

The Council of the City of New York

Hon. Christine C. Quinn
Speaker

*Moving Forward: A Roadmap to Improving
Transportation for New York City's Disabled
Population*

A Staff Report To:

The Committee on Oversight and Investigations

Hon. Eric N. Gioia

Chair

The Committee on Transportation

Hon. John C. Liu

Chair

The Committee on Mental Health, Mental Retardation,
Alcoholism, Drug Abuse & Disability Services

Hon. G. Oliver Koppell

Chair

January 2008

THE COUNCIL OF
THE CITY OF NEW YORK

Hon. Christine C. Quinn
Speaker

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This report can be found on the Council’s website at www.council.nyc.gov.

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Executive Summary

In 2006, 1.5 billion people rode the New York City subway system and 741 million took a bus.¹ Operating 24 hours a day with the largest subway fleet in the world and the largest bus fleet in North America, New York City's public transportation system serves as a social and occupational lifeline for millions of people.² Yet for the more than one million New Yorkers with disabilities,³ this city's network of public transportation services can be woefully inadequate.

A series of focus groups conducted by the New York City Council in partnership with the City University of New York (CUNY) Office of Student Affairs and Graduate Program in Disability Studies illuminated the key challenges people with disabilities face within New York City's transportation system. In addition to the deficiencies that have long been known to plague New York City's transportation services for people with disabilities (e.g., inaccessible subway stations, too few accessible taxis, poorly run paratransit), the focus groups highlighted the following issues:

- Participants regularly encounter Metropolitan Transportation Authority (MTA) personnel and Access-A-Ride (AAR) employees who seem to lack the necessary training to effectively serve disabled passengers;
- The unpredictable state of repair of key equipment and infrastructure (e.g., subway elevators and escalators, wheelchair lifts on buses) designed to assist disabled riders make even accessible modes of transportation, like buses, unreliable; and
- Participants with hidden disabilities were denied assistance and/or questioned by skeptical transportation personnel and non-disabled consumers.

In response, the Council has developed a set of low-cost, immediate corrective measures that, if implemented, will improve the day-to-day transportation experiences of people with disabilities.

¹ The Metropolitan Transportation Authority (hereinafter MTA) New York City Transit (hereinafter NYCT). "About New York City Transit." <http://www.mta.nyc.ny.us/nyct/facts> (last accessed October 1, 2007).

² *Ibid.*

³ U.S. Bureau of the Census. 2006 American Community Survey. www.census.gov (last accessed September 27, 2007). According to the U.S. Census, people with disabilities make up 13.7% of the population in New York City.

Roadmap to Improving Transportation for People with Disabilities

1. The MTA and AAR should conduct regular customer service training for employees, with a focus on treating passengers with disabilities with respect and sensitivity. Focus group participants shared copious personal accounts of rude, disrespectful and unhelpful treatment received at the hands of transit and AAR employees. The MTA and AAR should implement an employee training curriculum, in collaboration with members and advocates from the disability community, and should incorporate regular, undercover field investigations to monitor adherence to its training.
2. Bus drivers should avoid bypassing bus stops with waiting passengers if the bus is not at capacity. Numerous focus group participants, particularly those in wheelchairs, told of being inexplicably bypassed by buses. Although drivers operate under significant pressure to remain on schedule, they should never bypass a bus stop or shelter that is occupied by anyone as long as there is space on the bus. The MTA should work with the Transport Workers Union to address any work conditions that would present drivers with disincentives to pick up disabled passengers.
3. AAR drivers and dispatchers should provide passengers with the most accurate and up-to-date information about delayed vehicles. Some participants told of horrific experiences waiting outside in inclement weather for rides that arrived late or not at all. Upon calling AAR to inquire as to the status of the driver, participants reported receiving vague and inaccurate responses from dispatchers. Dispatchers should provide passengers with the most accurate information available regarding the location and estimated time of a driver's arrival.
4. AAR vans should display vehicle and driver identification in a conspicuous place inside the vehicle so that riders can report complaints with a greater degree of anonymity. Just as taxis display a driver's name and license number, AAR should make the driver's identification readily available to passengers – including passengers who are visually impaired – so that they can report service – good or bad – without having to provide information that could potentially identify the complainant (e.g, pick-up location together with time and date of ride, etc.). This feedback would be invaluable in detecting and addressing deficiencies in service.

5. The MTA should enforce daily inspection requirements of buses to ensure that wheelchair lifts and other accessibility components are in working order before the buses leave the depots. Focus group participants in wheelchairs recalled being bypassed by buses with an explanation from the driver that the wheelchair lift was out of order, wheelchair ties were broken, or even that the driver did not know how to operate the wheelchair lifts. The MTA should examine their current policies and practices regarding inspections of accessibility features to better ensure that only buses with working accessibility components are cleared to leave the depot.
6. Subway platforms should be maintained regularly to ensure that the edges of platforms and staircases are conspicuous to people with visual impairments. Focus group participants with visual impairments stressed the importance of conspicuous platform edges to ensure that subways are safe to use. The edges of platforms and stairs in all stations should be lined with bright yellow paint so that visually impaired individuals know when they are approaching the edge without creating a trip hazard for people with mobility impairments. Personnel should examine all stations for signs of diminishing visibility on a frequent and regular basis.
7. Transportation personnel who are assigned to direct subway passengers during times of evacuations or service changes should be trained to identify disabled passengers who may be in need of assistance. Focus group participants with hearing or visual impairments who needed assistance spoke of being overlooked by MTA employees during service changes or evacuations in the subways. In addition, all transportation personnel should always carry a notepad or some other equivalent means to communicate with hearing-impaired passengers while on duty.
8. Stricter enforcement is needed to ensure that AAR drivers do everything within their power to facilitate passengers' safe and easy entrance into and exit from their vehicles, in keeping with AAR policy. Focus group participants spoke of AAR drivers who refused to exit the vehicle to assist them, and even deserted passengers in distressing and potentially dangerous situations. AAR policy permits drivers to exit their vehicle to assist passengers as long as certain

safety precautions are met.⁴ AAR should take necessary enforcement actions to make certain that drivers are properly assisting their passengers.

9. The TLC should make sure that taxi drivers are not discriminating against passengers with service animals or wheelchairs. Some focus group participants and advocates reported being refused a ride by taxi drivers who objected to their service animals, and one focus group participant reported being charged extra by a driver to transport her wheelchair. The TLC should conduct more regular enforcement to assess the prevalence of any discriminatory practice, and take appropriate actions.
10. The MTA should improve public outreach to educate riders about designated seating on buses and subways and encourage able-bodied passengers to yield their seats to disabled passengers. Focus group participants, particularly those with hidden disabilities, spoke of encounters with passengers who would not give up their seat when asked – even if a sign indicated that the seat was designated for the disabled or elderly. Notwithstanding the presence of signs on buses and subways, the MTA should use its abundance of advertising space to remind able-bodied passengers about the intended purpose of seats that are designated for the elderly and disabled.
11. All New York City agencies should assess their policies and procedures to make sure that their actions do not hinder people with disabilities from accessing public transportation, and implement changes as needed. Focus group participants complained of police officers in subway stations who questioned their disability status, and Department of Sanitation employees, who do not clear snow from bus shelters in a wide enough path to accommodate wheelchairs. All city agencies should evaluate their policies to make sure that they do not inhibit people with disabilities from accessing our public transportation system.
12. The MTA should work with advocacy groups and conduct public outreach to the increase public awareness of its MTA’s “Travel Training Program” for people with disabilities. Focus group conversations and meetings with advocates indicate that awareness of

⁴ MTA, “MTA Guide to Access-A-Ride.” <http://mta.info/nyct/paratran/guide.htm> (last accessed on January 10, 2008).

the MTA's complimentary Travel Training Program, which teaches people with disabilities how to use the subway and bus system for their everyday needs, is limited.

In addition to the short-term, low-cost measures above, the City Council is issuing the following longer-term recommendations, some of which may require significant planning and/or funding. Additional discussion about these recommendations is provided in the Recommendations section of the full report.

1. The MTA should expedite its efforts to make more subway stations accessible, and adopt the goal of making all subway stations accessible to people with disabilities.
2. The MTA should expedite repairs for out-of-service elevators and escalators in subway stations.
3. The TLC should make the entire fleet of yellow taxis accessible to people with disabilities and should work to improve accessibility within the hired-car industry.
4. Signs and announcements on buses and subways should be improved so that they are more accessible to people with disabilities.
5. AAR should allow passengers to use MetroCards.
6. AAR should expand its pilot program to equip vehicles with GPS.
7. AAR should work to fully implement a taxi-shift model to transport passengers who can safely ride in other vehicles.
8. Taxis, buses and subways should be equipped with induction loops so that passengers who are hard-of-hearing are able to communicate with drivers.

9. The New York City Transit (NYCT) Paratransit Division should conduct a study of best practices among its contracted service providers to identify and implement changes to improve the administration of AAR.
10. The MTA should ensure that all buses are equipped with an external auditory system.

Background

Title II of the federal Americans with Disabilities Act (ADA) of 1990 requires that public transportation services be accessible to every member of the community.⁵ Where service is not accessible, it requires the relevant transportation entity, at no additional expense to the rider, to provide a paratransit service “comparable to the level of designated public transportation services to individuals without disabilities using such system.”⁶ New York City’s subway system is not now and may never be 100% accessible.⁷ However, the MTA meets the ADA’s requirements through its fully accessible bus system and AAR, a reservation-based paratransit service that provides a shared-ride, non-fixed-route service to qualifying passengers.⁸ This background section provides a brief overview of the various modes of transportation available to people with disabilities, and some of the issues and challenges associated with each.

Buses

All of the nearly 5,000 buses that comprise NYCT’s fleet are equipped with a wheelchair lift, ramp, and/or a “kneeling” feature that lowers the front end of the bus closer to the ground, facilitating entry for people whose mobility is impaired.⁹ Nevertheless, obstacles to ridership arise regularly.¹⁰ For example, disability advocates state that bus drivers lack vital training necessary to serve the unique and varying needs of people with disabilities. In addition to wheelchair lifts that are often in a state of disrepair, advocates have noted inadequate signs on buses and a lack of consistency with

⁵ 42 U.S.C. § 12132.

⁶ *Ibid.*

⁷ The age and design of some stations may prevent the system from ever being 100% accessible.

⁸ Testimony by John Gaito, MTA representative to the NYC Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services. June 12, 2007.

⁹ MTA “MTA Guide to Accessible Transit.” <http://mta.info/mta/ada/> (last accessed September 26, 2007).

¹⁰ Lombardi, Frank. “Disabled Struggle in Strike Zone.” Daily News, January 17, 2005. <http://www.nydailynews.com/> (last accessed September 19, 2006); and disability advocates between August 30 and September 25, 2007.

respect to drivers activating the kneeling function and calling out stops for people with visual impairments.¹¹

Subways

Nearly 90% of New York City's subway stations are inaccessible to riders who use wheelchairs or motor scooters.¹² New York State law requires the MTA to make 100 key subway stations (21% of the current number of stations) accessible by 2020.¹³ Even the MTA's "accessible stations," however, can be unreliable – those who ride the subway have reported that elevators and escalators are frequently out of service for long periods of time.¹⁴ Over the past two decades, only approximately ten percent of subway stations have been made accessible.¹⁵ At the MTA's current rate of station renovations, it would take an additional 153 years to make the NYCT subway system fully accessible, if that is indeed possible.

Access-A-Ride

Historically, New York City's paratransit service has been severely criticized and even sued by users for its chronic inefficiency and unreliability.¹⁶ Although AAR has made notable improvements over the past ten years, many AAR consumers continue to point out the operation's many faults and even refer to the privately contracted service as "A-Stress-a-Ride."¹⁷ New York City is projected to reimburse NYCT an estimated \$56 million for paratransit services in fiscal year 2008, an increase of

¹¹ Ibid.

¹² MTA. "MTA Guide to Accessible Transit." <http://mta.info/mta/ada/> (January 10, 2008). Accessible stations are equipped with an automatic entry/exit gate and elevators, escalators, or ramps. The MTA also cites four accessible Staten Island Railway stations, 20 accessible Long Island Rail Road stations, and 41 accessible Metro North stations.

¹³ New York State Transportation Law § 15-b.

¹⁴ Testimony by advocates to the New York City Council Committees on Transportation and on Mental Health, Mental Retardation, Alcoholism, Drug Abuse, and Disability Services on June 12, 2007.

¹⁵ MTA, "MTA Guide to Accessible Transit." <http://mta.info/mta/ada/> (last accessed Sept. 26, 2007). Since the MTA first began retrofitting subway stations with elevators and escalators in 1984, 61 subway stations have been made accessible.

¹⁶ Testimony at the New York City Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services on November 21, 2006; and Eastern Paralyzed Veterans Association, Inc (hereinafter EPVA), et al. v. Metropolitan Transportation Authority (hereinafter MTA), et al., No. 82 Civ. 7270 (MEL) (S.D.N.Y.); EPVA v. MTA, Supreme Court, State of New York, New York County, No. 18136/79; Rhea Dopico, et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt, No. 80 Civ. 4562 (EW) (S.D.N.Y.); and Disabled in Action of Metropolitan New York et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt, et al., No. 80 Civ. 4862 (EW) (S.D.N.Y). (1984).

¹⁷ A report by the New York State Office of the State Comptroller. Metropolitan Transportation Authority - New York City Transit, Rapid Transit Services For Persons With Disabilities 2001-S-69, January 8, 2004 <http://www.osc.state.ny.us/audits/allaudits/093004/01s69.htm> (last accessed Sept. 11, 2007); and Bricketto, Martin. "Transportation as Civil Rights for the Disabled," Gotham Gazette, April 21, 2003 <http://www.gothamgazette.com/print/355> (last accessed Sept. 25, 2007).

about 20% from 2007 that is attributable, at least in part, to an increase in ridership and demand for service.¹⁸ While AAR passengers pay \$2 for a ride – the same fare as the rest of New York City’s public transportation system – the average cost to the program is approximately \$50 per passenger, per trip.¹⁹ As long as New York City fails to provide fully accessible transportation services via its historical fixed-route system, AAR, or some equivalent, remains the costly but necessary alternative.

Taxis

In November 2007, the New York City Taxi and Limousine Commission (TLC) sold 63 wheelchair-accessible taxi medallions, bringing the total number of taxis with ramp entry service to 144 (out of a fleet of 13,087 taxis).²⁰ Because this represents an extremely small percentage of the entire fleet of yellow taxis, the likelihood of finding and hailing down one of the City’s few accessible taxis incredibly small.²¹ The TLC is scheduled to launch a pilot program to provide dispatched, wheelchair accessible service via yellow cabs or FHV’s to passengers through New York’s government service hotline (311) early this year.²²

For-Hire Vehicles

For-hire vehicles (FHV’s) – also known as “black cars” – are a classification for radio-dispatched car services operating from independent base stations. The TLC requires these car services to dispatch accessible vehicles on demand.²³ However, advocates for the disabled claim that this rule has yet to be adequately implemented.²⁴ Base owners and FHV advocates claim that the costs of implementing this rule are prohibitive and that they receive very few requests for hired, accessible vehicles,

¹⁸ The City of New York Adopted Budget for FY 2008. Pursuant to an agreement between the City and the MTA, the NYCT assumed operating responsibility for all paratransit services required under the Americans with Disability Act of 1990. The City reimburses the NYCT for thirty-three percent of net paratransit operating expenses less fare revenues and urban tax proceeds.

