



Testimony of United Spinal Association Regarding

Intro 6047-2014

Intro 0056-2014

Intro 0059-2014

Intro 0615-2015

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United Spinal Association is a national membership organization of 40,000 individuals throughout the United States, approximately 3,400 of whom live in and around New York City. United Spinal's mission is enhancing the quality of the lives of people living with spinal cord injury and disease and other mobility impairments. Founded by paralyzed veterans in 1946, United Spinal has been at the forefront of the disability rights movement in NYC, successfully suing the Metropolitan Transportation Authority (MTA) to make buses and subways accessible and create the Access-a-Ride program and the Taxi and Limousine Commission (TLC) to require new taxis to be wheelchair accessible. United Spinal's settlement agreements with the MTA in 1985 and the transit agency in Philadelphia in 1988 are the basis for the transit provisions of the Americans with Disabilities Act, passed in 1990.

When United Spinal, then called Eastern Paralyzed Veterans Association, sued MTA in 1979 for access to buses and subways, Mayor Koch and MTA leadership told the public that access to mass transit was an expensive folly, that no people with disabilities would use the bus or subway and that a demand-response system like Access-a-Ride could serve all people with disabilities for \$9 million a year. Politicians and editorial boards agreed. MTA strenuously argued for access only to "key" stations which will number slightly over 100 by the year 2020. There are 469 subway stations. Because so many stations are inaccessible wheelchair users call Access-a-Ride for longer trips, using the buses, 100% of which have been accessible for well over 20 years, for shorter trips.

Access-a-Ride costs this year are approximately \$600 million, each ride costing over \$60. This is approximately the cost of running the Metro North Railroad. Over 100,000 wheelchair users access lift equipped buses every month. Most of these trips are made at peak hours, i.e., they are work trips. Workers have discretionary income and will use taxis when they are accessible. Medicaid spends over \$200 million per year in NYC on privately owned van service for poor wheelchair users' medical trips.

Disability advocates and the courts were able to convince the Bloomberg Administration and Taxi and Limousine Commissioner David Yassky to agree to make 50% of yellow taxis accessible by 2020. Unfortunately, this decision was made by City Hall after reaching an agreement with Nissan to require new taxis to be the inaccessible NV200. This required all NV200s to be converted at a cost of approximately \$14,000 per vehicle to a rear-entry, single passenger accessible vehicle.

Taxis are an obvious alternative for Access-a-Ride and Medicaid as taxi rides are cheaper per ride than Access-a-Ride or Medicaid van service. The expected results of the Settlement Agreement reached between United Spinal and other disability organizations with the Bloomberg Administration are threatened, however, by the current Uber operating scheme. First, the Settlement Agreement incorporates the sale of new medallions as envisioned by state legislation passed three years ago. The City has budgeted medallion sale monies, however, medallion values have dropped 25% since Uber began operation. The obvious threat Uber poses to the yellow cab industry is also a threat to the mobility impaired population dependent on the implementation of the Settlement Agreement. New medallion sales would add 1600 more accessible yellow cabs to our fleet.

Moreover, the City has begun collecting \$0.30 per trip from taxi riders to subsidize the purchase and operation of accessible vehicles. Uber passengers do not pay into this fund even as Uber continues to provide little to no service to wheelchair users.

The 1600 medallions left to be sold would add \$1.6 billion to the City treasury and provide tens of thousands of rides to wheelchair and scooter users. If the medallions are not sold because taxis are

replaced by Uber vehicles, none of which are required to be accessible, the Settlement Agreement promises no revenue for the City and no transportation for those in wheelchairs.

Uber must be required to provide accessible service. In 2015, when every new building must be accessible, every new bus must be accessible and government agencies provide most of the rides to wheelchair users either directly or by subsidy, an obvious solution is to require for-hire vehicles, brought newly into service, to be accessible. This preserves the opportunity for spontaneous travel for wheelchair users but just as importantly takes away Uber's advantage over yellow and green cabs.

Currently, the accessible function on the Uber app merely directs the call to another vendor who may or may not respond in a timely manner with a lower quality, accessible vehicle that has not been crash tested.

We support the Taxi and Limousine Commission enforcement efforts to ensure that livery base operators, including those with which Uber is affiliated, provide accessible service to wheelchair users but it is clear that they are currently incapable. We suspect that Uber would rather pay fines than provide accessibility. The current statutory and regulatory scheme has created two classes of service – those needing accessible cabs cannot use Uber effectively regardless of ability to pay.

One standard should be created by the Council for all for hire vehicles. Access should be assured, not only to the yellow and green vehicles, but to all for hire vehicles, including black car services and Uber.

City by city, throughout the United States, Uber has fought access. There are civil rights lawsuits brought by people with disabilities in Texas and California. New York City, the first city in our nation to require 50% access to its taxi system, should not tolerate Uber's discriminatory and accessibility-threatening practices.

Unregulated Uber service commands higher prices for rides, pays no medallion fees and provides only inaccessible service. The Council should require vehicles brought into service to be wheelchair accessible.