



Expanding Opportunities for Veterans
and All Paralyzed Americans

Testimony
of
United Spinal Association

Submitted by

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For the

Council of the District of Columbia
Committee on Transportation and the Environment
Public Hearing on
Bill 20-753, the Transportation Network Services Innovation Act of 2014

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Chairperson Cheh, and other distinguished members of the Committee, good afternoon and thank you for the opportunity to offer testimony regarding Bill 20-753, the Transportation Network Services Innovation Act (or TNC Act) of 2014. My name is Carol Tyson. I am a proud District resident and 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. United Spinal has a long history of advocating for equal access to transportation for all.

I currently serve as the Vice-Chair of the DC Taxi Commission's Disability Advisory Committee. The Committee was mandated by the DC Taxicab Service Improvement Act of 2012 (the DC Taxi Act) and is comprised of city agency officials, disability advocates and taxi industry representatives. The Committee recently submitted its full report, which recommended plans for transforming the District's fleet to a fleet of 100% accessible taxis. We also recommended that digital dispatch service companies be required to offer accessible taxis and sedans, and contribute to any District funds that would be used to increase accessible taxi and sedan service. This testimony reflects the views of United Spinal Association, but is increasingly reflected in advocate testimony from around the country.

The TNC Act would require transportation network companies (TNCs) to issue background checks, requires registration provisions, prohibits TNC operator street hails, and proposes a zero tolerance policy for TNC operator drug and alcohol use. However, the proposed bill fails to explicitly require TNCs to make employment and the services they and their operators offer accessible to all. In addition, the TNC Act proposes allowing taxi companies who provide digital dispatch services to charge a non-meter rate.

People with disabilities want to use the same transportation services that everyone else does, including TNCs. TNCs and their operators should be required to provide accessible service, at the very least, to the same extent required of the District's taxi companies and operators, and accepted as common practice under the Rehabilitation Act of 1973 and nearly 25 years of the Americans with Disabilities Act (ADA). The District can and should do better.

To ensure people with disabilities have access to TNCs, this legislation should be amended to require that TNC websites, digital apps and all other forms of communication be made accessible to people who are blind or low vision or have other disabilities. TNC operators should also be required to pick up passengers with service animals, provide disability etiquette and services training to operators, prohibited from charging extra to passengers with disabilities, and required to stow a wheelchair or other mobility device. TNCs should ensure that all vans being offered through their service are wheelchair accessible and that people with disabilities are employed.

In addition, it is my understanding that many TNCs allow operators to rate their customers. United Spinal urges the Committee to include strong language prohibiting operators from declining to pick up passengers based on any of the 19 protected traits covered under the DC

Human Rights Act. TNCs should be required to uphold and publicize a zero tolerance policy against passenger discrimination. Contact information for the DC Office of Human Rights should also be made available.

United Spinal continues to be pleased that the Public Vehicle-for-Hire Innovation Amendment Act of 2012 requires sedan operators with 20 or more vehicles to begin including wheelchair accessible vehicles in their fleet starting December 31st of this year. We ask for clarification regarding whether this would apply to TNC operators. Recently, the San Francisco Deputy Director of Taxis and Accessible Services, Christiane Hayashi, wrote a letter to the Seattle City Council regarding TNC operations and potential effects on accessible transportation. Hayashi notes evidence that, after 2 years of operation in San Francisco, entrepreneurs are leasing vehicles to TNC operators from fleets. We request that TNCs be required to provide a list of vehicles and operators to the Taxi Commission so that the Commission can enforce the Public Vehicle-for-Hire Act and monitor provision of wheelchair accessible service.

The proposed bill would also allow for taxi trips processed by a digital dispatch service to use a non-taximeter fare in lieu of the traditional taximeter fare. As you are likely aware, there are currently only about 20 accessible taxis in the District, .03% of the entire fleet. Successfully hailing an accessible taxi would prove nearly impossible. Recently, a disability advocate was scheduled to meet with me, a representative of the Taxi Commission, and staff from Councilmember Cheh's office to discuss the future of the disability advisory taxi committee. Unfortunately, he missed the majority of our meeting because his accessible taxi was late. There was only one accessible taxi running that day. Recently, a United Spinal Board Member and disabled Marine Corps veteran, Terry Moakley, was in town to meet with other veteran organizations on Capitol Hill. He had reserved an accessible taxi in advance and was so excited to take advantage of the service that he wore a neck-tie that included images of taxis. Mr. Moakley was disappointed to receive a call roughly 10 minutes before his scheduled pickup to let him know there were no accessible taxis available. In addition, I refer to the letter from Deputy Director Hayashi, in which she notes that there has been a decline in the numbers of taxis and wheelchair accessible taxi drivers in San Francisco since the TNCs began operating.

With so few accessible taxis, United Spinal is deeply concerned with the resulting discrimination against wheelchair users who may only access a wheelchair accessible taxi or sedan, if there are any running that day, through telephone or digital dispatch service. We believe the increased fare results in discrimination prohibited by the ADA, the DC Human Rights Act, and DCTC regulations. Passengers who require accessible taxi service should be charged under the standard meter rates if the alternative payment system would result in a higher fare. All measures should be taken to incentivize provision of accessible taxi and TNC service.

Lastly, United Spinal supports the requirement that TNCs submit the passenger surcharge to the Office of the Chief Financial Officer. We ask, again, for clarification on whether the

surcharge would be deposited into the Public Vehicles-for-Hire Consumer Service Fund? Monies from the fund can be used by the Taxi Commission towards increasing accessible taxi service in the District.

The most significant benefit of establishing an accessible TNC service is the acknowledgement of the worth and rights of all Americans, and that individuals with disabilities should have the same access to services, and rights and privileges to visit, work, and live in our nation's capital.

United Spinal thanks the Transportation Committee for the opportunity to testify today. We are eager to continue to work in partnership with all stakeholders and will continue to advocate for access to all forms of transportation.

Attachments:

Letter regarding TNCs and accessible transportation from San Francisco Deputy Director of Taxis and Accessible Services to Seattle City Council

Letter regarding TNCs and accessible transportation from San Francisco Paratransit Coordinating Council to California Senator Mark Leno

Los Angeles Taxicab Administrator's Report presented to the Board of Taxicab Commissioners