¹⁹ Testimony by Thomas Charles, Vice President of the NYCT Paratransit Division to the New York City Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services on November 21, 2006.

²⁰ The Taxi & Limousine Commission (hereinafter “TLC”) website. “TLC Completes Auction of 63 Independent Accessible New York City Taxicab Medallions,” news release. November 1, 2007. http://www.nyc.gov/html/tlc/downloads/pdf/press_release_11_01_07.pdf (last accessed November 3, 2007).

²¹ Per the results of the November 2007 medallion auction, just over one percent of the taxi fleet is accessible.

²² TLC. “Taxi and Limousine Commission Approves Accessible Dispatch System Pilot Program,” news release. November 13, 2007. http://www.nyc.gov/html/tlc/downloads/pdf/press_release_11_13_07.pdf (last accessed December 5, 2007).

²³ TLC Rule §6-07(f).

²⁴ Testimony at the NYC Council Committee on Transportation on June 14, 2006.

suggesting that this low number is indicative of a lack of demand for service.²⁵ Disability advocates disagree and insist that the low ridership reflects poor communication and the conditioning of years of unavailability among disabled New Yorkers.²⁶

²⁵ Testimony at the New York City Council Committee on Transportation on June 14, 2006.

²⁶ *Ibid.*

Introduction

In 2006, 1.5 billion people rode the New York City subway system and 741 million took a bus.¹ Operating 24 hours a day with the largest subway fleet in the world and the largest bus fleet in North America, New York City's public transportation system serves as a social and occupational lifeline for millions of people.² However, for more than a million of the city's population who live with disabilities,³ using the public transportation system to get them where they need to go – to work, to medical appointments, to worship, to dine or to shop – can be difficult for some and impossible for others.

“Imagine: people that use wheelchairs and walkers could take spontaneous trips downtown because they felt like it, rather than having to schedule every single aspect of their life at least two days in advance.”

Catherine James, Project Specialist, Self-Advocacy Association of New York State, Inc. (SANYS), in testimony to the New York City Council Committee on Transportation, June 14, 2006

According to the U.S. Census, people with disabilities make up 13.7% of the population in New York City, or more than one million people.⁴ Title II of the federal Americans with Disabilities Act (ADA) of 1990 requires that public transportation services be accessible to every member of the community. Where service is not accessible, it requires the public transportation entity, at no additional expense to the rider, to provide a paratransit service “comparable to the level of designated public transportation services to individuals without disabilities using such system.”⁵ In the view of disability experts from Cornell University, the ADA's framework “recognizes that improvements in the environment (access to public transportation, workplace accommodations,

¹ Metropolitan Transportation Authority (hereinafter MTA). “About New York City Transit.” <http://www.mta.nyc.ny.us/nyct/facts> (last accessed October 1, 2007).

² Ibid.

³ U.S. Bureau of the Census. 2006 American Community Survey. www.census.gov (last accessed September 27, 2007).

⁴ Ibid.

⁵ 42 U.S.C. § 12132.

etc.) can reduce disability and thus improve the inclusion of all people.”⁶ Though technically compliant with the ADA, New York City’s transportation system fails to optimize the extent to which people with disabilities are able to engage in society.

Like all New Yorkers, people with disabilities make choices every day about how best to get around the city: whether to take a bus, the subway, Access-A-Ride, or a cab; weighing the cost of each option, not only in dollars, but in time and convenience; assessing whether it is worth making the trip at all. Historically, the New York City Council’s oversight in this realm has considered each mode of transportation individually – a process that has provided the Council with invaluable insight into barriers to access, called attention to significant limitations in our transportation system, and inspired important barrier-reducing legislation. As a next step, the Council sought a more in-depth understanding of the decision-making process of disabled passengers with the goal of learning how best to prioritize improvements given competing needs among the various modes of transportation and limited resources all around.

“One of the biggest issues keeping people with disabilities from going out into the community and living a productive life is the lack of accessible transportation.”

Janice Bartley, SANYS, in testimony to the New York City Council Committee on Transportation, June 14, 2006

To fill this gap, the New York City Council partnered with the City University of New York (CUNY) Office of Student Affairs and Graduate Program in Disability Studies to conduct a series of focus groups for people with disabilities to solicit the thoughts and opinions of everyday users of New York City’s public transportation system. As a result of the focus groups, the Council was able to learn what modes of transportation were most accessible to focus group participants, as well as specific problems that participants encountered with each. Most importantly, the discussions generated during these focus group sessions helped the City Council identify a number of improvements, varying in scale and scope, to give people with disabilities increased

⁶ Cornell University. “Online Resource for U.S. Disability Statistics.” Cornell University Disability Statistics. <http://www.ilr.cornell.edu/edi/disabilitystatistics/issues.cfm?n=4> (last accessed October 1, 2007).

access to and a better experience with New York City's public transportation system. The following report describes the outcome of those focus groups and issues a set of recommendations to put New York City on the right track to becoming a model of equal access for people with disabilities.

Background

In 1984, following a five-year lawsuit, the Metropolitan Transportation Authority (MTA) voted to spend at least five million dollars per year over a period of eight years to make 54 subway stations accessible to people with disabilities.⁷ This settlement was perhaps one of the first major steps in New York City's history to address the sweeping lack of accessibility within its public transportation system.

In 1990, Congress passed Title II of the ADA, requiring public transportation systems that are not fully accessible to provide a paratransit service "comparable to the level of designated public transportation services to individuals without disabilities using such system," at no additional expense to the rider.⁸

New York City's subway system is not currently accessible to all disabled individuals; the age and design of some stations may prevent the system from ever being 100% accessible. The MTA meets the ADA's requirements through its bus system, which is fully accessible, and Access-A-Ride, a paratransit service for people with disabilities.⁹ This background section provides a brief overview of the various modes of transportation available to people with disabilities, and some of the issues and challenges associated with each.

Buses

In general, buses are the most accessible form of public transportation available to people with disabilities; nevertheless, obstacles to ridership arise regularly.¹⁰ All of the nearly 5,000 buses that comprise New York City Transit's (NYCT) fleet are accessible to people with disabilities in that they

⁷ Eastern Paralyzed Veterans Association, Inc (hereinafter EPVA), et al. v. Metropolitan Transportation Authority (hereinafter MTA), et al., No. 82 Civ. 7270 (MEL) (S.D.N.Y.); EPVA v. MTA, Supreme Court, State of New York, New York County, No. 18136/79; Rhea Dopico, et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt, No. 80 Civ. 4562 (EW) (S.D.N.Y.); and Disabled in Action of Metropolitan New York et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt, et al., No. 80 Civ. 4862 (EW) (S.D.N.Y). (1984).

⁸ 42 U.S.C. § 12132.

⁹ Testimony by John Gaito, MTA representative to the New York City Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services. June 12, 2007.

¹⁰ Lombardi, Frank. "Disabled Struggle in Strike Zone." Daily News, January 17, 2005. <http://www.nydailynews.com/> (last accessed September 19, 2006); and communication with disability advocates between August 30 and September 25, 2007.

are equipped with a wheelchair lift, ramp, and/or a “kneeling” feature that lowers the front end of the bus closer to the ground, facilitating entry for people who are mobility-impaired.¹¹ Nevertheless, obstacles to ridership arise regularly. For example, disability advocates have stated that bus drivers, as well as other transportation personnel, lack vital training necessary to serve the unique and varying needs of people with disabilities. In addition to wheelchair lifts often in disrepair, advocates have noted inadequate signs on buses and a lack of consistency with respect to drivers activating the kneeling function and calling out stops for people with visual impairments.¹²

“When a transportation service is good, demand will grow naturally...if facilities and services are rendered accessible...we will use them.”

Terence Moakley, Chair of Taxis For All Campaign, in testimony to the New York City Council Transportation Committee, June 14, 2006

Subways

Currently, 61 of the 468 subway stations in Manhattan, the Bronx, Brooklyn and Queens are fully accessible, leaving nearly 90% of New York City’s subway system inaccessible.¹³ This figure underscores the limited extent to which individuals with disabilities have access to the most heavily used service in New York City’s public transportation system. The MTA deems a station accessible to people with disabilities if it is equipped with AutoGate, an automatic entry/exit gate that allows customers with mobility impairments, wheelchairs, or a service animal to access a station without using the turnstiles.¹⁴ In addition, accessible stations are also equipped with elevators, escalators, and/or ramps.¹⁵

The condition of elevators is of cardinal concern to people who use wheelchairs, walkers or other devices, as well as for the many individuals whose mobility impairments make climbing a staircase an

¹¹ MTA. “MTA Guide to Accessible Transit.” <http://mta.info/mta/ada/> (last accessed December 21, 2007).

¹² Lombardi, Frank. “Disabled Struggle in Strike Zone.” Daily News, January 17, 2005. <http://www.nydailynews.com/> (last accessed September 19, 2006); and personal communication with disability advocates between August 30 and September 25, 2007.

¹³ MTA. “MTA Guide to Accessible Transit.” <http://mta.info/mta/ada/> (last accessed January 10, 2008). The MTA also cites four accessible Staten Island Railway stations, 20 accessible Long Island Rail Road stations, and 41 accessible Metro North stations.

¹⁴ Ibid.

¹⁵ Ibid.

impossible or difficult task. As many as 60,000 New York City residents use wheelchairs or motor scooters.¹⁶ Those who ride the subway report that elevators are frequently out of service for long periods of time,¹⁷ a claim that has been affirmed by a 2006 investigation by the Manhattan Borough President's Office and numerous press accounts.¹⁸ Riders can find out about out-of-service elevators and escalators by calling a hotline the MTA maintains, or by checking the MTA's website.¹⁹ The hotline is available to people with hearing impairments vis-à-vis a teletypewriter (TTY), and the MTA claims that the information on out-of-service elevators and escalators is updated as "changes and repairs occur throughout the day."²⁰ Currently, the website is updated three times daily; the MTA plans to update its online service to report outages in real time and provide a timetable for completing repairs.²¹

New York State law requires the MTA to make 100 key subway stations (21% of the current number of stations) accessible by 2020.²² Even the MTA's "accessible stations," however, can be unreliable – those who ride the subway have reported that elevators and escalators are frequently out of service for long periods of time. In addition, it should be noted that the ADA standards for accessibility require only that passengers be able to enter and exit a station. Therefore, a subway station may be deemed accessible according to ADA standards despite existing barriers inside the station (e.g., sizable gaps between a platform and the subway car can make boarding or exiting unsafe or impossible for someone in a wheelchair). Over the past two decades, only approximately ten percent of subway stations have been made accessible. At the MTA's current rate of station

¹⁶ New York City: Taxis for All Campaign, 2004. "Accessible Taxis and Car Services: the Fight for Taxi and Livery Vehicles that Everyone Can Use." United Spinal Association. <http://www.unitedspinal.org/documents/Download/TaxiFinal.pdf> (last accessed September 27, 2007).

¹⁷ Testimony by advocates to the New York City Council Committees on Transportation and on Mental Health, Mental Retardation, Alcoholism, Drug Abuse, and Disability Services on June 12, 2007.

¹⁸ Stringer, Scott M. "The State of Repairs: An Examination of Elevator and Escalator Maintenance and Repairs in New York City's Subway System." President of the Borough of Manhattan, 2006. <http://www.mbpo.org/press/pressreleases/press/pressreleases/file.2006-08-09.5166835208> (last accessed September 27, 2007); and Bricketto, Martin. "Transportation as Civil Rights for the Disabled," Gotham Gazette, April 21, 2003 <http://www.gothamgazette.com/print/355> (last accessed September 25, 2007)

¹⁹ MTA. "Elevators & Escalators Status." <http://advisory.mtanyct.info/ADAOutage/ADAoutage.html> (last accessed September 28, 2007).

²⁰ MTA hotline for elevator and escalator outages recording. 1(800) 734-6772 or (718) 596-8273 (TTY).

²¹ MTA. "Elevators & Escalators Status." <http://advisory.mtanyct.info/ADAOutage/ADAoutage.html> (last accessed December 21, 2007). At the last check, 4 elevators and 20 escalators were listed as out of service. The MTA does not report on privately owned elevators or escalators.

²² New York State Transportation Law § 15-b.

renovations, it would take an additional 153 years to bring the full New York City Transit subway system to the point of full accessibility.²³

MTA Discounts and Programs for People with Disabilities

The MTA offers a reduced-fare MetroCard for individuals with a qualifying disability, as well as individuals who are 65 years of age or older.²⁴ In addition, disabled passengers who are registered with the city's paratransit service are eligible to participate in NYCT's Travel Training program.²⁵ The Travel Training program is designed to offer one-on-one training to individuals with some disabilities on how to use subways and buses for recurring commutes. Training is customized to accommodate individuals' specific disabilities.²⁶ A trainer accompanies a passenger during a limited number of trips, gradually offering less assistance as the passenger becomes more independent. A passenger who completes the program should ideally be proficient in the following areas: route planning; remembering and following directions; traveling safely; identifying bus stops, transfers, points of origin, and destination; adjusting to delays, service disruptions, and emergencies; the correct use of wheelchairs, scooters, or other 'mobility aids'; and knowing from whom to request assistance.²⁷ However, according to feedback from several advocates for the disabled, awareness of this program among people with disabilities is slim.²⁸ The scope of the program is also limited, a fact which is not apparent on the MTA's Travel Training web page.²⁹ Due to a lack of trainers with certain skills, passengers with certain disabilities (e.g., visual impairments) are not currently eligible to receive training through this program. In addition, trainers will only help to familiarize a passenger with a very limited number of routes, such as how to get to and from work.³⁰

²³ The age and design of some stations may prevent the system from ever being 100% compliant.

²⁴ MTA. "MTA Guide to Accessible Transit." <http://mta.info/mta/ada/transit.htm> (last accessed December 21, 2007). Some restrictions apply on Long Island buses and express buses.

²⁵ *Ibid.*

²⁶ *Ibid.* Personal communication with representative from MTA New York City Transit (hereinafter NYCT) Paratransit Division. September 27, 2007.

²⁷ MTA. "MTA Guide to Accessible Transit." <http://www.mta.info/mta/ada/transit.htm#training> (last accessed January 10, 2008).

²⁸ Personal communication with disability advocates between August 30 and September 25, 2007.

²⁹ MTA. "MTA Guide to Accessible Transit." <http://www.mta.info/mta/ada/transit.htm#training> (last accessed January 10, 2008).

