



# Report to the Legislature

## Special Transportation Service Complaints

### January 2011



*Your Destination...Our Priority*



This report has been prepared as required by Minnesota Statutes (2010), 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 \$200.

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## Background

This report documents complaints made to the Minnesota Department of Transportation against special transportation service providers. Minnesota Statutes (2010), section 174.30, subdivision 9, requires the Commissioner of Transportation to submit this report by Jan. 15 of every odd-numbered year. Mn/DOT 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...”

Mn/DOT 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 228 special transportation providers in Minnesota, and Mn/DOT staff inspects their 2,171 vehicles. During compliance audits, providers are assigned a safety rating, with “satisfactory” being the highest rating possible. In 2010, 100 percent of the special transportation service 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. There is a high-level of compliance with applicable regulations in the special transportation service industry.

Mn/DOT occasionally receives complaints about special transportation service providers. Mn/DOT staff investigates each complaint submitted through its formal complaint process. If violations of special transportation services regulations are found, Mn/DOT staff works, whenever possible, through meetings and written and telephone communication to educate the provider on actions it needs to take to come into compliance—and then verifies that required corrective action has been taken.

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

Since the last report on special transportation service complaints, which was made to the Legislature on January 15, 2009, Mn/DOT has received 23 complaints regarding special transportation service providers. Fifteen of these complaints were received in 2009, and eight were received in 2010.

As required by Minnesota Statutes, section 174.20, subdivision 9, what follows are brief descriptions of findings made and steps taken for the resolution of the complaints.

### 2009 complaints

#### **Joy Transportation, Inc.**

A driver complaint was filed on Jan. 23, 2009 against Joy Transportation, Inc. of Minnetonka Beach. The complaint alleged that the provider was operating a vehicle before being inspected. An investigation did not produce evidence to support the complaint.

#### **New Ulm Taxi & Shuttle**

On Feb. 8, 2009, Mn/DOT received a complaint that New Ulm Taxi & Shuttle was advertising special transportation service without being certified to provide special transportation service. Mn/DOT staff contacted the taxi operator, who was unaware of the requirements for medical assistance rides that were being reimbursed. The carrier was educated and given a warning.



### **Helpful Hands Transportation**

On Feb. 9, 2009, Mn/DOT received a complaint about equipment violations at Helpful Hands Transportation of Plymouth. An investigation was performed, and no violations requiring corrective action were noted.

### **Good Samaritan, Inc.**

Mn/DOT investigated a Feb. 23, 2009, complaint against Good Samaritan, Inc. of Oakdale, and found that the provider was using a disqualified driver. Mn/DOT placed the disqualified driver out of service.

### **Tranby Health Ride (THR, Inc.)**

Based on a complaint received on Feb. 25, 2009, Mn/DOT conducted an audit of Tranby Health Ride of Bloomington's special transportation service operations. The provider received a satisfactory rating at that audit.

### **Kevin Helquist, DBA Freedom Transportation**

After a complaint against Kevin Helquist, doing business as Freedom Transportation in Duluth, was received on March 12, 2009, Mn/DOT performed an audit of the provider's operations, which showed no violations.

### **TLC Special Transportation**

Mn/DOT received complaints about unsafe equipment being used by TLC Special Transportation of Burnsville on April 6, 2009 and June 16, 2009. Mn/DOT contacted the provider, and repairs were made promptly.

### **Homebound Transportation**

On April 17, 2009, Mn/DOT received a complaint that Homebound Transportation of Minneapolis was using equipment that had not been inspected and certified. Mn/DOT investigated, found evidence to support the complaint, and issued the provider a warning. The provider's equipment was brought into compliance.

### **Twin Cities Transportation, Inc.**

On April 30, 2009, Mn/DOT received a complaint that a driver for Twin Cities Transportation, Inc. of Eagan, was smoking while driving a special transportation service vehicle. Mn/DOT investigated and issued a citation to the driver.

### **Divine Mercy, LLC**

After Mn/DOT received a complaint against Divine Mercy, LLC of Brooklyn Park, on May 6, 2009, Mn/DOT conducted an audit of the provider's special transportation service operations. The provider was found to be using unsafe equipment and unqualified drivers. Mn/DOT staff warned the provider about complying with special transportation standards, explained how to get into compliance, and followed up to verify that corrective action was taken.

### **Dave Douglas, DBA Advance Mobility, Inc.**

After a Sept. 14, 2009, complaint against Apple Valley provider Dave Douglas, DBA Advance Mobility, Inc., Mn/DOT investigated and found that a vehicle had not been inspected before being used. The provider had corrected this violation prior to the investigation and was issued a warning.

### **Alpha & Omega, DBA Travelon Transportation**

On Nov. 30, 2009, Mn/DOT received a complaint that Alpha & Omega, DBA Travelon Transportation of Eden Prairie, did not provide a step stool to assist a passenger. Step stools are not required under special transportation service regulations, and the complainant was informed of this.

### **Amy Johnson Transportation, LLC**

On Dec. 14, 2009, Mn/DOT received a complaint that Amy Johnson Transportation, LLC, of St. Paul, was using a vehicle that had not been inspected. Investigation of this complaint did not produce evidence to support this complaint.



### **Care & Mobility, Inc.**

A complaint against Care & Mobility, Inc., of Hopkins, was received on Dec. 15, 2009. Mn/DOT investigated and found that vehicles that were being used were not listed on the provider's insurance policy. The provider was informed of the need to update its insurance to include vehicles prior to them being put into service.

## 2010 complaints

### **Minnesota Para Transit Service**

On Jan. 21, 2010, Mn/DOT received a complaint that Minnesota Para Transit Service of Truman charged an excessive fee for a trip. An investigation showed that the trip in question had been a private-pay trip, and was not subject to special transportation service standards.

### **Kevin Helquist, DBA Freedom Transportation**

On Feb. 2, 2010, Mn/DOT received a complaint against Kevin Helquist, DBA Freedom Transportation in Duluth. The complaint was not related to special transportation service, and the complaint was referred to the City of Duluth.

### **Metro Mobility**

On May 17, 2010, Mn/DOT received a complaint that Metro Mobility transported a client to the wrong hospital, where the client was left. Metro Mobility services are not under Mn/DOT jurisdiction, and the matter was referred to the statewide Common Entry Point for Vulnerable Adults Maltreatment for follow-up.

### **Ericksmoen Cottages**

On Oct. 19, 2010, Mn/DOT received a complaint that Ericksmoen Cottages of Apple Valley was using an unqualified driver. During its investigation, Mn/DOT found multiple driver qualification violations. Mn/DOT is currently preparing to use its authority under Minnesota Statutes, section 174.30, subdivision 8, to assess an administrative penalty against the provider for these violations.

Four additional special transportation service complaints were received in 2010. These complaints, received on Oct. 8, May 13, May 15, and Nov. 29, against four separate providers, are currently under investigation. Because these matters are still open, and complaint data is confidential or protected nonpublic data under Minnesota Statutes, section 174.30, subdivision 9, paragraph (c), Mn/DOT will provide details of its findings and the resolution of these matters in its next report to the Legislature on special transportation service complaints.

