

Reasonable Modification Request related to the CDC Mask Order

This form refers to the Centers for Disease Control and Prevention (“CDC”) Order dated January 29, 2021 titled Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs (the “CDC Mask Order”). As required under federal law, LTD agrees that it will comply, and will require others to comply, with applicable federal requirements including the CDC Mask Order.

This form provides an overview of the federal requirement under the CDC Mask Order requiring transit agencies and our passengers to reduce the spread of COVID-19 through the requirement of individuals on our vehicles and facilities to be wearing a facemask. The CDC Mask Order is effective February 1, 2021 and will remain in effect unless modified or rescinded based on specific public health or other conditions.

Mask Requirement.

The CDC Mask Order requires individuals to wear masks over the mouth and nose while traveling on an LTD vehicle or while at an LTD station or stop (the “Mask Requirement”).

Exemptions to Mask Requirement.

The CDC Mask Order includes exemptions for certain individuals with regards to the Mask Requirement. The CDC Mask Order exempts the following categories of persons:

- A child under the age of 2 years;
- A person with a disability who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act;
- A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.

In addition, the Mask Requirement shall not apply under the following circumstances:

- While eating, drinking, or taking medication, for brief periods;
- While communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication;
- If unconscious (for reasons other than sleeping), incapacitated, unable to be awakened, or otherwise unable to remove the mask without assistance; or
- When necessary to temporarily remove the mask to verify one’s identity.

Acceptable Masks.

The following are attributes of masks needed to fulfill the Mask Requirement under the CDC Mask Order:

- A properly worn mask completely covers the nose and mouth.
- Cloth masks should be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source).
- Mask should be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers.
- Mask should fit snugly but comfortably against the side of the face.
- Mask should be a solid piece of material without slits, exhalation valves, or punctures.

The following do not fulfill Mask Requirement under the CDC Mask Order:

- Face shields or goggles (face shields or goggles may be worn to supplement a mask that meets above required attributes)
- Scarves, ski masks, balaclavas, or bandannas

- Shirt or sweater collars (e.g., turtleneck collars) pulled up over the mouth and nose.

Reasonable Modification.

The Lane Transit District Reasonable Modification Policy (the “Reasonable Modification Policy”) ensures people with disabilities are provided equitable and effective opportunity and access to public transportation services. The Reasonable Modification Policy defines a reasonable modification as “a change or exception to a policy, practice, or procedure that allows individuals with disabilities to have equitable access to programs, services, and activities.”

LTD is requiring an individual who is seeking a Reasonable Modification to the CDC Mask Order because of a disability as defined by the Americans with Disabilities Act to provide certification by a medical professional who is familiar with the individual’s needs that the individual is exempted under the CDC Mask Order. LTD will then review and proceed based on the Reasonable Modification Policy, the Reasonable Modification Request Form, this completed form, and applicable law and regulations.

The CDC Mask Order, the Reasonable Modification Policy, the Reasonable Modification Request Form, and other applicable documents are available upon request.

Rider Information:

I acknowledge I am an individual who, due to a disability, requires an exemption to the CDC Mask Order and am seeking consideration of a Reasonable Modification. I understand that a modification may include use of LTD’s RideSource ADA service. In addition, I give LTD and the medical professional below permission to confirm the need for a Reasonable Modification to the CDC Mask Order in writing below, or otherwise.

Name (Printed): _____

Name (Signature): _____

Phone: _____

Medical Professional:

I certify I am a currently licensed medical professional. Based on my professional opinion, I certify the individual listed above is unable to effectively utilize an acceptable mask outlined above, because of a disability as defined by the Americans with Disabilities Act.

Name (Printed): _____

Name (Signature): _____

Medical Certification: _____

Phone: _____

This form should be returned directly from the signing medical professional to john.ahlen@ltd.org

Information contained in this document is not all-inclusive. These references are provided for additional information:

<https://www.cdc.gov/quarantine/masks/mask-travel-guidance.html>

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>

https://www.cdc.gov/quarantine/pdf/Mask-Order-CDC_GMTF_01-29-21-p.pdf

LTD Reasonable Modification Policy: https://www.ltd.org/file_viewer.php?id=2270

LTD Reasonable Modification Request Form: https://www.ltd.org/file_viewer.php?id=3125

The Americans with Disabilities Act: <https://www.govinfo.gov/content/pkg/USCODE-2009-title42/html/USCODE-2009-title42-chap126.htm>