³⁰ Personal communication with the NYCT Paratransit Division. September 27, 2007.

Access-A-Ride

New York's paratransit service Access-A-Ride (AAR) fulfills the ADA's requirements for the provision of alternative, accessible transportation services.³¹ Historically, AAR has been severely criticized and even sued by users for its chronic inefficiency and unreliability.³² Customers have complained of poorly planned routes and late pick-ups, an unresponsive customer service system, a slow and inefficient certification process, and drivers who are poorly trained to serve people with disabilities.³³ In early 2007, AAR launched a new application process requiring that all applicants show up for in-person interviews.³⁴ AAR claims that the direct nature of face-to-face interviews will cut down on the amount of time spent contacting applicants over the phone, thereby increasing ADA compliance by rendering an eligibility decision within the required 21 days.³⁵

“There is no parallel in the mainstream public transit system for Access-A-Ride’s policy of punishing riders who don’t show up or cancel [reservations] too late. You can miss as many trains as you like, and the MTA won’t take away your MetroCard.”

Linda Ostreicher, Public Policy Associate for the Center for Independence of the Disabled in New York (CIDNY), testifying to the New York City Council on November 21, 2006

³¹ 42 U.S.C. § 12132. To the extent that a city's public transportation system is not accessible to people with disabilities, "a comparable level of service" must be made available at no additional expense to the passenger.

³² Testimony at the New York City Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services on November 21, 2006; and *EPVA, et al. v. MTA, et al.*, No. 82 Civ. 7270 (MEL) (S.D.N.Y.); *EPVA v. MTA*, Supreme Court, State of New York, New York County, No. 18136/79; *Rhea Dopico, et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt*, No. 80 Civ. 4562 (EW) (S.D.N.Y.); and *Disabled in Action of Metropolitan New York et al., individually and on behalf of all others similarly situated v. Neil E. Goldschmidt, et al.*, No. 80 Civ. 4862 (EW) (S.D.N.Y.). (1984).

³³ *Ibid.*

³⁴ Testimony by Thomas Charles, Vice President for the Paratransit Division at New York City Transit (hereinafter NYCT) to the New York City Council Committees on Transportation, Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services, and Aging on May 3, 2007.

³⁵ *Ibid.* In addition, Access-A-Ride increased the re-certification period from three to five years. Applicants whose medical condition will worsen or is not likely to improve are given "continual eligibility" status and will not be required to re-apply.

Currently, NYCT contracts with eight private companies to provide daily AAR services to disabled consumers. This contract was most recently extended in 2006.³⁶ As AAR has made notable improvements in service over the past ten years (e.g., increased phone staffing has led to shorter wait times for passengers requesting service, pickup locations outside of hospitals and other facilities), the volume and variety of complaints and subsequent investigations and audits (launched by various City and State agencies) have decreased.³⁷ Many AAR consumers, however, continue to point out the operation's many faults and even refer to the privately contracted service as "A-Stress-a-Ride."³⁸

New York City is projected to reimburse the NYCT an estimated \$56 million for paratransit services in fiscal year 2008, an increase of about 20% from 2007 that is attributable, at least in part, to an increase in ridership and demand for service.³⁹ While AAR passengers pay \$2 for a ride – the same fare as the rest of New York City's public transportation system – the average cost to the program is approximately \$50 per passenger, per trip.⁴⁰ As long as New York City fails to provide fully accessible transportation services via its historical fixed-route system, AAR, or some equivalent, remains the costly but necessary alternative.

For-Hire Vehicles and Taxis

In addition to AAR, New Yorkers with disabilities have two other non-fixed-route transportation service options: for-hire vehicles (FHV) and taxis.

In recent years, the City Council has exercised vigorous oversight to ensure that the hired-vehicle industry better serves people with disabilities. As a result of legislation the City Council passed in

³⁶ Ibid. These eight private contractors currently provide 94% of all services. NYCT brought in additional carriers to supplement.

³⁷ The New York State Office of the State Comptroller. Metropolitan Transportation Authority-New York City Transit, Rapid Transit Services For Persons With Disabilities 2001-S-69, January 8, 2004 <http://www.osc.state.ny.us/audits/allaudits/093004/01s69.htm> (last accessed September 11, 2007).

³⁸ Bricketto, Martin. "Transportation as Civil Rights for the Disabled," Gotham Gazette, April 21, 2003 <http://www.gothamgazette.com/print/355> (last accessed September 25, 2007); and testimony by advocates and consumers at the New York City Council Joint Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services on November 21, 2006.

³⁹ The City of New York Adopted Budget for FY 2008. Pursuant to an agreement between the City and the MTA, the NYCT assumed operating responsibility for all paratransit services required under the Americans with Disability Act of 1990. The City reimburses the NYCT for thirty-three percent of net paratransit operating expenses less fare revenues and urban tax proceeds.

⁴⁰ Testimony by Thomas Charles, Vice President of the NYCT Paratransit Division at the New York City Council Committees on Transportation and Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services, The Operation of the Access-A-Ride Program. November 21, 2006.

May 2006 to make NYC's taxi fleet more accessible, the TLC auctioned 54 wheelchair-accessible taxi medallions.⁴¹ More recently, the TLC sold an additional 63 wheelchair-accessible taxi medallions, bringing the total number of taxis with ramp entry service to 144.⁴² Still, this number represents only a tiny fraction of the more than 13,000 total medallion taxicabs currently in operation.⁴³ Moreover, per the results of the November 2007 medallion auction, just over one percent of the taxi fleet is accessible, making the likelihood of finding and hailing down one of the City's few accessible taxis incredibly small. To assist people with disabilities in this process, the City Council passed a law requiring all accessible taxis and FHVs to display the international wheelchair insignia.⁴⁴ Additionally, the TLC is scheduled to launch a pilot program to provide dispatched, wheelchair accessible service to passengers through New York's government service hotline (311) early this year.⁴⁵

FHVs (also known as "black cars") are a classification for radio-dispatched car services operating from independent base stations; TLC rules require them to dispatch an accessible vehicle on demand.⁴⁶ This accessibility requirement prohibits TLC-licensed FHV base station owners from discriminating against consumers based on their disability status. However, advocates for the disabled claim that this rule has yet to be adequately implemented.⁴⁷ Base owners, in turn, have complained that the cost of complying with the rule is prohibitive.⁴⁸ In fact, one FHV base owner with no accessible vehicles in her fleet has reported paying more than \$85 per hour (with a two-hour minimum and fuel surcharge, plus gratuity) to contract for accessible service.⁴⁹ Members of the FHV industry claim to receive very few requests for hired, accessible vehicles and suggest that this low number is indicative of a lack of demand for service.⁵⁰ Disability advocates disagree, insisting

⁴¹ The New York City Administrative Code § 19-532; and the TLC website. "TLC Completes Auction of 54 Accessible New York City Taxicab Medallions," news release. June 16, 2006. <http://www.nyc.gov/html/tlc/downloads/pdf/press54Medallions.pdf> (last accessed September 24, 2007).

⁴² TLC. "TLC Completes Auction of 63 Independent Accessible New York City Taxicab Medallions," news release. November 1, 2007. http://www.nyc.gov/html/tlc/downloads/pdf/press_release_11_01_07.pdf (last accessed November 3, 2007).

⁴³ TLC, <http://www.nyc.gov/html/tlc/medallion/html/background/main.shtml> (last accessed September 24, 2007).

⁴⁴ The New York City Administrative Code § 19-514.

⁴⁵ TLC. "Taxi and Limousine Commission Approves Accessible Dispatch System Pilot Program," news release. November 13, 2007. http://www.nyc.gov/html/tlc/downloads/pdf/press_release_11_13_07.pdf (last accessed December 5, 2007).

⁴⁶ TLC Rule §6-07(f).

⁴⁷ Testimony at the NYC Council Committee on Transportation on June 14, 2006.

⁴⁸ *Ibid.*

⁴⁹ Kelly, Eileen, Kelly's Car Service, facsimile communication to the New York City Council, May 17, 2006.

⁵⁰ Testimony at the NYC Council Committee on Transportation on June 14, 2006.

that low ridership reflects poor communication and the conditioning of years of unavailability among disabled New Yorkers.⁵¹

New Federal Targets for Accessibility in Transportation

In the spring of 2008, New York State is scheduled to receive funding under two federal grant programs created to address transportation issues for people with disabilities: New Freedom and Section 5310.

The New Freedom Program

The New Freedom Program (NFP) was created in August 2005 by the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).⁵² The goal of the program is to “provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society” by supporting new public transportation services and alternatives that go “beyond” the requirements of the ADA.⁵³ Funds through the NFP are allocated to states through a formula based upon the population of individuals with disabilities within urbanized areas. In addition, funding can only be used to finance new services (i.e., programs created after August 2005).⁵⁴

In August 2007 the New York Metropolitan Transportation Council released a Request for Proposals (RFP) for services to develop a Coordinated Public Transit-Human Service Transportation Plan for the New York Metropolitan Area using NFP funds. The purpose of the plan is to assess regional and local transportation-related needs of “low income individuals, older adults, people with disabilities and Human Service Agency clients” in the region.⁵⁵

⁵¹ Ibid.

⁵² U.S. Department of Transportation Federal Transit Administration, New Freedom Program Guidance and Application Instructions, May 1, 2007. Circular FTA C 9045.1. http://www.fta.dot.gov/laws/circulars/leg_reg_6624.html. (last accessed September 26, 2007)

⁵³ Ibid.

⁵⁴ Ibid. The amount of funds distributed to New York City is determined by comparing the percentage of people with disabilities in the city with the percentage of people with disabilities in other urbanized areas in the same category (i.e., population over 200,000).

⁵⁵ New York State Department of Transportation (on behalf of the) New York Metropolitan Transportation Council. Request for Proposals, Coordinated Public Transit-Human Service Transportation Plan, Contract No.: C000776. (New York, 2007).

Section 5310

A federal program established in 1975, Section 5310 funding is allocated by the New York State Department of Transportation to privately funded non-profit organizations for the provision of vehicles to transport the elderly or people with disabilities.⁵⁶ In federal fiscal year 2007 (October 2006-October 2007), New York State received nearly \$8 million in Section 5310 funding.⁵⁷ Money is directly allocated from the New York State Department of Transportation to qualifying organizations that apply.

⁵⁶ Personal communication with Barry Kessler, New York State Department of Transportation, September 27, 2007.

⁵⁷ *Ibid.*

Methodology

Between April 30 and June 7, 2007, the New York City Council's Policy and Investigations Division (PID) and the CUNY Office of Student Affairs and its Graduate Program in Disability Studies conducted a series of focus groups for people with disabilities to discuss the accessibility of various modes of public transportation in New York City.

CUNY's Office of Student Affairs and Graduate Program in Disability Studies

The CUNY Office of Student Affairs coordinates the provision of reasonable accommodations and support services to the City University's more than 9,000 students with disabilities on its 19 campuses in the City's five boroughs. A network of experienced higher education disability services professionals represents the core of CUNY's disability services infrastructure. These highly skilled professionals served as facilitators for the community focus groups. In addition, a team of advanced students in CUNY's Graduate Certificate Program in Disability Studies performed the preliminary analysis and coding of focus group data. The Certificate is designed for individuals working in the disability field, people with disabilities and their family members, advocates, and individuals with undergraduate or graduate degrees with a desire to develop expertise in Disability Studies – a burgeoning, multi-disciplinary approach, which explores the disability experience with an emphasis on the perspectives of people with disabilities.

Together, PID and CUNY conducted 11 focus groups comprised of four to 14 participants at accessible locations throughout the city. Focus groups were held in all five boroughs. There were two focus groups held in each borough – one during the day and one at night, with a third focus group in Manhattan at the Harlem Independent Living Center for individuals who required a sign language interpreter. A trained moderator from CUNY led each focus group.

Recruitment and Selection of Focus Group Participants

A total of 83 individuals participated in the focus groups. Focus group participants were recruited in several ways: from the CUNY student body, from independent living centers, and through the membership lists and networks of such organizations as the Disabilities Network of New York City, Disabled Riders Coalition, American Cancer Society, and the National Multiple Sclerosis Society. In

addition to reaching participants through CUNY and the advocacy community, PID also posted recruitment advertisements on www.craigslist.com.

Individuals who wanted to participate contacted a PID investigator, who screened them for demographic characteristics such as age, gender, education, disability type, employment status, and race/ethnicity in order to ensure that the focus groups reflected the diversity of New York City's disabled population. Because strict representative proportionality might exclude certain populations, the goal in constituting the focus groups was, instead, inclusivity. Individuals were asked for their preference for daytime or evening sessions, and for which borough's focus group they would attend.⁵⁸ Potential participants were asked how they learned about the focus groups in order to ensure that no single focus group session was comprised solely of advocates or others who would be likely to represent the agenda of any particular group or organization. Volunteers who could not be included in a focus group were invited to email and write to the Council regarding their transportation concerns.⁵⁹

Participants were not paid for their participation.⁶⁰ Necessary accommodations, such as sign language interpreters, CART reporters, Braille consent forms, and assisted listening devices were provided to ensure every participant could meaningfully contribute to the focus group session. CUNY arranged and paid for many of these services.

Recruitment Targets

While PID and CUNY had set demographic targets for the focus groups as a collective, the focus group participants deviated from these targets in some significant ways. The sample was mostly female (51 of 83), college-educated (55 of 83), and mostly non-working (60 of 83). Except for the under-18 age group, all age groups were represented in good mix. Additionally, a fairly diverse ethnic distribution was present. Participants with a college education were over-represented (55 of 83). Individuals who used wheelchairs or had mobility impairments were also over-represented (34 of 83), followed by people with hearing and/or visual disabilities (30 of 83).⁶¹

⁵⁸ Not all participants attended focus groups in their borough of residence.

⁵⁹ See Appendix B for those submissions.

⁶⁰ CUNY provided beverages and snacks at focus group sessions.

⁶¹ See Appendix C for a complete demographic profile of the focus group participants.

Inherent in focus groups is the potential for the conversation to be biased towards themes or elements that affect the majority of participants. For example, mobility impairments represented a significantly larger portion of disabilities among focus groups than did other disabilities such as chronic illnesses or sensory impairments. As such, the potential existed for physical barriers to access to receive more comments than operational or procedural barriers. In addition, most of the participants were college-educated and can therefore be expected to navigate the transportation system and its barriers with greater ease than might some individuals with less education or experience dealing with bureaucratic obstacles or complicated route planning. Therefore, it should be noted that the issues mentioned during the focus groups might not represent the views and experiences of some people with disabilities. Finally, like most of New York City's disabled population, the majority of focus group participants were unemployed.⁶²

Voluntary Participation

Participants were all volunteers; that is, each one took the initiative to contact PID and each made time to participate. In addition, because PID and CUNY reached out to many disability advocacy organizations, participants were more likely to be politically engaged and may already have had strong opinions regarding transportation accessibility before attending the focus group. Therefore, those who had something negative to say or a complaint to voice may have been more likely to participate in order to be heard. Although the comments were mostly negative, this report does not contend that all people with disabilities feel uniformly negatively about New York City's transportation system. Nevertheless, many of the comments voiced in the focus groups were consistent with feedback and testimony of advocates for the disabled at past City Council hearings and in other public forums.⁶³

⁶² U.S. Bureau of the Census. American Fact Finder. www.census.gov (last accessed December 23, 2007).

