

United Spinal Association

Comments

Submitted by

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For the

DC Taxicab Commission

Government of the District of Columbia

Regarding

Emergency and Proposed Rulemaking to Repeal Regulations

Authorizing the Approval of Modern Taxicab Associations

(Chapters 5, 10 & 99, Title 31 of the DCMR)

February 2, 2015

Chairman Rogers, and other distinguished members of the DC Taxicab Commission (DCTC), thank you for the opportunity to offer comments regarding emergency and proposed rulemaking to repeal regulations authorizing the approval of modern taxicab associations (MTAs) (Chapters 5, 10 & 99, Title 31 of the DCMR).

My name is Carol Tyson. I am a Senior Policy Associate for United Spinal Association. Founded in 1946 by paralyzed veterans, United Spinal is the largest disability-led nonprofit organization serving and representing the interests of more than a million Americans living with spinal cord injuries and disorders.

The DC Office of Disability Rights estimates that 20 percent of the District's population has a disability, or roughly 130,000 individuals. An estimated 2.1 million of the District's tourists are visitors with disabilities.<sup>i</sup> United Spinal advocates for equal access to transportation for these, and all people with disabilities; including access to for-hire vehicle services, whether by street hail, through a phone call, smartphone app, or via the Internet.

According to the US Census Bureau, in 2013, only 34% of working age people with disabilities living in the District were employed.<sup>ii</sup> Access to transportation is often necessary for employment. Yet, people with disabilities are more than twice as likely as those without disabilities to have inadequate transportation (31 percent versus 13 percent).<sup>iii</sup> This statistic is played out in the District where approximately 1% of the District's for-hire vehicle fleet could be wheelchair accessible this year.

United Spinal is discouraged by the proposed across-the-board repeal of § 504, which would have allowed for the entry of taxicab associations composed entirely of wheelchair accessible vehicle owners. We urge the Commission, and all related parties, to reconsider. Instead, we recommend temporarily suspending § 504 while working with stakeholders to amend requirements, and address any areas of confusion, or unintended legal repercussions.

According to the formal notice for this meeting, "the MTA rules may result in the issuance of hundreds of new DCTC vehicle licenses for taxicabs." If that is the case, these licenses would ultimately result in the operation of hundreds of new wheelchair accessible taxis for all who require access. This influx of accessible taxis would transform the District into a city that is welcoming and supports the integration of all its citizens and visitors.

In addition, it is United Spinal's understanding that a cap on the number of tags issued could be repealed, or has already been. This action would also allow for any number of new DCTC vehicle licenses.

United Spinal holds firm that access to transportation is a civil right. If § 504 is repealed entirely, United Spinal urges the Commission to adopt alternative rules which will result in the increased accessibility of for-hire vehicles for all people in short order. The Commission could require all new vehicles to be accessible - United Spinal's recommendation - or until

such time as the District has a percentage of vehicles that allows wheelchair users to hail a taxi in an equivalent amount of time as a non-wheelchair user might.

The emergency rules amend §§ 1010.7, allowing for a transferable taxicab license for drivers that currently possess a DCTC vehicle license, or taxi companies participating in the CAPS-DC program. This license, according to §§ 1010.9, may be transferred and sold with a fee of \$100 to the DCTC. United Spinal is concerned that if the transferable license remains without accessible vehicle requirements, and a cap on the number of taxis remains or is put in place, drivers of new accessible vehicles will find it difficult to enter the market. Should the transferable license remain, United Spinal recommends providing a transferable taxicab vehicle license for accessible vehicles in *any* company's fleet. Currently, there are requirements, but few incentives for taxi companies and drivers who make the sound business and moral decision to provide accessible service.

This July, the country and the District will celebrate the 25<sup>th</sup> Anniversary of the Americans with Disabilities Act (ADA). The ADA, along with the D.C. Human Rights Act, prohibits discrimination, and encouraged changes in society that allow people with disabilities to live the lives we choose, to follow our dreams. Fulfilling one's potential; however, also requires *access* to work, school, cultural events, and the community. All of these things are placed just out of reach when transportation remains a barrier. I hope you will do everything in your power to ensure accessible transportation is provided without a second thought in the District.

Commissioners, commission staff, and industry stakeholders, United Spinal recognizes and thanks you for your efforts to ensure accessibility to for-hire vehicle service in the District. Thank you for the opportunity to provide comment. United Spinal is eager to continue to work in partnership to advance your efforts. We will continue to advocate for a level playing field in the industry, and accessible public and private for-hire vehicle service.

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<sup>i</sup> District of Columbia taxicab commission Disability Advisory Committee, *Comprehensive Report and Recommendations on Accessible Taxicab Service*, February 20, 2014.

<sup>ii</sup> U.S. Census Bureau, 2012 American Community Survey, American FactFinder, Table B18120; <http://factfinder2.census.gov>; referenced by the Annual Disability Statistics Compendium.

<sup>iii</sup> CDC Promoting the Health of People with Disabilities, Department of Health and Human Services, at <http://www.cdc.gov/ncbddd/disabilityandhealth/pdf/AboutDHProgram508.pdf>