

Center for Disability Rights, Inc.

CDR Policy Position: Transportation

Safe and reliable transportation is essential to community-based living. Without access to accessible, affordable, integrated transportation options, people with disabilities are confined to their homes, creating institution-like segregation.

All fixed-route bus and paratransit systems must be accessible.

In order for people with mobility disabilities to be able to take advantage of fixed-route public transportation, all routes must be accessible. This encompasses bus stops, shelters, curb cuts, and sidewalks. All paths of travel must be cleared of snow, ice, and other debris. In addition, fixed-route passengers must be picked up and dropped off at bus stops with an accessible path of travel and paratransit passengers should be picked up and dropped off door-to-door (rather than “curb to curb”)

Fixed-route bus drivers and paratransit drivers must receive disability sensitivity training from people with disabilities.

Too often, people with disabilities suffer discriminatory actions by public transportation operators. Discrimination can come in the form of communicating only with a personal assistant, not the person with a disability, to blatantly passing by a stop where a person in a wheelchair waits. Disability sensitivity training must be mandatory for all fixed route bus and paratransit drivers, and training should be conducted *by* people with disabilities.

Companions (e.g. riders’ personal assistants) must be allowed to accompany people with disabilities on transit without charge.

The ADA ensures that personal assistants can accompany a person with a disability on a paratransit ride without paying fare, yet there is no such requirement under the ADA for fixed-route services. Many transit systems have established a policy that personal assistants may ride for free when accompanying a paratransit customer when that customer is able to ride on a fixed-route system. These policies encourage the use of fixed-route systems, when available, thereby reducing overall costs and encouraging greater mobility options for people with disabilities. People with disabilities can be parents too and they need to bring their children to medical appointments and on errands just like their nondisabled peers do. Children should have the same low fare rates on paratransit as they do on fixed route buses.

Rural transportation must be provided beyond transportation to medical appointments.

People with disabilities who live in rural communities do not have access to the same public transit options that people in urban areas do; yet their need to get to the grocery store, religious center, jobs, friends’ homes, etc. is the same as those who live in urban/suburban communities. Programs which provide funding for underserved communities must be expanded, including Section 5316 *Job Access and Reverse Commute (JARC)*, Section 5310 *Elderly Individuals and Persons with Disabilities*, and Section 5317 *New Freedom Program*. Accessible taxis, which are discussed below, would be

particularly beneficial to rural communities.

Public hearings must take place for any substantial changes in service

Substantial changes in services mean, in accordance with proposed language in the New York State Assembly, changes in frequency of service or routes, or complete or partial closing of a passenger stop or route. There must be a public hearing at least thirty days prior to any substantial change and the hearing space must be fully accessible.

Transit services must meet, at least, the basic requirements of federal law. This includes the Americans with Disabilities Act (ADA), the Urban Mass Transportation Act, Section 504 of the Rehabilitation Act of 1973, and the Air Carrier Access Act.

Bus. The ADA establishes Part 27 for *Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance*, Part 37 for *Transportation Services for Individuals with Disabilities*, and Part 38 for *Accessibility Specifications for Transportation Vehicles*. In addition to meeting current accessibility standards, public transit agencies should be required to purchase a sufficient number of busses with more than two wheelchair passenger areas to meet the demand for accessible service near buildings with a high level of usage by people with mobility impairments (e.g. accessible apartment buildings).

Paratransit. The ADA requires organizations that provide fixed-route transit to also provide paratransit service to people who cannot use the fixed route system and travel within $\frac{3}{4}$ of a mile of the fixed-route. Too often, bus transit organizations violate the basic accessibility requirements and discrimination protections set forth in the ADA. Enforcement of these requirements must be a priority. A policy should also be established that paratransit fares should not exceed fixed-route fares.