⁶³ Testimony by advocates to the New York City Council Committees on Transportation and on Mental Health, Mental Retardation, Alcoholism, Drug Abuse, and Disability Services on June 14, 2006, November 21, 2006, and June 12, 2007.

Focus Group Discussions

Once all of the group's participants had arrived, the moderator set the ground rules for discussion.⁶⁴ Moderators then asked participants to comment on each of the following modes of transportation individually:

- Buses
- Subways
- Access-A-Ride
- Taxis/Car Service
- LIRR/Metro North
- Ferries
- Driving/Personal vehicles
- Ambulettes
- School Buses

Moderators went around the table, giving each individual two minutes to discuss their opinions on the mode of transportation in question. Comments that were made by parents, partners or aides of disabled participants were not incorporated into the findings. Once all focus group participants had voiced their initial thoughts, each person was given one extra minute to provide any additional comments that had occurred to them during the course of the conversation. PID representatives recorded the focus groups through the use of an electronic recorder and took detailed written notes.

⁶⁴ See Appendix A for a draft of the consent form. Focus group participants were asked to keep all communication from the focus group confidential, to display respect for one another's opinion and for the moderator. As a requisite for participating, all focus group participants were asked to sign a consent form by the PID representative. Consent forms were provided in accessible format when needed.

Data Analysis

A team of advanced students in CUNY's Graduate Certificate Program in Disability Studies performed the preliminary analysis of the focus group comments using the notes taken by PID representatives. Comments were analyzed by mode of transportation. Each comment was coded as either negative or positive, and categorized by one of the following characteristics:

- Safety
- Reliability
- Comfort
- Cost
- Punctuality
- Cleanliness
- Courtesy/Customer Service
- Access/Barriers
- General

Comments on "Cleanliness"

For the purpose of using focus group comments to generate findings, comments on cleanliness were discarded since the perception of cleanliness is not impacted in any meaningful way by disability. It should be noted, however, that air quality in subway stations did arise as a concern during discussions about subways. One participant pointed out that a dirty subway station, train, or other vehicle could compromise the health of individuals whose immune systems are already weakened by illness.⁶⁵

⁶⁵ See finding #6 for more discussion on hidden disabilities.

Findings & Analysis

The following is an analysis of data collected during the course of 11 focus groups with 83 disabled individuals. The two smallest focus groups had four members and the largest group had fourteen members. Focus group participants discussed their experiences and attitudes regarding various forms of transportation in New York City. The raw data consists of transcribed statements from participants in the interviews, along with demographic information about the participants. For the purpose of these findings, transcribed statements were categorized into positive and negative opinions about different forms of transportation.

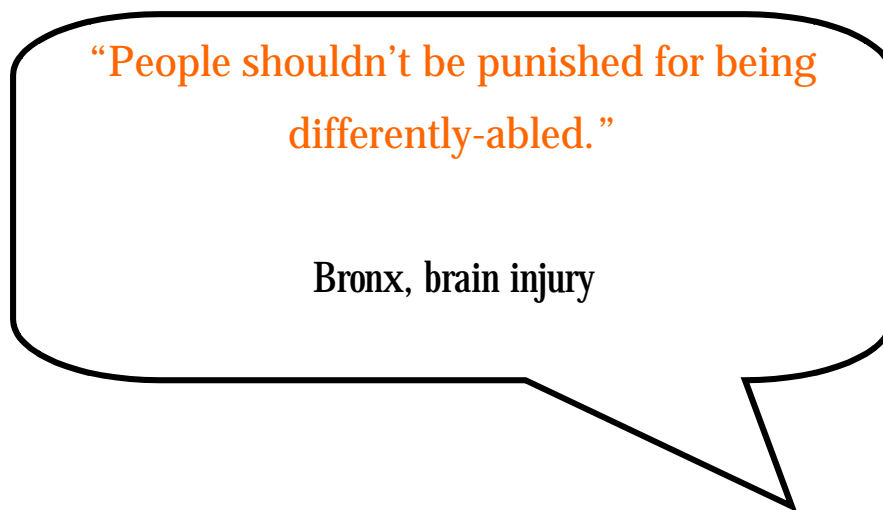
Note: This findings section incorporates actual quotes and anecdotes shared during the focus groups. This report reflects an earnest attempt to convey not only the words but also the sentiment of the speaker. In most cases, the Council listened to recordings of the actual focus groups to extract statements – these declarations are presented in quotations. Where the Council was unable to authenticate participants’ statements from recordings, notes that were taken during the focus group were used to examine participants’ thoughts and experiences, which like the direct quotes, are conveyed throughout the findings but are not presented in quotations. Most of the statements presented thus were made during a focus group that was held specifically for the hearing impaired at the Harlem Independent Living Center (HILC) and are identified as such. No audio recording of this focus group is available. Finally, the Council acknowledges that the nature of some disabilities and conditions inherent in certain modes of transportation, particularly the subways, may never make using those modes a viable option for some individuals (e.g., those whose condition is worsened by loud noises or who have severe vertigo).

The table on the following page separates focus group comments by mode of transportation, and by characteristics of the transportation experience. As might be expected, the topic that generated the most conversation, by far, was barriers to access. Perhaps somewhat less predictably, courtesy and customer service ranked second. Subways and buses received the most negative comments with respect to barriers to access, while the number of negative comments about courtesy and customer service on AAR far exceeded similar comments on any other mode of transportation discussed.

Table 1: Summary of Focus Group Comments by Mode of Transportation

MODE OF TRANSPORTATION	NATURE OF COMMENTS	SAFETY	COMFORT	COST	PUNCTUALITY/RELIABILITY	COURTESY/CUSTOMER SERVICE	ACCESS/BARRIERS	GENERAL	TOTAL
BUS	Positive	0	0	0	1	3	2	2	8
	Negative	4	1	0	2	11	18	0	36
SUBWAY	Positive	0	0	0	0	1	0	1	2
	Negative	10	0	0	0	6	22	0	38
ACCESS-A-RIDE	Positive	0	0	0	1	2	0	3	6
	Negative	2	0	0	12	22	0	0	36
TAXI	Positive	0	0	1	0	0	0	4	5
	Negative	0	0	3	0	4	8	0	15
AMBULETTE	Positive	0	0	0	1	0	0	0	1
	Negative	5	0	0	0	0	0	1	6
LIRR	Positive	0	0	1	0	0	2	1	4
	Negative	1	0	2	1	1	1	0	6
FERRY	Positive	1	0	0	0	0	2	2	5
	Negative	3	0	0	0	0	6	0	9
CARS	Positive	0	0	0	0	2	1	0	3
	Negative	0	0	0	0	0	6	0	6
Totals	Positive	1	0	2	3	8	7	13	34
	Negative	25	1	5	15	44	61	1	152

1. MTA personnel and Access-A-Ride employees seem to be poorly trained in serving disabled consumers.



Disabled consumers had no shortage of experiences with rude or unknowledgeable transportation workers. Participants had more negative comments (44 out of 52 total comments on courtesy and customer service were negative) about courtesy and customer service than nearly all other characteristics of transportation (second only to physical and structural access issues). Focus group participants in all sessions made it clear that attitudinal barriers exist across every mode of transport and called for a significant boost in professional training, with an emphasis on serving people with disabilities, for all transportation employees.

Access-A-Ride

AAR users complained of rude dispatchers as well as unhelpful and dishonest drivers. Participants shared their experiences with drivers, who were late for scheduled pick-ups and then lied about their whereabouts by claiming that they were at the pick-up spot when they were not. Participants reported drivers who refused to help them enter or exit the vehicle or load packages into the van, and who falsely claimed that AAR policy prohibits drivers from exiting the vehicle. In fact, AAR policy allows drivers to exit the vehicle as long as certain safety precautions are met. Likewise, AAR policy specifies that a driver may carry bags or parcels that weigh less than 40 pounds.⁶⁶ One passenger in a wheelchair shared his experience being stuck in his snow-covered driveway when an AAR van arrived to pick him up. When he asked the driver for assistance, the driver reportedly replied, “Oh no! I’m not coming out to help you – it’s not my job!”

Passengers complained that AAR drivers are not all trained to properly secure wheelchairs using the tie-downs. One passenger told of being thrown from his wheelchair when the driver stopped short; another had to show her driver how to use the seatbelts, and reported that some vans do not even have all of the necessary seatbelt equipment. One Staten Island consumer was trapped on a van with a driver who not only improperly secured her wheelchair, but who was also unable to help her out of the van.

Communicating with AAR drivers appeared to cause a strain for some passengers. Participants also expressed resentment at having to wait outside for a pick-up. One participant in Brooklyn chose to

“The [driver] said he came and I [was] waiting out there in the snow...I called them [and they said], ‘Oh, you’re a no-show.’”
Bronx, mobility impairment

“Drivers are key in Access-A-Ride. They represent the company that they work for, and they represent the MTA.”
Queens, wheelchair user

“The service reps – some of them are so rude!”
Staten Island, blind

“[The driver] passed my exit...so I’m kind of directing him [how to get back] and he said, ‘Why do you take Access-A-Ride...[if] you can see?’”
Brooklyn, low vision and mobility impairment

⁶⁶ MTA, “Guide to Access-A-Ride.” <http://mta.info/nyct/paratran/guide.htm> (last accessed January 10, 2008).

wait behind a glass door in her building instead. When she called AAR to check on the status of her late pick-up, she said the operator demanded to know whether she was standing in the street, making her feel like a “criminal [for] waiting behind a glass door!”

Another AAR consumer, a cancer patient and amputee, with only one good leg on which to stand, was nauseous from chemotherapy, waited for nearly an hour outside her home for AAR to take her to her medical appointment for a biopsy. Parked cars were blocking the designated pick-up spot, where, were it not for fear that the AAR driver would not see her (and leave without her), she would otherwise have been able to sit. When she called to check on the status of her ride, she recalled being passed off from one rude operator to the next. One operator reportedly dismissed her because she was ambulatory, saying, “You’re not entitled to any special consideration.” Ultimately, the passenger missed her appointment and had to wait 19 days for a new appointment. In frustration, she exclaimed, “I’m a cancer patient...you can die in 19 days!”

“I felt that she was really insensitive to my needs.

“The [AAR] vehicle came and parked on the side of the street where there was a snow bank. I called...and I got this lady yelling in my ear that if I didn’t go across the street, the vehicle was going to leave me...I said ‘Tell him to leave.’ I don’t walk on ice.”

Staten Island, low vision and cardiac disorder

Subways & Buses

Participants also agreed that bus drivers need more customer service training to learn how to better serve disabled passengers.. Many reported feeling lied to and abandoned by dismissive bus drivers and ineffectual subway personnel. In addition, they felt that more training and education is needed to teach employees as well as other riders how to conduct themselves around disabled passengers in a way that still allows them to function independently.

Participants in many of the groups spoke of being bypassed by buses that seemed to be in a hurry, bus drivers who did not wait for disabled passengers to sit before pulling away from the bus stop, seemingly able-bodied passengers who refused to yield their seats, and bus drivers who could not or would not operate wheelchair lifts. Yet even more blatant insensitivities from bus drivers were discussed. Passengers complained about drivers who neglect to operate the wheelchair lift or the kneeling function for passengers with obvious impairments. In addition, focus group participants were skeptical about drivers who claim not to have a key to operate the wheelchair lift, or that it is broken, and who instead instruct passengers in wheelchairs to wait for the next bus; participants voiced the suspicion that some drivers are simply lazy or in a hurry. One mobility-impaired passenger reported being denied use of a lift by a driver because she was not in a wheelchair. She went on to describe the dehumanizing episode of trying to lift herself onto the bus with impatient and angry customers waiting to board behind her.

With a mixture of frustration and puzzlement, bus and subway riders reflected on the lack of consideration shown by other

“He didn’t get that I wanted to take care of myself.”
Staten Island, low vision

“Some drivers...don’t stop where they’re supposed to...I don’t know if they didn’t see me or if they just don’t want to stop.”
Brooklyn, wheelchair user

It’s like they don’t like deaf people.
HILC, deaf

“I can’t hear when they make the announcements... it’s just gibberish...and especially not being able to see, you’re in worse trouble because you can’t see out the window what stop is there.”
Staten Island, blind

passengers with regards to the designated seating area for people with disabilities. Many reported feeling abandoned by bus drivers who, they believe, should intervene when non-disabled riders refuse to give up their seats for a disabled passenger. Even if a disability is not obvious, argued participants, their reduced-fare MetroCard should be enough proof that they are entitled to priority seating. Individuals with varying disabilities echoed similar comments throughout the focus groups. Fed up by what they perceive to be able-bodied passengers shirking their societal (and arguably moral) responsibility to show courtesy and sensitivity to those with disabilities, focus group participants insisted that it is the duty of the bus drivers to maintain a sense of order and decorum on the buses.

“I don’t understand why people sit in those seats when they’re not supposed to...

Somebody was sitting in a seat and they got up [for me] as I was getting on the bus, **and this lady almost knocked me down to sit in that seat.**”

Staten Island, low vision and cardiac disorder

I was on a train and there was a fire...I was left by myself on the train... No one stayed to help.

HILC, hard-of-hearing and low vision

“They don’t give us any respect, so why should other passengers?”

Bronx, amputee

“When [the driver] is running late, it’s always, ‘I haven’t got the key. Wait for the next bus.’”

Bronx, wheelchair user

“He didn’t get the fact that I wanted to take care of myself.”

Staten Island, low vision and cardiac problems

Deaf and hard-of-hearing participants complained about inadequate stop announcements as well as the need for a better way to communicate with transit personnel about vital information in the event of a sudden route change or an emergency evacuation. One deaf participant expressed a desire to see transit personnel learn to communicate important information in sign language for such situations. Participants also expressed the need for better communication with personnel in the subway booths, and called for induction loops to assist with audibility. A rider who is both deaf and has low vision relayed her experience of being deserted on a subway car during a fire; everyone fled the car, including the train conductor, leaving her stranded until the fire department arrived, by which time she had passed out from smoke inhalation.

Other Modes of Transportation

Participants also complained of taxis that refuse to transport them with their guide dogs or even charge extra for transporting wheelchairs. One participant keeps a car just to avoid some of the hardships that people with disabilities encounter while traveling throughout the city, noting, “It’s costly to...not be able to use the transportation system to the fullest.” Participants who do choose to drive personal cars noted the difficulty of finding an available designated parking spot and suggested that non-disabled people abuse the system by using disabled decals when it is not necessary or even using tags that do not belong to them.

