. Among all passenger carrier types, which include special transportation service as well as limousine and for-hire bus operators, the rate was 96 percent.

MnDOT occasionally receives complaints about special transportation service providers. Minnesota Statutes, section 174.30, subdivision 4, paragraph (e), requires special transportation service providers to prominently display in each vehicle all contact information for the submission of complaints regarding the transportation services provided. MnDOT staff investigates each complaint submitted through its formal complaint process. If violations of special transportation regulations are found, MnDOT staff work, whenever possible, through meetings and written and telephone communication to educate the provider on actions it needs to take to come into compliance. MnDOT staff then verifies that required corrective action has been taken.

Minnesota Statutes, section 174.30, subdivision 9, paragraph (c), provides that the names of complainants and their complaint letters are classified as confidential or protected nonpublic data.

As required by Minnesota Statutes, section 174.30, subdivision 9, what follows are brief descriptions of findings made and steps taken for the resolution of the complaints.

## **Details of complaints from 2010 that are now closed**

### **Custom Cab Company**

On May 15, 2010, MnDOT received a complaint alleging that Custom Cab Company was providing special transportation service without a valid certificate. MnDOT investigated and found that the transportation being provided was private pay service in vehicles not regulated by MnDOT.

**Randy Busch, DBA Southwest Metro Taxi**

On November 29, 2010, MnDOT received a complaint alleging that Randy Busch, DBA Southwest Metro Transportation/Cure Cab was using a driver who was physically unqualified to provide special transportation service. The investigation found that the provider was using a driver who was physically unqualified unless he obtained a medical waiver from MnDOT. Randy Busch was instructed not to allow this driver to provide special transportation service until a waiver was obtained.

## **2011 complaints**

**Alpha & Omega, USA, Inc., DBA Travelon Transportation**

On January 28, 2011, MnDOT received a complaint alleging that a driver for Alpha & Omega, USA, Inc., DBA Travelon Transportation was not polite to the complainant. The carrier was contacted and told of the customer's concern.

**Ross Anvary, LLC, DBA Rock Island Depot, Inc.**

On February 24, 2011, MnDOT received a complaint alleging that Ross Anvary, LLC, DBA Rock Island Depot, Inc. was displaying the name "Medi-Cab Express" on the company's vehicle. Minnesota Rule, part 8840.5450, provides that a special transportation service provider shall not use in its name or in advertisements or information describing the service, the words "medical," "emergency," "life support," "ambulance," or other similar words that offer, suggest or imply the availability of ambulance service. The carrier was contacted, the rule was discussed, and the carrier removed the name from the vehicle.

**Prestige Transportation, Inc.**

On April 11, 2011, MnDOT received a complaint alleging drivers for Prestige Transportation, Inc. were smoking in vehicles and allowing passengers to smoke also. Destination inspections were performed on some of the provider's vehicles and drivers. No violations were discovered during these inspections. The carrier was contacted and the rule regarding smoking in a vehicle providing special transportation service was discussed.

**R&S Transport, Inc.**

On August 22, 2011, MnDOT received a complaint alleging that R&S Transport, Inc. was not repairing vehicle equipment defects. An investigation was conducted of the carrier's maintenance program. It was discovered that the carrier's mechanics were not reviewing the daily vehicle inspection reports generated by drivers. The carrier is now requiring its mechanics to review each daily vehicle inspection report. They've also scheduled a mechanic to work afternoon shifts to make sure defects noted by drivers are being repaired.

**Cedar Transportation Corp.**

On September 7, 2011, MnDOT received a complaint alleging a passenger riding in a wheelchair was injured due to improper or no passenger restraints when the vehicle operated by Cedar Transportation Corp. was involved in a rear end collision. The MnDOT investigation discovered that the vehicle involved in the crash and operated by Cedar Transportation Corp. had not been

inspected and certified to provide special transportation service. Numerous other carrier violations were noted during a carrier audit. MnDOT issued an administrative penalty order, as provided under Minnesota Statute 174.30, subdivision 9, paragraph (c), to Cedar Transportation Corp.

## **2012 complaints**

### **Northland Transportation, Inc.**

On January 25, 2012, MnDOT received a complaint that a driver for Northland Transportation, Inc. was providing special transportation service without a current medical examiner's certificate. MnDOT contacted the provider and a review of the driver's qualification file was performed. The investigation found the driver did not have a valid medical examiner's certificate and did not receive the required training before providing special transportation service. The provider was made aware of the violations and instructed on how to ensure that its drivers are fully qualified.

### **Twin City Mobility, Inc.**

On January 5, 2012, MnDOT received a complaint alleging that Twin City Mobility, Inc. was offering cash to ride service with the provider. MnDOT contacted the complainant and suggested that a call be made to the Minnesota Department of Health and Human Services Performance Measurement and Quality Improvement Division regarding the complaint. MnDOT does not regulate cost reimbursement.