Rail. The ADA requires all commuter rail stations to be accessible and that seats, sleeper cars and dining cars on long-distance trains be accessible. In addition, key stations must be accessible. The U.S. Department of Transportation defines key stations as ones that have “above average passenger boardings, transfer points between two or more lines, interchange with other transportation modes, or that are end stations or stations that serve major activity centers.” Ideally, rail organizations will make all rail stations, cars, doorways, mechanisms used to assist with boarding, and all platforms fully accessible, with a preference for level or self-operated boarding options to enable independent boarding and disembarking, thus ensuring that wheelchair passengers are not delayed by long waits for staff to deploy lifts and ramps. At least 50% of train bathrooms must be fully accessible to all standard types of wheelchairs and scooters. Stop times must provide enough time for people with disabilities to board or disembark from a train, or there must be a mechanism to alert the conductor if a person requires extra time.

Vessel. The ADA applies to passenger vessels. Vessels must meet accessibility guidelines and vessel operators are prohibited from denying a passenger based on disability, charging additional fees for accessibility-related services, and requiring passengers to provide their own attendants for purposes of embarking and disembarking, among other protections. All service related information provided to passengers must be provided in alternative formats.

Plane. Discrimination by airlines in areas other than employment is not covered by the ADA, but rather by the Air Carrier Access Act (ACAA). The ACAA affords basic protections for people with

disabilities to travel on airline carriers including, but not limited to: airlines cannot limit the number of people with disabilities on a flight, airlines cannot deny transportation based on disability, and airlines cannot require advance notice of travel; however, 48 hours must be provided for certain accommodations like respirator hook up. Ideally, aircrafts would provide the option to accommodate wheel on passengers with tie-downs. This could be accomplished with removable seats, which already exist on large busses. People with disabilities could train crew on how to properly to remove the chairs and tie down wheelchairs.

There should be a federal policy that requires all bus systems, commuter rail, passenger vessels and airline carriers (regardless of size), to provide personnel with training in methods of transfer for passengers with disabilities, as well as their durable medical equipment, onto and around the vehicle, to ensure safety and dignity. Newly constructed station buildings must be constructed to be fully accessible in consult with the disability community.

Increase the availability of accessible taxi services.

While efforts to expand transportation for people with disabilities have tended to focus on public bus and rail travel, often private travel systems are more convenient and accommodating. Taxicabs offer personalized and flexible travel. Yet, for people with disabilities, taxis are usually inaccessible and expensive. Legislation is required to increase the number and availability of accessible vehicles within the private transportation industry including taxis, limousines, shuttle service, and rental cars, etc. Ideally, such transportation should have a minimum of 20% accessible vehicles in each fleet, with no less than one accessible vehicle. There should be public grants available to taxi companies, particularly rural ones, to bring taxi fleets into compliance.

Use technology to provide transit information to people with sensory disabilities.

People who are blind or deaf, or have limited sight or hearing, require assistance with navigating public transportation because the system is not designed for all individuals. People may not know which bus to transfer to, when they have arrived at their stop, or how to deposit fare. Technologies exist that can assist this population so all people can safely use public transit, yet there are few entities that take advantage of these technologies. All transportation systems must make transit information available in both visual and audible formats, including alternative formats such as Braille and large print. Shrink wrapped advertisements on busses obstruct views through windows for some individuals, which makes identifying a bus stop challenging. Drivers must be trained to be sensitive to people with disabilities. In addition, self-service kiosks must be accessible to all individuals.

Local governments must coordinate land-use policies to support all residents.

Livable communities include complete streets that promote pedestrian safety. The need for more costly motorized transportation is mitigated as pedestrian-friendly communities are developed with sidewalks, lighting, curb cuts, crosswalks, etc. Access paths must be cleared of snow, ice, and debris, and free of obstructions in accordance with ADA regulations. Complete streets must consider all users, including people who use wheelchairs and other mobility devices.

The Center for Disability Rights, Inc. (CDR) is a non-profit service and advocacy organization devoted to the full integration, independence and civil rights of people of all ages with all types of disabilities.