“In Boulder (Colorado)...you roll up into the regular yellow cab and you go where you have to go! You almost feel like a real human being!”
Staten Island, wheelchair user

“They wanna charge me extra for the wheelchair!”
Manhattan, wheelchair user

“I had to wear short sleeve shirts to show the shunt – to show that I had a disability!”

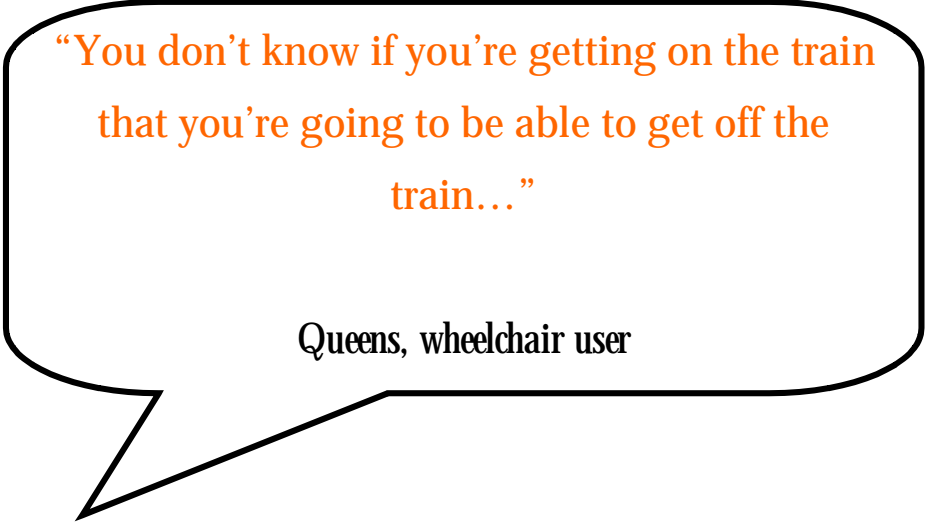
“They just wouldn’t acknowledge the card... I would have to bring other papers with me to show that I had a disability... And the haggling back and forth...just to let the person know that I’m not trying to get away with [not] paying full fare...why can’t [they] just accept that?”

Brooklyn, organ failure

Commuters on the PATH, LIRR and Metro North trains complained about having to prove their disability and commented on the need for closed-captioned announcements. Throughout the focus groups, participants conveyed a desire to maximize their use of the public transportation system while maintaining spontaneity, dignity and independence.

“[Taxis] never stop for you if they see you with a cane or a walker... And when it comes to [taxi drivers] helping me in...are you kidding?!”
Bronx, wheelchair user

2. Disabled consumers would like to use the subways, but many do not because of its inaccessibility and concerns about safety.



“You don’t know if you’re getting on the train that you’re going to be able to get off the train...”

Queens, wheelchair user

Subways received more negative comments than any other form of transportation. In general, focus group participants expressed a desire to use the subway system because a subway ride typically delivers passengers to their destinations in less time than a bus or AAR can. Nevertheless, focus group participants complained that subways are not accessible enough to them due to broken elevators, gaps between the train and the platform, and other structural barriers. Complaints about subways were logged across nearly all key characteristics and a variety of disability types, presenting a unique perspective to the myriad challenges that people with disabilities face with frustrating regularity during ordinary commuting experiences.

“The front wheels [of my wheelchair] have gone between the train and platform, which is downright scary because if you ride the trains you know: They open the doors, they close the doors, they move...”

Queens, wheelchair user

“I’ve destroyed at least 10 casters, per year, maybe even more, because of the gaps”

Manhattan, wheelchair user

“People say, ‘Take a bus,’ or ‘Take Access-A-Ride.’ But you know, a lot of times, subways are the only way to get there quickly!”

Manhattan, amputee with prosthesis

“It’s disturbing that there are so few stations with an elevator or an escalator.”

Brooklyn, amputee

Mobility Issues

In nearly every focus group, participants cited the low number of elevators in subway stations as a major barrier to using subways. Where elevators are present, they are not always in operation. In addition, even when an elevator is available at a rider’s point of origin, it is often not available at the passenger’s destination station, complicating trip planning.

“There’s no back-up to these elevators!”

“That’s what frightens me...I [could] get stuck in an elevator [when] there’s nobody around – **so I wouldn’t even attempt [to take the subway]**. Even if all these stops were elevated and accessible, I would be afraid that there is not a matron or somebody in there with me with a key or some mechanism that would be able to work it.”

Bronx, wheelchair user

Wheelchair users also noted the wideness of the gap between the platform and subway car, sometimes resulting in their wheels getting stuck. In addition to the obvious peril of being trapped in the gap between the train and the platform, large gaps damaged the wheels on several participants’ wheelchairs. Participants in one focus group bitterly joked that they should send the MTA the bill for the cost of repairing their wheelchair casters. The discussion of subway gaps at one focus group indicated that not all participants are satisfied with the MTA’s response to gap complaints, which, according to some, downplayed the size and hazard of some gaps.

Although elevators are crucial to passengers with mobility impairments, passengers with other types of disabilities also find managing stairs difficult. Individuals with weakening and debilitating illnesses such as cancer or other conditions require a working elevator or escalator in order to access the subways. For instance, one Brooklyn participant with Parkinson’s disease who is also a stroke survivor commented, “I can’t gauge the distance of the steps. ...Going up is not such a big problem, but going down is a big problem.”

Sensory Disabilities

Subway Announcements

Focus group participants with sensory disabilities discussed the hazards they face in the subways. Hearing impaired participants pointed out the difficulty of riding trains that only make announcements over the PA system and not also on a digital screen. One deaf participant in Brooklyn noted, “If there is something wrong with the express train and I then have to transfer...I miss the [announcement] and then I miss my stop.” In addition, participants explained that platform musicians – though entertaining and often quite talented – made it difficult for hard-of-hearing passengers to hear and understand service announcements over the public address.

Station noise, though unavoidable in a transit system as heavily utilized as New York’s, presents obstacles for people with various disabilities. Focus group participants explained that even people with normal auditory function sometimes have trouble hearing announcements in the trains and stations. For people with even limited hearing, the din of arriving and departing trains, platform musicians, large crowds and rowdy passengers often made it impossible for the hearing impaired to hear and understand official announcements.

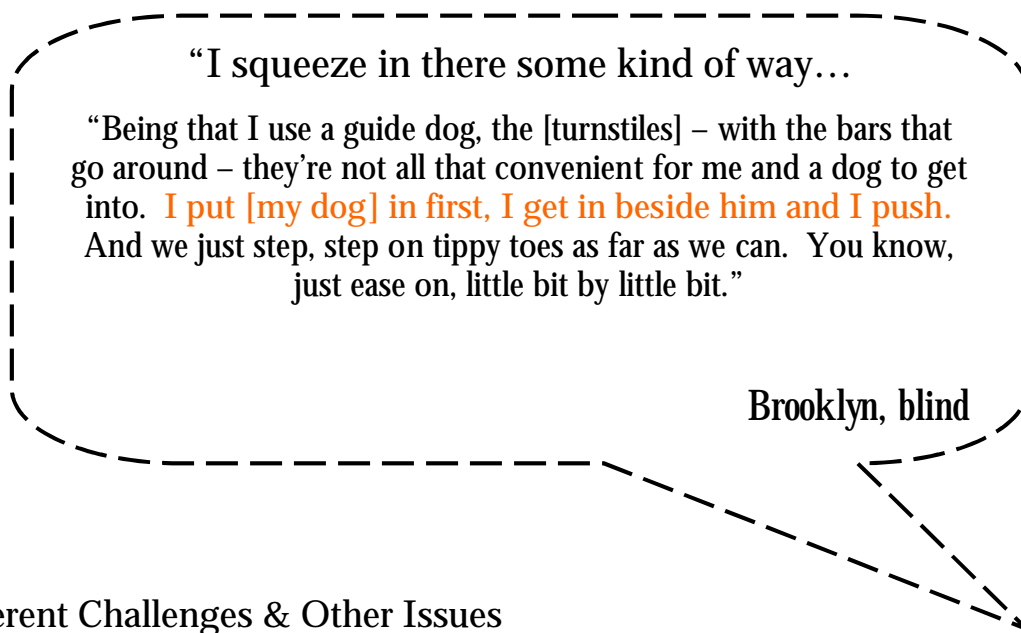
Concerns about Safety

More so on subways than for any other mode of transportation, safety was a concern for focus group participants. Participants mentioned insufficient warnings about platform edges and cited as a model the Washington, D.C. metro system, where bright yellow paint is regularly applied to the edges and blinking lights and tactile lining signal to passengers that they are approaching the edge of

the platform.⁶⁷ Passengers with blindness or low vision noted that large gaps between the platform edge and the subway car continue to pose a safety hazard.

Service Animals

The use of service animals is helpful to navigate the subway stations, but large animals cannot easily pass through the high entrance/exit turnstiles present in many subway stations. One participant in Brooklyn described the precarious process of maneuvering both himself and his guide dog through the turnstile together, while another exclaimed that her guide dog is simply unwilling to approach the turnstiles.



Inherent Challenges & Other Issues

While many focus group members spoke of problems due to structural barriers such as elevators that are out of order and gaps between the train and the platform, many presented issues that do not necessarily reflect chronic dysfunctions in the system. Obstacles that occur which may disrupt the commutes of non-disabled passengers (e.g., navigating the subway station amidst a mass of fast-moving commuters, missing important announcements due to an arriving train or other noise on the platform, and momentary malfunctions of the MetroCard swipe stations) were nevertheless found to create disproportionate hardships on participants with a range of illnesses.

⁶⁷ During the course of the focus groups, two comparisons of the New York City subway system to the subway system in Washington, D.C. were made. Further exploration with advocates informed the Council as to some specific attributes of the system in D.C. that would be beneficial in New York, particularly with respect to the edge of platforms.

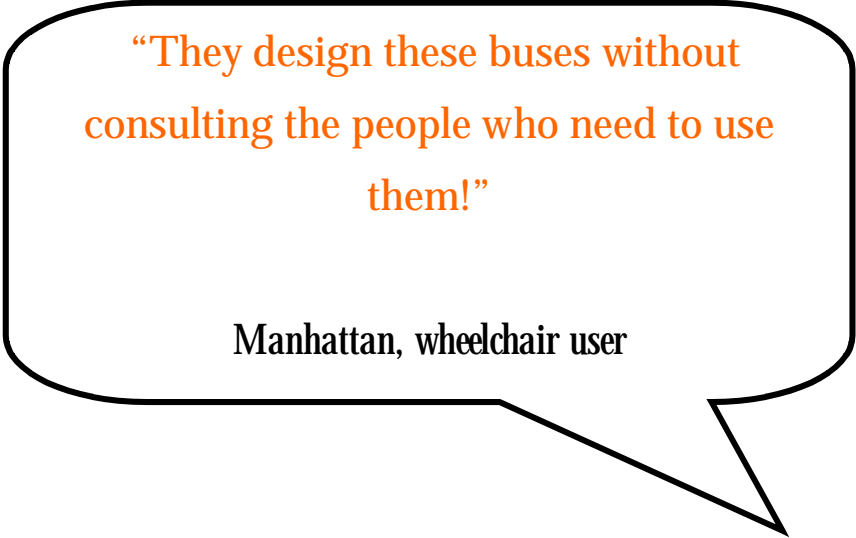
Equipment and Infrastructure

Focus group participants discussed the difficulty of maneuvering the trains and stations amidst large crowds of people and high noise levels. One participant, a recent transplant patient, described the subways as “difficult,” recalling instances where the turnstile, which would not fully rotate as she attempted to enter the station, delivered a painful blow to her new kidney. Another recalled fear at the idea of being pushed down the staircase by passengers “flying down the stairs” as they try to get around her. A staircase that is dedicated solely to people with disabilities, she pointed out, would be one alternative that could accommodate those who move at a pace that is slower than the average speed of foot traffic.

Station Noise

Focus group discussions on noise in stations demonstrate that while loud noises may simply be a nuisance for some, it could also hinder the reception of service and even be dangerous for others. At least two participants noted the negative effect of loud music on subways and in the stations, with one participant commenting that since his brain injury, “music on the subway can be like [nails] on a chalkboard for me.”

3. Though all New York City buses are equipped to accommodate people with disabilities, disabled participants still reported encountering barriers to access.



“They design these buses without consulting the people who need to use them!”

Manhattan, wheelchair user

While focus group participants seemed to favor buses over other modes of transportation – buses generated more comments, including more positive comments, than any other mode of transportation – participants still encountered hardships due to broken equipment, poor implementation of policies and procedures, and poorly trained or discourteous bus drivers. In addition, some wheelchair users complained that the city’s new hybrid buses are not adequately designed to accommodate many wheelchairs and scooters, complaining of insufficient space to board and exit and of wheelchair slots that displace passengers sitting in the areas designated for the elderly and disabled.

Physical Barriers & Equipment Issues

The most frequent criticism about the bus system was about the equipment. Complaints by bus riders included difficulty boarding the bus, wheelchair lifts that are out of order, or bus drivers who are not equipped with the special keys needed to operate the lifts. One participant requested and received a lift key from the MTA and encouraged other participants to do the same.

Passengers also felt that drivers should be better trained to operate bus equipment – especially wheelchair lifts – activate the kneeling function of the bus, and properly use the wheelchair ties to more tightly secure wheelchairs in their places. In addition, one participant complained that the tie-downs on buses to secure wheelchairs “don’t always work and they’re dirty,” making drivers loath to touch them.

“In a snow emergency, the Sanitation Department pushes the snow into the bus shelters. [People] in wheelchairs...have to go out in the middle of the street to take a bus.”

Manhattan, blind

“It’s very important for people that can’t see the street signs to...have an announcement.”

Manhattan, low vision and hard-of-hearing

Participants with mobility impairments, particularly those in wheelchairs, commented on seemingly minor occurrences that have a big impact on their commuting experiences. For instance, exiting or entering a bus far away from a curb cut forces wheelchair users to wheel themselves down the street until they reach one, sometimes at the risk of missing their bus or encountering other street traffic.⁶⁸ Other passengers noted that during times of heavy snow, the Department of Sanitation sometimes pushes snow into the bus shelters, shoveling a path wide enough only for a pedestrian on foot, not in a wheelchair.

Communication with People with Visual and Hearing Impairments

Focus group participants with visual or auditory disabilities expressed dissatisfaction with stop announcements. Passengers with visual impairments depend on bus drivers to announce their stops, but participants claimed that announcements are inconsistent at best, not loud enough, and are often garbled and indecipherable. They also reported that not all bus drivers announce all stops, and that this might be even more prevalent on limited or express buses.

