

A Fair and Equitable Accessible Taxi Service in the City of Toronto

A call for fair and equitable service

SCI Ontario calls on the City of Toronto and the Toronto taxi industry to provide an accessible service that delivers the same quality and level of service available to the general population of Toronto. Specifically, ensure Torontonians with mobility issues receive:

- Same wait times for services as everyone
- Same fares as everyone
- Same hours of service as everyone
- Same customer service and satisfaction levels as everyone
- Same accommodation for short and long trips as everyone
- Same ability to hail a cab as everyone

Authority to act

The City of Toronto regulates the Toronto taxi services and has the authority to mandate the industry to provide a fair and equitable service to Torontonians with mobility issues. We call on the city to exercise this authority.

We call on the Toronto taxi industry and the City of Toronto to present, implement and report on the plan to achieve fair and equitable service by 2015, in time for the Para-Pan Am Games.



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Transportation is essential to quality of life: to health, employment and participation in the community.

On any given day, people with physical disabilities in the Greater Toronto Area (GTA) need access to accessible and affordable transportation. Be it for work, medical or family emergencies – or simply unforeseen events and weather – it can be very challenging to hail a taxicab in a reasonable time.

Spinal Cord Injury Ontario (formerly the Canadian Paraplegic Association Ontario) works with Ontarians with spinal cord injuries and other physical disabilities to achieve independence, self-reliance and full community participation.

We believe that everyone – regardless of physical ability – should have access to the same accessible and affordable on-demand taxicab service.

The Problem

Being able to flag a cab down without having to book it hours in advance and pay a regular fare is a dream here in Toronto. I deserve to be spontaneous too.

- Rick

Limited Supply: In the City of Toronto, merely 3.5 percent of the registered taxicabs are accessible. Of these, the vast majority are contracted out to Wheel-Trans, resulting in significant challenges accessing on-demand taxis in a timely manner.¹

Limited Transportation Options: Furthermore, it is widely known that Wheel-Trans has its own challenges, among them: limited availability of rides, limited capacity to make short-term bookings, and delays in pick-up and drop-off times.

I booked Wheel-Trans at 6:30 AM the day before needing a 5:30 PM ride home from work. I was only able to get a 8:30 PM pick up. I needed to be at a location for 10minutes. It was 25 minutes away and using Wheel-Trans, it took 3 hours. Even booking a week in advance, I find they want to pick me up before I will be ready to return home. I often arrive to my destination an hour earlier or more than I need to.



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The Toronto Transit Commission (TTC) subways are far from optimal: less than half of all stations are accessible and elevators can be broken or scheduled for maintenance for extended periods of time. While bus routes (but not streetcars) are accessible, people with mobility issues should also be able to benefit from timely taxi service.

People with disabilities are also less likely to be vehicle owners and drivers, further limiting their transportation options. Many are unable to transfer into a vehicle.

Excessive fees: If a person with a mobility issue needs to book an accessible vehicle in a timely manner, he or she may try – with no guarantee of success – to book a **private unregulated provider who charges an inequitable, unaffordable flat fee**. There is not an accessible and affordable on-demand taxicab service in the City of Toronto.

The taxi industry practice of charging wheelchair users high, flat rate fees, rather than metered fares has been wide spread. A 2010 case before the Human Rights Tribunal of Ontario resulted in a 2013 mediated plan agreed to by four major taxi companies to prevent the charging of such fees. However, wheelchair users report these fees are still routinely charged.

Limited service in the evenings. Many people with mobility issues report difficulties – including flat out refusals – when calling cab companies after 7 PM to book rides.

I would like to hail a cab at night after seeing a show or game with friends. Instead I have to wait, often on the street and in the dark, until Wheel-Trans arrives.

-Rebecca

Once at night, I wanted to go to Emergency at Toronto Western and couldn't get a cab in Mississauga OR Toronto.

- Laura

Limited transportation options in emergencies.

When medical emergencies occur, some passengers have to rely on calling 911 to gain access to transportation – even if the nature of the emergency is not so severe as to require an ambulance and other transportation services would suffice if available. People with disabilities also need to respond to emergencies and urgent situations involving family and friends.



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For most of us who are under time constraints, Wheel-Trans is not an option. The employer can only be subjected to the excuse: "Wheel-Trans was late" so many times. The only option we are left with is private taxi companies. Having to pay a flat rate of \$30-\$45 each way puts a squeeze on my pocketbook. If I want to stay employed and not be on social assistance, these are my choices.