### **Northern Access Transportation, Inc.**

On January 6, 2012, MnDOT received a complaint alleging that a driver for Northern Access Transportation, Inc. had failed to secure a wheelchair properly, resulting in the passenger being injured when the wheelchair tipped backwards during transportation. MnDOT contacted the provider and was told that the driver admitted that he had not secured the wheelchair properly. Northern Access Transportation, Inc. provided documentation stating that the driver had received additional training in the proper securement of a wheelchair after the incident.

### **Northland Transportation, Inc.**

On March 5, 2012, MnDOT received a complaint stating that a passenger's wheelchair had tipped backwards, injuring the passenger, while being loaded into a vehicle operated by Northland Transportation, Inc. MnDOT investigated and found that the driver had been trained in passenger assistance but did not follow the recommended loading procedure that day. The provider agreed to refresher training for their driver.

### **Alpha & Omega, USA, Inc., DBA Travelon Transportation**

On March 5, 2012, MnDOT received a complaint alleging vehicles operated by Alpha & Omega, USA, Inc., DBA Travelon Transportation were dirty inside and smelled of exhaust, and that passengers experienced long waits for pick up. The provider was contacted and vehicle maintenance and cleanliness was discussed. MnDOT does not regulate scheduling of passengers.

**ABC Transportation, Inc.**

On March 15, 2012, MnDOT received a complaint that ABC Transportation, Inc. was providing special transportation service while its certificate was canceled due to a lapse in insurance coverage. MnDOT staff contacted ABC Transportation, Inc. and discovered that the provider no longer wished to provide the service. No trips had been provided while under cancellation.

**Care and Mobility, Inc.**

On March 22, 2012, MnDOT received a complaint that Care and Mobility, Inc. may be providing special transportation service after voluntarily surrendering their certificate. The investigation found no trips had been provided.

**Newtrax, Inc.**

On June 1, 2012, MnDOT received a complaint that Newtrax, Inc. was providing special transportation service without a valid certificate. Newtrax, Inc. was found to be providing special transportation service without a certificate. The carrier subsequently registered with MnDOT and obtained a valid certificate.

**Kevin Helquist, DBA Freedom Transportation Services**

On June 20, 2012, MnDOT received a complaint that Kevin Helquist, DBA Freedom Transportation Services was conducting special transportation service without a valid certificate. MnDOT investigated and found that Kevin Helquist, DBA Freedom Transportation Services was providing private pay passenger transportation in a vehicle not regulated by MnDOT. The City of Duluth, Taxi Licensing section, was informed of this carrier and the transportation he was providing in Duluth.

**Affordable and Accessible Van, Inc.**

On July 31, 2012, MnDOT received a complaint alleging that Affordable and Accessible Van, Inc. was not transporting its wheelchair passengers in a forward-facing position. MnDOT investigated and found no evidence that passengers were being transported in this manner. Affordable and Accessible Van Service, Inc. was contacted and instructed to inform their drivers of the proper securement method.

**Northland Transportation, Inc.**

On August 10, 2012, MnDOT received a complaint that Northland Transportation, Inc. was using a driver for special transportation service who had not received the required training. Investigation of this complaint did not produce evidence to support the complaint.

**Alpha & Omega, USA, Inc., DBA Travelon Transportation**

On September 7, 2012, MnDOT received a complaint alleging that a vehicle operated by Alpha & Omega, USA, Inc., DBA Travelon Transportation passed a bicyclist within six inches and that the driver of this vehicle yelled obscenities at the bicyclist. The provider was informed of the driver's conduct.

**MIK Transportation, Inc.**

On October 5, 2012, MnDOT received a complaint alleging that MIK Transportation, Inc. was using drivers for special transportation service who had not completed the required training.

MnDOT conducted an audit of the provider and found that drivers had not been properly trained. MnDOT used its authority under Minnesota Statute 174.30, subdivision 8, and assessed an administrative penalty against the provider for the violation.

**Rock Island Depot, Inc.**

On December 13, 2012, MnDOT received a complaint alleging that a wheelchair passenger, being transported in a vehicle registered to Rock Island Depot, Inc., had been injured due to improper securement of the wheelchair and passenger. The investigation found that Rock Island Depot, Inc. had sold the vehicle documented in the complaint to another authorized special transportation service provider before the passenger had been injured. Rock Island Depot, Inc. provided documentation of the sale.

**National Home Health Care Transportation, Inc.**

On December 13, 2012, MnDOT received a complaint alleging that a wheelchair passenger, being transported in vehicle operated by National Home Health Care Transportation, Inc., had been injured due to improper securement of the wheelchair and passenger. MnDOT conducted an audit of the carrier and found the driver had been trained in passenger assistance and wheelchair securement. Staff was unable to determine whether the wheelchair or passenger had been secured properly the day the passenger was injured. Refresher training for the driver was recommended. The provider was cited for not transferring the title of the vehicle involved in this incident.