⁶⁸ The City Council recognizes that not all bus stops are placed in close proximity to curb cuts. Focus group participants, however, expressed frustration at bus and Access-A-Ride drivers who inexplicably stopped away from curb cuts, even though when curb cuts were close to the stop.

Several participants with visual impairments expressed a preference to sit at the front of the bus so that they can see their stop; seats at the front, however, are not always available. One blind passenger commented that for him, sitting in the back of the bus is not an option because there is no space for his guide dog. Other participants explained that the signs on the buses are not necessarily large enough for people with visual impairments to read clearly, and therefore, they are not always able to identify which bus has arrived. To compensate, one participant noted that drivers should call out the bus number to passengers who are waiting at the bus stop; according to participants, however, this is rarely done.

For hard-of-hearing passengers, loud and clear announcements are invaluable since most buses do not have a digital display to indicate upcoming stops. Participants reported missing stops due to infrequent or inaudible stop announcements.

“We do public service announcements – in the papers, on TV, radio – with regard to subway [changes]. Have we ever heard anything about buses?”

Queens, wheelchair user

“They post [notices]...on the window directly behind the bus driver...if you’re disabled and [entering the bus from] the back, you’ve got no chance of finding out what it says.”

Queens, wheelchair user

“When they announce the stop...I can’t always hear it. Also...if it’s an express bus or a local, I’m not always sure...so I’ve missed some stops.”

Brooklyn, deaf

4. Disabled consumers believe Access-A-Ride is in need of an overhaul.



“Access-A-Ride doesn’t really allow for an adult lifestyle at all.”

Staten Island, wheelchair user

Focus group participants had no shortage of comments about AAR, and were disillusioned that the one service in New York City that is dedicated exclusively to transporting people with disabilities imparts such grief, frustration and hardship. Participants criticized AAR in every focus group session; few consumers had praise for it. Some participants expressed dismay that the system has improved so little since the days of its inception. Others expressed concern that AAR employees encounter a large amount of stress and simply take out their occupational frustrations on passengers. Still, a number of participants tempered their criticism for the service, expressing appreciation for the times when it works well and optimism for continued improvement.

“There are very few people who could live a life that’s so rigidly constrained like that.”

Staten Island, wheelchair user

“I think they should give people with disabilities a little more courtesy than five minutes.”

Queens, low vision

“I have been...lost in Brooklyn, Bronx, Queens, and Staten Island. I feel more for the person who is using a wheelchair and cannot access the taxicabs or the buses.”

Staten Island, low vision and knee problem

“I would tell them that I had to be [at my destination] an hour or two earlier so I could get there on time and a lot of times I was still late.”

Manhattan, wheelchair user

Lack of Independence

Consumers complained about a reservation system that limits their participation in activities and disallows spontaneity. Many claimed to exercise discretion when determining whether using AAR could be more trouble than it is worth. One focus group member began using AAR because she thought it would provide more independence than ambulette services, but feels that the service is too inconsistent to be relied upon. Another said that she is hesitant to use AAR when she has to be at work early or leave late. Similarly, others commented that there are certain times of the day when AAR is more reliable than others. One consumer recalled missing his ride when an event he was attending ran late; by the time he got outside, his van had left, leaving him to find another accessible method of getting home. Another seasoned AAR passenger warned his fellow participants that simply telling AAR what time to arrive for the pick-up would leave you “at their will,” and would not guarantee on-time arrival to their appointments. Instead, he advised riders to tell operators what time they must be at their destination in order to secure a better route.

Participants in nearly all focus groups expressed frustration at AAR’s somewhat rigid policy that requires passengers to wait outside to be picked up; one focus group member in Queens pointed out that it would be helpful if drivers would call passengers when they arrive instead of making them wait outside. Many who have been on the receiving end of truant vans criticized drivers who claim to have been at the pick-up site when the passenger was not outside waiting. In Brooklyn, one rider pointed out that a cell phone is useful to have in case you have to leave the designated pick-up spot for any reason. In a Bronx

“I told [the dispatcher], ‘You guys have a policy that if we’re late...we get penalized, okay? Is your driver gonna get penalized? Because no one’s around!’”

Bronx, mobility impairment, cardiac disorder

“I called the command center...[to be] picked up at another building. My driver didn’t get the message, so I was made a no-show. That dispatcher apparently was not communicating with my driver.”

Queens, wheelchair user

focus group, all four of the members were emphatic that a cell phone is an invaluable tool in mitigating the obstacles of using AAR. Similarly, in two separate groups, participants recommended that AAR consumers have cash on hand in the event that their ride is a no-show and they have to take a taxi, for which they may later be reimbursed.

Participants lamented the fact that drivers often blame absentee passengers as an excuse for neglecting their assignments and cited numerous explanations as to why a passenger may not be waiting at the designated pick-up spot when a vehicle arrives. Reportedly, driver tardiness is a frequent occurrence, resulting in passengers waiting outside for extended periods of time. If a driver does not arrive on time, passengers might return to their home to call and check on the status of their ride or to secure another ride. Passengers with chronic and/or debilitating conditions, such as cancer, find it grueling to stand outside for long periods of time. Inclement weather such as rain, snow or extremely hot or cold temperatures often compel others to seek shelter indoors.

One Bronx participant questioned why AAR consumers are penalized for continuous no-shows, while drivers appear to go unpunished for chronic tardiness or absenteeism. Participants took issue with AAR’s policy that allows drivers to be up to 30 minutes late for a pick up while passengers are given only a 5-minute window of opportunity to catch their ride before the driver is allowed to leave. Equally frustrating, one participant claimed that drivers sometimes arrive before the scheduled pick-up and leave without their passenger, who might not be anticipating an early arrival.

“I don’t want to go for a nice ride. I want to get to my destination.”

Bronx, mobility impairment, cardiac disorder

“I’ve been literally a quarter of a mile from my destination...and then he turns around to go pick someone up. And I’m literally going in the other direction...”

Bronx, amputee

“If I get picked up in Manhattan, they’ll take me to the Bronx, to Queens, to Brooklyn – before they take me to Staten Island.”

Staten Island, wheelchair user

Routes and Schedules

Focus group conversations on AAR included numerous accounts of irrational routes, inadequate knowledge of city streets by drivers, long wait times due to lost drivers, and poorly planned schedules. Participants complained that schedules are not realistic, with one remarking that AAR is a great way to “sight-see,” and another referring to the service as the “three-hour tour.” One consumer who was picked up from her home in the Bronx told of being taken to Jacobi Hospital (also in the Bronx) on a route that took her as far as 24th Street in Manhattan. Another Bronx customer claimed that her driver’s schedule allotted only two minutes to get from her stop in Riverdale to the next stop in Co-Op City.⁶⁹ In many of the focus groups, participants commented that routing and dispatch services are outsourced to remote locations, suggesting that the people who set the routes are unfamiliar with New York City geography, traffic, or other factors that should be considered when scheduling pick-ups and drop-offs.

Where are the routes made?

- “They tell me the routes are made way over in **Oklahoma**.” (Brooklyn, blind)
- “The scheduling has to be done in New York City where people [are familiar with our needs]...not in **Texas** or **Timbuktu** or wherever!” (Bronx, wheelchair user)
- “I also heard that the dispatchers are somewhere **out of state**, so they have no real concept of what traffic is like here. So to have people from out of state trying to schedule, you know, using some kind of map. You ought to know what the roads are like in NY to make a reasonable schedule.” (Staten Island, wheelchair user)

⁶⁹ According to a query on Google Maps, it takes at least fifteen minutes to drive from Riverdale to Co-Op City.

Focus group members noted that drivers commonly become lost or disoriented during their routes, causing passengers to arrive at their destinations late or miss appointments altogether. A few focus group participants noted that, when offering assistance to drivers who are lost, drivers sometimes become angry or resentful.

Focus group reports indicated that AAR service seems to be more problematic when traveling between boroughs. While this perception was corroborated throughout multiple focus groups, Staten Island participants asserted that problems in their borough must be worse than the rest of the city. Staten Island focus groups reported that drivers know even less about getting around their borough than the rest of the city. Participants noted that drivers act like Staten Island is “the outer limit” and that they often resent being sent to Staten Island. Drivers often ask passengers how to navigate from one place to the other instead of familiarizing themselves with their routes. Participants also complained that because of the toll on the Verrazano Bridge, passengers in Staten Island are the only ones not authorized by AAR to go to another borough with a car service.⁷⁰

“By the time I got to school...it was pretty much time to go home!
“[The Access-A-Ride driver] was not paying attention to what he was doing... and he was on his cell phone to boot... He said he had no clue where he was going, so I was trying to tell him what to do... next thing I know, he...had a few choice words, which I won't repeat. And then he said, 'Umm, I think we're in New Jersey.' I said 'How did we end up in NJ?...If anything we should be in Brooklyn!' He said, 'Well, is there any part of Brooklyn called Elizabeth?’”

Staten Island, blind

⁷⁰ If an Access-A-Ride vehicle is unavailable or late, a passenger may be authorized to take a taxi or for-hire-vehicle. The passenger is responsible for paying the fare and all applicable tolls, and can submit his or her receipt to Access-A-Ride for reimbursement within three months of the trip.

“I like the fact...that I can go back and forth...not just one ride coming and going.”
Bronx, mobility impairment and cardiac disorder

“Door-to-door, you can’t beat it for \$2!”
Queens, low-vision

“I love it...they come to my house and they get me and they bring me back to my house.”
Brooklyn, Parkinson’s disease and stroke

“When it works, it works very well. It really does.”
Brooklyn, blind

“There are drivers that will ring your doorbell and say ‘By the way, I’m downstairs.’”
Bronx, amputee

“It’s a guaranteed seat...if I rode the city bus...I would solely have to rely on a friendly passenger or the driver to say I’m at my stop.”
Bronx, blind

Praise for Access-A-Ride

While most comments by focus group participants about AAR were negative, every focus group highlighted the benefits of the service and even offered praise for exceptional drivers. On AAR, passengers are guaranteed a seat, compared to a crowded bus, where a disabled rider who needs to sit down must rely on a friendly passenger to give up his or her seat. Consumers also like the door-to-door service, as well as the ability to turn around in the event of missed stops. One passenger appreciates that if the van does not make it to her house within the allotted 30-minute time period, she may request a taxi authorization.

“There are some drivers I would love to clone...

“There was one day my leg came off [on my way to meet the driver]...I hobbled back...upstairs and adjusted my leg. I got downstairs...thank God the driver was waiting...he said he knew me... he picked me up before... **That’s a driver who cares.**”

Bronx, amputee

A few participants spoke highly of certain drivers who, they felt, went out of their way to be helpful and show compassion. One participant in Manhattan also pointed out that AAR passengers are not always educated on how to use the system (e.g. how far in advance to schedule appointments) and should be offered reminders upon re-certification to help the process go more smoothly.

5. Consumer access to for-hire-vehicles and taxis is limited, because of the small number of accessible vehicles, geography and cost.



“How do you get a wheelchair [accessible] cab?”

Manhattan, blind

Despite a small influx of accessible taxis and a TLC mandate that puts the onus on individual FHV companies to provide accessible vehicles to those who need them, few focus group participants reported using taxis or car services regularly. Consumers felt that even if more accessible taxis existed, they would not be available to those in Upper Manhattan or the outer boroughs. Some participants recalled frustration at some unaccommodating taxi drivers and a lack of accessible FHVs, despite the TLC’s mandate. A few participants pressed for a fully accessible taxi fleet; for many, however, taxis could not serve as an everyday mode of transport due to the cost.

Cost

Calling the price of hiring a taxi “exorbitant” and “ridiculous,” passengers indicated that taxis could not serve as an everyday mode of transport because the cost is prohibitive. Some abandoned paratransit passengers experienced difficulty paying for a taxi, despite AAR’s promise of reimbursement. Particularly for Staten Island passengers, for whom AAR reportedly does not authorize a voucher for a car service to leave the island, using a car service is even more financially impractical for them than their counterparts in other boroughs.

Accessibility & Availability

Consumers in certain geographical locations throughout the city expressed a desire to see accessible cabs in their neighborhood, with some participants complaining that any taxis, accessible or not, are few and far between. Passengers in Staten Island, the Bronx and Upper Manhattan complained that not enough taxis frequent their neighborhoods, and most are not accessible. One participant was charged extra to transport her wheelchair, while another’s driver refused to provide service to her with her guide dog. Most participants would like to see the number of accessible cabs increased and a few pressed for fully accessible taxi fleets.

“Basically I have to lay down because there’s no leg room for my prosthetic...”

“Usually I try to sit in the front seat because my prosthetic doesn’t bend.”

Manhattan, amputee

“Why do I get ripped off?!”
Queens, wheelchair user

“From 59th Street [in Manhattan] to get all the way back to where I live – that’s eighty-something dollars!”

Staten Island, blind

“I can’t use [a car service] because I have a wheelchair.”

Brooklyn, wheelchair user

“You don’t see yellow taxis in the Bronx...[unless] they’re driving through.”

Bronx, amputee

Most of the time [the car service] works very well...although I get, “No dog! No dog!”

Brooklyn, blind

Communication

Even with accessible taxis, disabled consumers experience hardships due to poor communication. One focus group member, an amputee in the Bronx, requested a livery vehicle that is raised higher than a typical taxi to make it easier for her to board and disembark with her prosthetic leg. She told of more than one occasion when the livery service sent a typical sedan despite her request for a van; in such situations, she must remove her prosthetic leg in order to enter the vehicle.

Hard-of-hearing participants encounter their own set of problems. One participant in Manhattan complained that despite communicating her desired destination via TTY to the dispatcher, her driver does not always know where to take her. Not typically a problem for the general public, this presents a hearing-impaired passenger with further complications, as she must figure out how to tell her driver where to take her and hope that her instructions are correctly understood. All hard-of-hearing participants communicate with their driver in writing. One participant communicated the need for taxis to be installed with a TTY to allow hearing impaired passengers and drivers to communicate more effectively.

There needs to be a keyboard, like a text telephone (TTY), in cabs.