- John

Limited independence. The *UN Convention on the Rights of Persons with Disabilities*, ratified by the Government of Canada, recognizes the right of persons with disabilities to participate in community life – including transportation (Article 19). Yet without access to transportation, community participation – and independent living – is severely curtailed.

I pushed to the TTC as I needed a doctor. Then I was sent by ambulance to Emergency, just a few blocks – the doctor's office could not get an accessible vehicle. They cover the cost for other patients but I was billed \$45. At discharge, the ER couldn't get an accessible vehicle. I wheeled to TTC at night. Later, I found out the hospital does contract accessible private vehicles but patients using wheelchairs are billed \$99 while all others get a free cab ride home.

-Emma

Limited access to employment.

With the substantial access challenges that exist with respect to public transportation, cabs are essential to making crucial work appointments – and to keeping employment.

I wish I was able to meet my friends for dinner and a movie yesterday. Unfortunately they only gave me 1 hour notice. The City of Toronto's taxi services could not accommodate me. I stayed home that night and did nothing. My Friday night was depressing.

-Jane

Limited options during inclement

weather: Weather conditions can have an adverse impact on people with disabilities but unlike others, they cannot count on accessing taxis when the weather is bad.

The *Ontario Human Rights Code (Section 1)* also reads: 'Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability'.²

² http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.htm#BK2



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In this brief, we further outline the benefits of increased accessibility to taxi services, what we have heard from stakeholders, the myths and realities regarding increased taxicab accessibility, and what we believe are fair solutions. These solutions are summarized below:

- 1) **Mandate brokers to provide equitable, affordable and accessible on demand taxi service to ALL within the City of Toronto. Failure to do so should result in penalties: this will, in turn, incentivize brokers and drivers to increase the fleet of accessible taxicabs to meet demand.**
- 2) **Extend disability awareness training to all taxi drivers – regardless of type of cab – to assure customer service standards are met.**

Limited Access as a Missed Opportunity

Over the past few months, SCI Ontario and the broader disability community have made their views clear: accessibility matters – and is for everyone.

Accessibility not only promotes equity and independence, but also results in improved economic opportunity by increasing market, employment, and income for persons with disabilities.

According to the Martin Prosperity Institute:

The successful implementation of [Accessibility for Ontarians with Disabilities Act (AODA)] standards can help Ontario's tourism and retail sectors respond to changing demographic conditions in the province over the next 20 years. These shifts will require Ontario businesses to understand and meet a higher set of demands from a new set of customers. Over the next five years, the impact of AODA on Ontario's economy could result in an increase in revenues for retail and tourism establishments in the range of \$3.9 billion to \$11.1 billion per annum.³

Over 21 million people visit Toronto annually – contributing over \$4.4 billion in direct expenditures to the city.⁴ Tourists with physical disabilities represent a huge – and underutilized – revenue base.

³ Martin Prosperity Institute (2010). *Releasing Constraints: Projecting the Economic Impact of Increased Accessibility in Ontario*, pp. 41-42:

URL: http://martinprosperity.org/media/ReleasingConstraints_June22.pdf

⁴ http://www.toronto.ca/toronto_facts/entertainment_tourism.htm



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I live in Vancouver and often travel to Toronto for business and to visit friends and family. Every time I visit Toronto, I am reminded how great the accessible taxi services are in Vancouver. Toronto has a lot of work to do. I hate trying to get around in this city. The accessibility of taxis is unacceptable! If I didn't have to come to Toronto, I wouldn't, for this very reason.

-Josh

The Martin Prosperity Institute projects that within 5 years, Ontario could see an increase in tourism expenditures from anywhere between \$400 million and \$1.6 Billion due to the combined direct and indirect effects of AODA. These increases would mean total tourism expenditures in Ontario would grow to a level between \$22.5 billion and \$23.7 billion in 5 years.⁵

Seniors are more likely to have a disability and represent a huge market segment. "Unlike past generations of older people, this generation of baby boomers is seeking active, fulfilling and adventurous experiences for their post work lives [...] Tourism is seen as an important component of this quest for life experiences."⁶

A plentiful supply of wheelchair accessible taxis can be used by those conducting business in the city and will encourage conferences and conventions to select the GTA. However, currently, Toronto and Ontario lag behind many other jurisdictions in the developed world in regard to accessible tourism. The United States passed the American with Disabilities Act in 1990 paying the way for dramatically improved accessibility and welcoming tourists with disabilities. Mandated by the 1995 Disability Discrimination Act, London England achieved 100% accessible taxis by January 2000 and now seen frequently as the most highly rated taxis in the world. New York City has also taken advantage of this market by increasing their accessibility fleets to 50% by 2020.

