

Comments of Justin Wood, New York Lawyers for the Public Interest on
Accessibility in the For-Hire Vehicle Accessibility
October 15, 2018

Good morning, my name is Justin Wood; I am the director of Organizing and Strategic Research at New York Lawyers for the Public Interest (NYLPI) and a member of the Access-A-Ride Reform Group (AARRG!).

As you have heard this morning, New York's huge for-hire-vehicle industry continues to openly discriminate against New Yorkers with disabilities – and wheelchair users in particular – by refusing to provide accessible vehicles and accessible service equal to the service these companies provide to other New Yorkers.

Moreover, the rapid growth of this inaccessible industry undermines efforts to improve Access-A-Ride service, accessible taxi service, and subway accessibility. It is clear that without strong, enforceable mandates and incentives, FHV corporations will not simply choose to do the right thing and serve people with disabilities.

1. The FHV industry does not serve New Yorkers with disabilities.

The latest numbers published by the TLC confirm what people with disabilities know all too well – that Uber, Lyft, Via, and other car and limo companies have no interest in operating vehicles that can accommodate wheelchair and scooter users. According to the 2018 TLC Factbook, there are only 105 active wheelchair accessible vehicles in the huge FHV fleet of more than 100,000 vehicles. That's virtually zero.

A NYLPI report entitled [Left Behind](#) recently found that the wheelchair accessible vehicle (WAV) services advertised by Uber and Lyft, the apps failed to even locate an accessible for-hire vehicle more than 70% of the time, and that the waiting time for an accessible ride was more than three times as long as for an inaccessible vehicle. We also found that other FHV operators – including several who sued the City in an effort to avoid TLC accessibility requirements – don't even claim to offer accessible service at all.

We therefore urge the Council to pass legislation to ensure that FHV corporations to rapidly increase the number of WAVs in their active fleets. Just as people with disabilities pushed for a fully accessible taxi fleet, we believe Uber, Lyft, and other FHV companies should be held to at least the same standard.

2. The lack of accessible FHV's and taxis will hold back reform of the Access-A-Ride system.

Access-A-Ride (AAR) is a paratransit service for people with disabilities who cannot use MTA subway or bus service. Compared to other transit options, AAR is grossly unequal, as riders face a 24-hour advance booking requirement, excessively long trips and routes, and late or missed pick-ups. For thousands of people with disabilities, the lack of reliable, efficient transportation creates severe barriers to health care, employment, education, and basic human freedom for New Yorkers with disabilities.

In the past year, the MTA began providing a limited on-demand Access-A-Ride program via a smartphone-based taxi hailing app, with the potential to revolutionize paratransit service. However, the lack of accessible FHV's and taxis, particularly in the outer boroughs, threaten to limit the reliability and scope of on-demand service.

While medallion taxi fleets are somewhat more accessible than FHV's – with about 14% of yellow cabs being active WAVs – they remain highly concentrated in Manhattan with over 92% of trips originating there. People with disabilities are more likely to live in the outer boroughs where taxis – including accessible taxis – are scarce. While the Bronx has the highest percentage of residents with disabilities, only .1% of yellow cab trips and 7% of FHV trips originate in the Bronx, and wheelchair accessible vehicles are virtually non-existent within the FHV fleet.

TLC data also show that unrestrained competition from the huge FHV industry is also undermining the green taxi industry, which remains small and provides only a limited number of WAVs in the outer boroughs.

3. FHV corporations should pay their fair share to fund transit accessibility.

The huge number of inaccessible FHV's on our streets also undermines our deteriorating mass transit system, which remains wholly inaccessible to many New Yorkers. Less than one in four subway stations has elevators, and these are often out of service. The Fast Forward plan rightly calls for construction of more than 50 new accessible stations in five years; but this and other urgent goals will require substantial new revenue streams.

Unlike taxis, which have been required to contribute a \$.50 per-ride surcharge to the MTA since 2009, the FHV industry has contributed far less funding to mass transit. The huge FHV fleet also contributes to street congestion, which makes travel even more burdensome for people with disabilities who are forced to use surface transportation such as Access-A-Ride.

While the state budget's surcharges for FHV and taxi trips entering central Manhattan are a step in the right direction, it has been estimated that these fees will raise only a third of the revenue needed to make meaningful investments in transit. Whether through congestion pricing or other new revenue mechanisms, it is critical that FHV corporations wishing to do business in our City pay their fair share toward a functional and accessible mass transit system.

We believe that robust legislation and incentives will be needed to get FHV corporations to invest in accessible service for the thousands of New Yorkers who most need them, and we hope to work with members of this committee and the City Council to pass meaningful legislation to achieve this as soon as possible.

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