HILC, hard-of-hearing

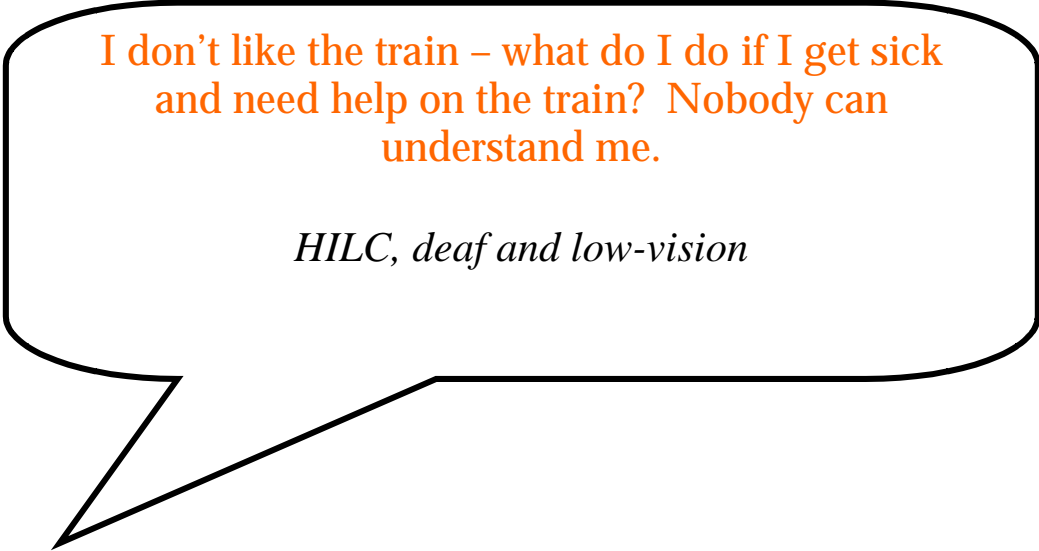
“They always send a car even though I’ve told them a million times I need a van...why do they disregard that?”

Bronx, amputee

“For-hire vehicle regulations do not work.”

Manhattan, wheelchair user

6. Consumers with “hidden” disabilities often encounter insensitivity from transportation personnel and non-disabled consumers.



I don't like the train – what do I do if I get sick and need help on the train? Nobody can understand me.

HILC, deaf and low-vision

Participants without a visible disability (such as hearing impairments, prostheses, or illnesses) often encounter resistance and rudeness from transportation personnel when they request services for disabled consumers. They spoke of being judged for using AAR and having to “prove” their disability by showing reduced-fare cards or medical clearances. They also reported encountering resistance from some bus drivers who do not lower lifts for them, or pull to the curb so that they are able to board the bus safely.

People in wheelchairs – they can hear. But I don't know what's going on when everyone leaves the train, or when the conductor says that the route has changed.
HILC, deaf and low vision

“If you ask people to move, most of the time they will. They might give you dirty looks but that's fine, I can't see them anyway, I don't really care.”
Staten Island, blind

I encounter negative attitudes from other bus consumers. They give me funny looks because of how I sound. I have a right to ask the driver questions!
HILC, deaf and low vision

Subways

Disabled and non-disabled consumers alike experience a variety of assaults to their senses upon entering a subway station. Noises, sights and smells combine to make a New York City subway rider's experience stimulating, to say the least. However, for some disabled consumers, these stimuli can prove to be a nuisance at best, and life-threatening at worst.

Focus group participants with nervous disorders, brain injuries, or illnesses that affect their immune system had much to say about their experiences on the trains and in the stations. Riders with brain injuries sometimes worry about loud noises from arriving and departing trains, intercom speakers, and fellow passengers playing loud music or platform musicians causing severe discomfort. One participant with a brain injury asked a passenger to turn down his music, but the passenger refused.

Disorders that affect a person's balance or ability to gauge distances also contribute to the experiences of focus group participants with hidden disabilities. The participant described above noted that the subway was extremely challenging for him in the early stages of his brain injury due to balance problems. Passengers with similar issues risk serious injury or worse if a loss of balance occurs while waiting for a train in the proximity of the platform edge. One participant, a stroke survivor with Parkinson's disease, has difficulty gauging distances. This makes navigating stairs extremely dangerous, particularly if the stairs are not properly marked at the edges. One amputee with a prosthetic leg can manage if she happens to be pushed while on the trains (an experience common to many straphangers), but using stairs to enter and exit stations without a working elevator is more of a

Cops ignore deaf and blind people on the train...what if there's a crime?

HILC, deaf

"If you have a hidden disability, people don't get up... Nobody gets up."

Brooklyn, mobility impairment and organ failure

I try to tell the booth attendant that I'm deaf, but I get attitude.

HILC, deaf

"I often feel a little bit dizzy or a little bit tired and since my disability is hidden, people don't get up."

Brooklyn, mobility impairment and organ failure

challenge. Another amputee complained that the subway doors do not always stay open long enough to allow her to enter or exit the train.

A further concern brought up by participants with hidden disabilities is the air quality in the subway stations. Although unpleasant odors underground affect everyone, individuals who have recently undergone organ transplants or who are receiving dialysis due to organ failure worried about their bodies' ability to fight off the germs present in the stations and on the trains. One kidney recipient in Brooklyn worried about going through the station turnstiles. If a turnstile does not rotate properly, she risks a metal bar hitting her transplanted kidney. Additionally, she worried that passengers who are in a hurry will either push her too fast through the high entry/exit turnstiles or knock her down as a result of her weakened state.

Subway passengers with hearing impairments also experience hardships on the subways. Most trains only make audio announcements, but are not also equipped to display announcements digitally. One deaf woman in Brooklyn complained about missing announcements when a subway suddenly switches to express stops. When difficulties arise at ticket machines, one deaf participant explained, she goes to the ticket counter for help but is unable to communicate with the booth attendant. Other times, subway musicians or background noise over the loudspeaker make it difficult or impossible for hearing-impaired passengers to hear or understand announcements that may be crucial to their commute.

“I don’t understand why people sit in those seats when they’re not supposed to!”

Staten Island, low vision

“They [drivers] tell me ‘Sit down in the back...I’ll tell you when we get to your stop’...next thing I know I’m at the end of the bus run!”

Staten Island, low vision

“Drivers...think that I’m walking [my guide dog]...and literally zoom right past me.”

Staten Island, blind

“Because I don’t have a cane and I’m not obvious...I get no respect whatsoever!”

Bronx, amputee

“I found that when the bus driver *did* stop [for a wheelchair user], the passengers were terrible!”

Queens, partner of wheelchair user

Buses

Although buses were the preferred method of transport for focus group participants, riders with hidden disabilities had plenty of negative experiences to share. Participants with hidden disabilities were frustrated about seemingly able-bodied riders who do not give up seats designated for the disabled or elderly, even upon displaying their disability card. When a passenger with low vision asked a driver to compel one stubborn rider to relinquish his seat in the front so that she could see when her stop was approaching, the driver told her to take one of the open seats in the back of the bus instead.

Passengers with sensory impairments complained that stop announcements are ineffective. Because some bus drivers are inconsistent when announcing stops, blind passengers have no way of knowing when they reach their destination. When drivers do announce stops, the announcements are not always loud enough to be heard by people who are hard of hearing. Riders emphasized the need for a digital monitor to display stop announcements. In addition, participants noted that visual impairments make it difficult or impossible to know which bus is approaching. One individual noted that bus drivers are supposed to tell waiting passengers the number of the bus at every stop; however, participants noted that drivers rarely do this.

Some blind or low-vision passengers reported feeling invisible, even when they carry a walking stick or are accompanied by a guide dog. They recalled buses that “zoomed” past them at bus stops, and suggested this is less likely to happen when other passengers are at the stop. One participant with weak, porous

bones stopped using the bus because the stairs were too steep and bus drivers tend to pull away from the stop before she sits, leaving her vulnerable to injury. Another rider with Parkinson's disease found buses to be reliable, but jerky, and wishes that buses had seatbelts.

“The stairs on the bus are too steep...

“I have weak bones, and my bones are very porous so these bones have little holes... So as soon as I get to the bus and I climb the stairs I find that I'm in so much pain when I reach the top of the platform, and then **the bus just moves so quickly because they don't look at me as a disabled person.** So I'm walking around, and I can't really get my balance and I found myself falling... So I just stay away from the buses...”

Brooklyn, organ failure

Reduced-Fare MetroCard

Police will grab a deaf person [in the subway stations]. They need to learn some sign.

HILC, deaf

Why do I have to prove my disability all the time? What are [the police] grabbing me for?

HILC, deaf

Focus group participants also spoke of being questioned by bus drivers, AAR drivers and other personnel about their disability status and their eligibility to use the reduced-fare MetroCard. Because their disabilities are “hidden,” or not immediately evident to others, many deaf and hard-of-hearing focus group participants reported being stopped frequently by police or transit employees. Nevertheless, being stopped and questioned was not the biggest problem for some focus group participants. Hard-of-hearing passengers vented about transit officers who used physical force to get their attention in order to validate their eligibility to use reduced-fare MetroCards. Participants told of officers who had watched them scan their MetroCard and then proceeded to “grab” them, demanding to see proof of their disability.

“I get it all the time...

I pull out my [reduced fare MetroCard], they look me up and down...same thing with the police: when I go into the subway station, they stop me because I have a reduced fare card! And to me, that's like, **‘Just get over it, because you just made me miss my train!’**”

Brooklyn, auto-immune condition and organ failure

Participants’ feedback suggested that passengers felt discriminated against and mistreated. One deaf participant pointed out that such actions could startle someone, causing them to react violently in self-defense. Not all focus group participants reported being confronted in a physical manner, but many agreed that transit officials often preemptively treat disabled passengers as if they are trying to defraud the system.

“[The late driver] delayed my dialysis...and when I tried to explain this to the driver, he told me I wasn’t sick...that I’m making too much of this.”

Brooklyn, organ failure

“I’m trying to explain to [the police] that I can’t understand them, that I’m deaf, but they don’t believe me because ...there’s no visible proof.”

Brooklyn, deaf

Other Modes of Transportation

Passengers with hidden disabilities also had complaints about other modes of transportation. Focus group participants agreed that ferries do not seem to have an adequate understanding of the needs of deaf people. Two amputees told of difficulties maneuvering in taxis that are low to the ground because it was difficult for them to bend their prosthetic legs when boarding and exiting the vehicle. One Long Island Rail Road (LIRR) passenger with organ failure felt compelled to show her arm shunt in order to prove her disability status to a skeptical employee. One AAR passenger told of a driver who got lost and was late picking her up for her dialysis treatment; when she tried to convey a sense of urgency to the driver by explaining that arriving late to her appointment results in time taken away from her dialysis treatment, the driver dismissed her anxiety by questioning the validity and seriousness of her condition.

Dispatch was supposed to tell them...how am I supposed to communicate?

I call to get a car and using TTY, I tell them where I am going, so that they can communicate this information to the driver since we will not be able to communicate with each other. **When I get in the car, the driver will still ask where I am going.**

HILC, hard-of-hearing

Conclusion

Over the past two decades, transportation services in New York City for people with disabilities have made marked improvements. More than 70 subway stations system-wide and the entire fleet of nearly 5,000 buses are considered accessible to people with disabilities. The City is beginning to take steps to ensure the accessibility of taxis and other for-hire vehicles. In addition, New York's paratransit service, despite its flaws, provides individuals – who might otherwise be immobilized by inaccessible branches within the transportation system – with the prospect of living their lives with increasing productivity and independence.

Nevertheless, New York City's mass transit network is a long way from fully meeting the needs of people with disabilities. Conversations with focus group participants illuminated many of the system's myriad limitations. Some barriers are structural, such as inaccessible subway stations and broken elevators, escalators, and wheelchair lifts. However, like some disabilities, not all barriers are noticeable to the naked eye. Drivers or operators who are poorly trained or otherwise ill-equipped to serve people with disabilities can pose a hardship to a passenger much as a broken elevator can. A failure to identify and assist a disabled passenger during an emergency evacuation is just as likely to result in tragedy as a large gap between the subway and platform. Finally, a paratransit service that consistently leaves passengers – some in weakened and debilitated states – waiting for long periods of time and refuses to assist passengers – even those in clearly perilous situations – fails to achieve its single objective: to provide people with disabilities a service that is comparable to that of the general population.

Through its 1984 lawsuit settlement and the passage of the ADA six years later, the MTA and New York City were forced to acknowledge the dire limitations imposed upon people with disabilities by the public transportation system. Though New York City's public transportation network is one of the largest in the world, its inaccessibility continues to be a barrier to hundreds of thousands of people for whom the fulfillment of daily activities is constantly restricted by forces beyond their control.

“It was a very crowded a.m. train leaving Seaford headed to Penn. My girlfriend and I found two seats... We squeezed in.

“The train got more and more crowded when an elderly man with a walker got on. Nobody moved.

“I called to him and got up to give him my seat. My girlfriend sitting next to me also got up.

“I then saw something never in my life I would imagine. The girl facing me with an annoyed face put her feet up on the seat I got up from and someone jumped into my girlfriend’s seat.

“The elderly man never got any of our seats and we remained standing.”

Newsday column “LIRR Riders Behaving Badly: Readers’ Stories”

November 5, 2007

Such a display of mediocrity has no place in New York City – a city that prides itself on being a world leader for so many issues and causes, including social justice and tolerance for those who, whether by choice or circumstance, live outside the mainstream. As a result, the City Council is making the following set of recommendations to bring New York City closer to providing a service for people with disabilities that is not simply “comparable,” but superior, to the one currently available.

A Roadmap for Improvement

“Nothing about us, without us.”

Queens, wheelchair user

The City Council solicited feedback from focus group participants, advocates and other specialists in the field to develop a set of steps that can be made fairly quickly and at relatively little cost. If implemented, these measures would significantly improve the day-to-day experience of disabled riders using the system in its current state.

1. The MTA and AAR should conduct regular customer service training, with a focus on treating passengers with disabilities with respect and sensitivity. Focus group participants shared copious personal accounts of rude, disrespectful and unhelpful treatment from transit and AAR employees. The MTA and AAR should implement an employee training curriculum, in collaboration with members and advocates from the disability community, for any employee (bus, subway, ferry, or paratransit) who interacts with members of the riding public. They should also incorporate regular, undercover field investigations to monitor adherence to its training. In addition, all future NYCT contracts for paratransit services, whether new or renewed, should require providers to administer a uniform pass/fail program to every employee.
2. Bus drivers should avoid bypassing bus stops with waiting passengers if the bus is not at capacity. Focus group participants in wheelchairs recalled bus drivers who did not stop at nearby curb cuts and even bypassed them at a bus stop – some offering no explanation, others claiming, often to the passengers’ disbelief, that the wheelchair lift was out of order. Some passengers with service animals reported that a bus sometimes bypasses them when they are the only person waiting; if other passengers are present, there is a greater chance that the bus will stop. Other mobility-impaired passengers wondered if the limited number of wheelchair slots was the cause. Although drivers operate under significant pressure to remain on schedule, they

should never bypass a bus stop or shelter that is occupied by anyone as long as there is room on the bus. The MTA should work with the TWU to address any work conditions that would present drivers disincentives to picking up disabled passengers. In addition, bus drivers should stop at curb cuts whenever possible and should activate the kneeling function at every stop to avoid creating additional hardships on passengers with hidden mobility limitations.

