



September 3, 2020

HRA Rules
150 Greenwich Street, 38th Floor
New York, NY 10007

***Re: Comments on Proposed Rule: Amendment of Fair Fares Program
Reference No. HRA-27***

To Whom It May Concern:

Mobilization for Justice and New York Lawyers for the Public Interest submit the following comments regarding the Human Resources Administration's Proposed Rule on the Fair Fares NYC Program.

Mobilization for Justice's mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised or have disabilities. We do this by providing direct civil legal assistance, conducting community education, engaging in policy advocacy, and bringing impact litigation. Since 2012, Mobilization for Justice has advocated on behalf of Access-A-Ride (AAR) applicants who have been denied eligibility for the program.

New York Lawyers for the Public Interest is a community-driven, multidisciplinary civil rights organization which strives to achieve equality of opportunity, self-determination, and independence for people with disabilities, create equal access to health care, fight racism, ensure immigrant opportunity, invigorate local nonprofits, and defend environmental justice for low-income communities and communities of color. NYLPI's Disability Justice Program has represented thousands of individuals and triumphed in countless campaigns that have improved the lives of New Yorkers with disabilities, including a campaign to improve Access-A-Ride.

Both organizations also advocate for improvements to AAR with our partners—Brooklyn Center for Independence of the Disabled and Center for Independence of the Disabled - New York—as part of AARRG!, the Access-A-Ride Reform Group.

Mobilization for Justice and New York Lawyers for the Public Interest have long supported the goal of the Fair Fares NYC Program, which is to help New Yorkers who are low-income afford their local public transportation needs. However, by administering the program through the MTA's MetroCard system, the City's implementation of the program excluded people with disabilities who use AAR. Many low-income New Yorkers have disabilities and must rely on AAR because the bus or subway is not accessible to them. But, unlike the bus and subway, AAR does not accept MetroCards. AAR trips are also not eligible for discounts, including the disabled or senior half-fare available for subway and bus service. This means AAR riders face higher

transportation costs than people who have not been excluded from buses and subways. And AAR riders must pay their exact fare in cash. Fair Fares is therefore particularly important for low-income AAR users.

Soon after the program launched in January 2018, Mobilization for Justice and New York Lawyers for the Public Interest joined more than a dozen other organizations representing New Yorkers with disabilities in a February 8, 2019, letter to Mayor de Blasio and Speaker Johnson demanding that AAR riders have access to Fair Fares. The advocates met with HRA twice, in June and December 2019, but HRA did not agree to make the Fair Fares program available for rides on AAR. In the fall of 2019, HRA proposed Fair Fares rules that did not contemplate AAR users' inclusion in the program, and—over our objections—refused to modify the rule to include AAR customers before adopting the proposed rule.

Mobilization for Justice and New York Lawyers for the Public Interest continued our advocacy for low-income AAR users to benefit from the Fair Fares discount for their public transportation needs. In a January 10, 2020 letter to HRA Commissioner Steven Banks, we threatened litigation to redress the City's policy of excluding public transit riders with disabilities that prevent them from using buses and subways. Over the course of the last eight months, we have worked collaboratively with HRA to devise and implement a system to provide the Fair Fares discount to AAR riders.

Mobilization for Justice and New York Lawyers for the Public Interest support the proposed rule change. It not only removes reference to the Fair Fares MetroCard, which is only relevant for Fair Fares enrollees who use buses and subways, it also extends the Fair Fares discount to AAR riders in accordance with applicable federal, state, and local law.

Respectfully submitted,

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