Toronto hotels have begun to recognize the importance of the disability market and have significantly increased the supply of wheelchair accessible hotel rooms. In addition, many public attractions, shopping centers, live entertainment, and sport venues in the GTA offer wheelchair access. However, poor transportation options for people with disabilities prevent travelers with disabilities from visiting the city. Taxis are often the preferred method of transportation by tourists especially those using wheelchairs who, while in Toronto, cannot access tour vehicles.

⁵ Martin Prosperity Institute (2010). Releasing Constraints: Projecting the Economic of Increased Accessibility in Ontario pp. 31.

⁶ Darcy, S., & Dickson, T. (2009). A Whole-of-Life Approach to Tourism: The Case for Accessible Tourism Experiences. Journal of Hospitality and Tourism Management, 16(1), p. 4.



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There is also the reality that if the city does not support this market, other jurisdictions will. In a speech to the 11th Caribbean Conference on Sustainable Tourism Development in 2010 a Barbadian senator noted that:

“Collectively 75% of Canadians, Americans & Europeans with disabilities who are physically and financially able to travel do so with their caregivers, family and friends. The current economic climate dictates that we target this emerging market.”⁷

Timing is everything: Torontonians have contacted their Councillors underscoring the need for increased accessibility.

Increased accessibility is also the law: in order meet the deadline of an accessible Ontario by 2025, Toronto needs to be aggressive in its drive to accessibility. The world will also be watching Toronto host the 2015 Pan Am/Para Pan Am Games. While there has been some discussion by stakeholders of doubling the fleet of accessible taxicabs, this will not address core access challenges.

As the *Staff Report to the Taxi Industry Review – Framework for Change* (June 12, 2013) notes:

“To ensure the same level of service between passengers who need, and do not need, a wheelchair, it is recommended that Toronto set a long-term goal of 100% wheelchair accessible taxicabs. This would mean that all people, regardless of mobility, would be able to obtain a taxicab in the same way, including hailing one on the street.”⁸

When we speak of 100 percent accessibility, **this is over time – not overnight**. Whether or not the City proceeds with one type of license over another, this much is clear: **we need to make affordable and accessible (same as the general public) service a reality**. We can start by creating a common standard across the GTA and enhancing customer service, as outlined below.

⁷ As cited in: Frye, Ann (2011) : Mobility: Rights, obligations and equity in an ageing society, International Transport Forum Discussion Paper, No. 2011-5, p. 18.

⁸ Tracey Cook (June 12, 2013). *Staff Report to the Taxi Industry Review – Framework for Change*, City of Toronto, p. 4..

URL: <http://www.toronto.ca/legdocs/mmis/2013/ls/bgrd/backgroundfile-59688.pdf>



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What We Heard

When we initially put forward our position of 100 percent accessibility over time, we believed our recommendation of a phased-in approach was reasonable. Regrettably, the Toronto Taxi Alliance – a consortium of brokers – has misrepresented the need for greater accessibility on its campaign website (www.hailcabs.ca), stating: “Proposed taxi reforms would require all drivers to purchase wheelchair accessible vehicles, despite less than 1 per cent of calls requiring this accessibility”, However, current demand is not a true reflection due to the very limited supply and excessive costs charged for accessible vehicles

Please see **Myths and Realities** where we address numerous barriers to delivering a fair and equitable Toronto taxis service.

It is important to recognize that the Toronto Taxi Alliance does not speak for the entire taxi industry in Toronto. While the iTaxi association of drivers has not expressly endorsed SCI Ontario’s position on increased accessibility of cabs, they have issued a release where they stated the following:

The iTaxiworkers [...] so notes that misinformation has been spreading publicly as part of the campaign [by the Toronto Taxi Alliance] to oppose the city's taxi reforms. In particular, the city's report does not propose fare increases, contrary to misinformation being spread by opponents of the reforms.⁹

SCI Ontario has also met with representatives from the Municipal Licensing and Standards Committee. While we are pleased that the committee is recommending an increased number of accessible taxis, we urge the City to meet the desired outcome of industry standard – on demand service. We agree with the conclusion of the *Framework for Change* with regards to 100 percent accessibility over time.

Passengers – particularly those with disabilities – have been very vocal to us about the need for increased accessibility as shown in the testimonies offered throughout this submission.

⁹ <http://www.newswire.ca/en/story/1247491/toronto-taxi-reforms-a-step-in-the-right-direction-drivers-say>



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Myths and Realities

Below are some of these myths – and the realities that debunk them.

Myth: The status quo provides accessible transportation options such as Wheel-Trans.

Reality: These “options” do not provide equitable service. For those people with physical disabilities who want to use cabs, brokers must be held accountable to provide an industry standard wait, on-demand service that is both affordable and accessible across the GTA.

Myth: There is no market for accessible vehicles.

Reality: With no supply, there is little demand.

Many people with physical disabilities and limitations do not bother to book rides because present experience suggests they are not available. Furthermore, many tourists may choose not to come to Toronto due to limited accessibility.

Myth: The costs of vehicles are too high.

Reality: Per unit costs of vehicles have significantly decreased in recent years and will continue to do so as more options come on the market. The City has options to incentivize the purchase of such vehicles.

Myth: Accessible vehicles are not environmentally friendly.

Reality: It is possible to obtain more fuel-efficient vehicles than it was in the past.

Myth: Increased accessibility will result in higher costs for passengers.

Reality: Accessibility is the cost of doing business. The City has options to ensure that passengers are not unduly impacted with regards to cost.



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Myth: People with physical disabilities are only going to use accessible cabs – accessibility awareness training is not needed for drivers of all cabs.

Reality: Many people with disabilities also use standard cabs. Expanding accessibility awareness training to all drivers improves customer service.

The Solution

Spinal Cord Injury Ontario supports a phased-in – but aggressive – increase in the number of accessible cabs. The city has options, among them:

- 1) Mandating that new cabs be accessible after the expiration of licenses;
- 2) Once a new plate is established, reducing the costs of plates for those who purchase accessible vehicles;
- 3) Permitting new accessible vehicles to drive passengers without disabilities should potential passengers with disabilities not need their services at that point in time;
- 4) Working with brokerages to bulk purchase accessible cabs; and
- 5) Giving accessible cabs privileged access to high-traffic areas and taxi stands.

These are only some of the policy tools the city has available. Regardless of what approach is used, there are two outcomes the city should apply:

- 1) **Mandate that each broker must fulfill requests for fair and equitable on-demand service (same as the general public) with penalties for non-compliance.**

In order to achieve this, brokerages will have to work with the city and/or with each other to increase the stock of accessible vehicles within the city. It is imperative that on-demand service apply across the regions of the GTA, including the suburbs.

The penalty should be for not fulfilling on-demand requests should be significant enough to incentivize greater accessibility in the very near future. The city should have a reporting mechanism in place to track non-compliance.

While some parties suggest that a separate broker of wheelchair accessible vehicles provide service, it is not clear that one vendor can provide industry standard – competitive on demand service equitable across the city.



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2) **Ensure that all drivers receive accessibility awareness training to improve Customer Service Standards within the taxi industry.**

Not all persons with disabilities require accessible cabs. However, it is imperative that all drivers understand obligations such as: Not ignoring street “hails” from people with disabilities; Facilitating the booking of accessible cabs where possible; and Treating all assistive devices/equipment with the utmost care.

By applying common training across the board, all passengers will be treated with the respect and dignity they deserve.

Regardless of the approach taken by the city, progress and service standards should be reviewed on an annual basis, with the following considerations:

- 1) Were passengers with disabilities able to get access to a ride in a timely manner?
- 2) Were accessible cabs readily available across all regions of the city with the same response time?
- 3) What proportion of drivers received accessibility awareness training?
- 4) Did passengers report being treated with respect? Were they notified how to register compliments and complaints?

Without measuring outcomes on a regular basis, change for the better is likely to be limited.

Conclusion

Spinal Cord Injury Ontario and the broader disability community calls on the City of Toronto and the taxis industry to deliver fair and equitable taxi services. We support an aggressive, phased approach to increase taxicab accessibility, the particulars of how this happens lies with the city.

We encourage the city to implement its goal of 100 percent accessibility over time, and to be ambitious in achieving this target well in advance of the Para-Pan AM Games and in compliance with the AODA.

Should the city not be ambitious in its approach, visitors, residents and the rest of the world will experience barriers to what should be a seamless service: readily accessible, fair and equitable transportation to get from A to B.



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The demand is there, and the cost of inaction is far too high.

The time – and opportunity – to act is now, with the world waiting and watching for Council to demonstrate the leadership that the residents and visitors of the City of Toronto deserve - an accessible, barrier-free Toronto reflected through the practices of its taxicab industry.

For more information, please contact:

Peter Athanasopoulos
Manager, Public Policy and Government Relations
416 422-5644 ext. 260
petera@sciontario.org

Bill Adair
CEO
416 422-5644 EXT. 225
bill.adair@sciontario.org



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