3. AAR drivers and dispatchers should provide passengers with the most accurate and up-to-date information about delayed vehicles. Some participants told of horrific experiences waiting outside in inclement weather for rides that arrived late or not at all. Upon calling AAR to inquire as to the status of the driver, participants reported receiving vague and inaccurate responses from dispatchers. Dispatchers should provide passengers with most accurate information available regarding the location and estimated time of a driver's arrival.
4. AAR vans should display vehicle and driver identification in a conspicuous place inside the vehicle so that riders can report complaints with a greater degree of anonymity. Just as taxis display a driver's name and license number, AAR should make the driver's identification readily available to passengers – including passengers who are visually impaired – so that they can report service – good or bad – without having to provide information that could potentially identify the complainant (e.g, pick-up location together with time and date of ride, etc.). This feedback would be invaluable in detecting and addressing deficiencies in service.
5. The MTA should enforce daily inspection requirements of buses to ensure that wheelchair lifts and other accessibility components are in working order before the buses leave the depots. Focus group participants in wheelchairs recalled being bypassed by buses with an explanation from the driver that a wheelchair lift is out of order, wheelchair ties were broken, or even that the driver did not know how to operate the wheelchair lifts. The MTA should examine their current policies and practices regarding inspections of accessibility features to better ensure that only buses with working accessibility components are cleared to leave the depot.
6. Subway platforms should be maintained regularly to ensure that the edges of platforms and staircases are conspicuous to people with visual impairments. Focus group

participants with visual impairments stressed the importance of conspicuous platform edges to ensure that subways are safe to use. The edges of platforms and stairs should be lined with bright yellow paint so that visually impaired individuals know when they are approaching the edge without creating a trip hazard for people with mobility impairments. Personnel should examine all stations for signs of diminishing visibility on a frequent and regular basis.

7. Transportation personnel who are assigned to direct subway passengers during times of evacuations or service changes should be trained to identify disabled passengers who may be in need of assistance. In instances of subway evacuations or sudden route changes, MTA personnel are sometimes present to offer assistance and direction to lost or confused passengers. However, those who are not capable of detecting what is going on in their immediate surroundings may be left behind if instructions over the PA system were unclear or inaudible. Designated MTA personnel whose job it is to direct passengers during these times should be trained to identify and assist disabled passengers to safety. In addition, all transportation personnel should always carry a notepad or some other equivalent means to communicate with hearing-impaired passengers while on duty.
8. Stricter enforcement is needed to ensure that, wherever possible, AAR drivers do everything within their power to facilitate a safe and easy entrance and exit for people with disabilities. Focus group participants spoke of AAR drivers who – citing company policy – refused to exit the vehicle to assist them and even deserted passengers in distressing and potentially dangerous situations. In fact, AAR policy does permit drivers to exit their vehicle to assist passengers as long as certain safety precautions are met.⁷¹ AAR should take necessary enforcement actions to make certain that drivers are properly assisting their passengers.
9. The TLC should make sure that taxi drivers are not discriminating against passengers with service animals or wheelchairs. Some focus group participants and advocates have reported being refused a ride by taxi drivers who objected to their service animals and one focus group participant reported being charged extra by a driver to transport her wheelchair. The TLC

⁷¹ MTA, “MTA Guide to Access-A-Ride.” <http://mta.info/nyct/paratran/guide.htm#complaint> (last accessed January 10, 2008).

should investigate further to assess the prevalence of any discriminatory practice, and take appropriate action.

10. The MTA should improve public outreach to educate riders about designated seating on buses and subways and encourage able-bodied passengers to yield their seats to disabled passengers. Focus group participants, particularly those with hidden disabilities, spoke of encounters with passengers who would not give up their seat when asked – even if a sign indicated that the seat was designated for the disabled or elderly. Notwithstanding the presence of such signs on buses and subways, the MTA should use its abundance of advertising space (e.g., the MTA website, billboards in subway stations and bus stops, electronic weekend service advisories, etc.) to remind able-bodied passengers about the intended purpose of seats that are designated for the elderly and people with disabilities. Outreach should also encourage passengers to be mindful that some disabilities are hidden.
11. All New York City agencies should assess their policies and procedures to make sure that their actions do not hinder people with disabilities from accessing public transportation, and implement changes as needed. Focus group participants complained of police officers in subway stations who questioned their disability status, sometimes in a manner that was perceived to be confrontational or hostile. Additionally, it was reported that during snow emergencies, Department of Sanitation employees do not always clear snow from bus shelters in a wide enough path to accommodate wheelchairs. All city agencies should evaluate their policies to make sure that they do not inhibit people with disabilities from accessing our public transportation system.
12. The MTA should work with advocacy groups and conduct public outreach to the increase public awareness of its MTA’s “Travel Training Program” for people with disabilities. The MTA offers a complimentary Travel Training Program to individuals with some disabilities on how to use subways and buses for recurring commutes. However, focus group conversations and meetings with advocates indicate that awareness of this program is limited. The MTA should do more outreach to ensure that people with disabilities are aware of the program’s existence and avail themselves of it.

In addition to the short-term, low-cost measures, the City Council is issuing the following longer-term recommendations, some of which may require significant planning and/or funding.

1. The MTA should expedite its efforts to make more subway stations accessible and adopt the goal of making all subway stations accessible to people with disabilities. At the current rate of station renovations, it will take more than 150 years to make all of New York City's subway stations accessible to people with disabilities. Lack of fully accessible underground transportation prevents many from participating in activities with the same degree of efficiency and spontaneity as those who have full access to the subway system. Continued inaccessibility has led, and will continue to lead, to an ever-increasing price tag to the City for its paratransit service. To the very best of its ability, the MTA should increase the speed at which it makes all subway stations accessible to the disabled.
2. The MTA expedite repairs for out-of-service elevators and escalators in subway stations. Focus group participants and advocates have long complained that the MTA does not repair elevators and escalators fast enough, rendering such stations inaccessible and complicating trip planning. Given the low number of accessible stations that currently exist, the MTA should significantly increase the speed at which broken elevators and escalators are repaired.
3. The TLC should make the entire fleet of yellow taxis accessible to people with disabilities and should work to improve accessibility within the hired-care industry. Currently, just over one percent of yellow cabs in New York City are wheelchair accessible. The TLC has escalated the replacement of current yellow taxis with fuel-efficient hybrids. Yet the pace at which accessible taxis are purchased in New York City remains sluggish, especially when compared to other international cities such as London (which has a fully accessible fleet), as well as Boston and San Francisco, which have more than one thousand accessible taxis in their fleets. The TLC should ensure that, as old taxis are taken out of circulation, their replacements are fully accessible to people with disabilities. In addition, the TLC should work with the FHV industry to improve accessibility among the FHVs and avoid measures that provide disincentives to car companies to expand their service to people with disabilities who need an accessible car.

4. AAR should work to fully implement a taxi-shift model to transport passengers who can safely ride in other vehicles. Currently, AAR contracts with some car services to provide occasional, supplemental coverage (e.g, for evening pick-ups in Staten Island or when a van does not arrive for a pick-up within a certain amount of time). While the MTA reports that transporting a passenger with an AAR vehicle costs the program approximately \$50 per passenger, per trip, many trips in a car service would cost significantly less. As such, AAR should work with other car services throughout the city to expand this model. In addition, AAR should work with the car services with which they currently contract to allow for passengers in Staten Island to travel to other boroughs by allowing the car services to bill AAR for the cost of the toll on the Verrazano Bridge.
5. AAR should expand its pilot program to equip vehicles with GPS. Focus group participants noted that in addition to waiting a long time to be picked up, drivers of AAR vans are not always knowledgeable enough of New York City streets and either get lost or take irrational routes that result in longer travel times. A new pilot program was reportedly implemented in September wherein 13 vans were equipped with GPS to allow dispatchers to track the vans to ensure that drivers are making their scheduled stops. All efforts should be made to expand this program if it is found to be successful.
6. The NYCT Paratransit Division should conduct a study of best practices among its contracted service providers to implement changes that would improve the administration of AAR. Focus group participants were frustrated at the inferior level of service provided to customers of AAR compared to the level of service provided to the general population using public transportation. However, many acknowledged the current need for paratransit and pointed to aspects of the service that work well. As the level of service provided by AAR is not, by most accounts, comparable to the level of service provided to the general public, the NYCT should conduct a best practices study, using the successful policies of its service providers to identify and expand AAR's strengths.
7. AAR should allow passengers to use MetroCards. Currently, AAR passengers can pay their \$2 fare in paper bills only. Focus group consumers of AAR recalled being inconvenienced by this policy when, after their AAR vehicle failed to show up, they decided to try the bus system –

only to realize that they lacked the change required for the bus. AAR's payment options should be streamlined with the MTA's to allow consumers to be more flexible, including allowing AAR consumers to pay their fare using a MetroCard.

8. Signs and announcements on buses and subways should be improved so that they are more accessible to people with disabilities. Currently, not all signs on buses, bus maps, and bus schedules are accessible to the visually impaired. Interviews with focus group participants and advocates indicated that signs within the public transportation system are inadequate to assist people with sensory disabilities. Maps, schedules and signs should be made accessible to people with visual disabilities. In addition, signs on buses should be posted at multiple locations so that people who are sitting in the middle and back of the bus are just as likely to see it as those in the front. All buses should post a sign on the windshield with the bus number in large, visually accessible print. All schedules, maps, and signs on buses should be in a format accessible to people with visual impairments. In addition, the MTA should continue replacing old subway cars with new cars that are equipped with computerized, digital stop announcements for those who are not able to hear audio announcements.
9. Taxis, buses and subways should be equipped with induction loops so that passengers who are hard-of-hearing are able to communicate with drivers. Currently passengers with hearing impairments find it difficult to communicate effectively with taxi drivers and bus drivers and cannot always understand announcements on subways and buses. Induction loops should be installed in buses, taxis, and subways to ensure that passengers can communicate and receive information effectively.
10. The MTA should ensure that all buses are equipped with an external auditory system. Some MTA buses, mostly those in Long Island, are equipped with an external auditory system that announces to passengers at a stop which bus is approaching. This feature is particularly useful for individuals with visual impairments who may not know if the bus that is approaching is the one they need. The MTA should ensure that, as existing buses are being upgraded and new buses are integrated into New York City's fleet, all are equipped with the external auditory system. Moreover, the MTA should ensure that these announcements are clearly audible but do not create excessive noise.

Appendix A
Focus Groups Consent Form

CONSENT TO PARTICIPATE IN NEW YORK CITY COUNCIL FOCUS GROUP

The purpose of this focus group is to gain a better understanding of the quality of the accessible transportation options available to New Yorkers with disabilities.

Please be advised of the following:

This focus group will be recorded using an audio recording device.

The New York City Council plans to publish a report addressing accessible transportation options. While the report will not identify participants by their full name, it may incorporate statements that participants make during the focus group and it may include demographic information about participants, such as age and the participant's disability.

The New York City Council is subject to the Freedom of Information Law, which requires governmental entities to disclose various types of information to the public and other governmental entities. If the New York City Council receives a Freedom of Information Law request concerning this focus group, it may be required to disclose participants' identity, any information provided by participants (including participants' contact information), and comments that participants make during the focus group.

I _____ will participate in the focus group; I am doing so voluntarily and assent to all of the conditions listed above.

Participant

Dated: _____, 2007

I am the parent/guardian of _____, who is under 18 years of age. I consent to my child's participation in the focus group and understand that my child is participating in this focus group voluntarily. I also consent to all of the conditions listed above.

Parent/Guardian

Dated: _____, 2007

Participant's address

Appendix B
Disabled Non-Participant Correspondence

Correspondence dated April 26, 2007:

“Due to the overwhelming response to these focus groups speaks volumes about the need for participation by the disabled community of NYC to be heard regarding accessibility issues in our city.

“I live in Manhattan. . .have Multiple Sclerosis X 32 years, have been relying on an electric mobility device since '00. I have used AAR since '95 in order to continue employment until 2004 when I retired on disability.

“My main issue re: transportation include: Difficulty accessing MTA buses with front loading ramps and passengers already on board with parcels obstructing the floor. As well as the lack of space to turn around to park scooter facing the door for expedited exit.

“The front loading buses which are environmentally efficient are not w/c/scooter accessible.

The rear loading buses are the most accessible in my opinion.”

“The lack of reciprocating curb cuts on Third, Park Ave South, Madison, Fifth and are inconsistent from Avenue to Avenue. i.e. 14th St SW corner Fifth Avenue not cut but cuts at other 3 corners. There needs to be a survey for consistency for safety. The entire borough needs to be assessed. Union Square Park needs cut at W 16th sidewalk to cross street. SEast 16th @ PAS needs cut to reciprocate to NE 16th St @ PAS.

“I would be willing to offer my experience and service to assist in making Manhattan more accessible.”

Manhattan, Multiple Sclerosis

Correspondence dated May 2, 2007:

“I find Subway trains such as the F, V, E, 7, and other trains where the stops are not automatically announced and done by the conductor hard to hear. The speakers are muffled or don’t work, the conductors sometimes don’t even say anything or the microphone is crackly. What makes it worse is if the noise from passengers is loud or another train goes by causing noise or people perform music on the train with instruments I find I can not hear any announcements. I find the best trains for announcements of stations is the 4, 5, 6, and L trains.

“Also I am concerned that there are no staff on the platform to help disabled people. In such countries as England there are staff who escort Disabled people onto the subway train and then radio through to the staff at the station where the disabled person is getting off at so those staff can assist the disabled person. This is a good thing especially if there is an emergency in the subway you need people to help the disabled and plus you would have packages on in the subway. I suggest you could use retired people, college students or people looking for volunteer work for their resume or just for the experience to help disabled in the subway. You could have a special disabled travelers unit of volunteers. Also may I add such countries as England and the City of London Disabled people ride the subway for free and buses for free, saves all the silly paper work and applications and when your disabled and on your own and have no one to help fill in these forms its very difficult.

“Another good idea for people who are visually impaired is to have bigger station signs that say uptown or downtown, or the name of the station, maybe big arrows to point the way, or just big lettering in general. And I do think there should be some sort of authority presence on the station platform just in case a disabled person falls in the track or has an accident. What they have in London’s subway stations are help points where you can press a button on the platform and speak to subway staff for assistance or help.

“I find the LIRR very good for disabled people with disabled seating and conductor help and clear announcements. Another thing on the subway trains bigger signs showing the seat is for disabled people because some people don’t realize they are sitting on them and its awkward to make them move.”

Queens, Blind

Correspondence dated April 20, 2007:

“I’d like to advise you that I will not be able to participate in the Transportation forum next week. The reason for this is that my power wheelchair is malfunctioning due to serious electronic circuitry problems which require that it needs to be serviced immediately. It will likely take at least a few weeks before I get it back. I do have a backup manual one but since I have a spinal injury on top of my primary condition of cerebral palsy, it is risky for me to venture out independently without a workable power chair.

“In lieu of my absence from the focus group, I’d like to raise some issues based on my experiences in riding the buses & dealing with the MTA.

“1) There should be a system wide continuous LED display of upcoming bus and subway stops and stations so that deaf/hard of hearing commuters can have a visual readout of basic information.

“2) The is training of bus drivers on securing wheelchairs to floor using restraining straps. However that activity varies from driver to driver. To minimize such variations, refresher courses on safety needs to be incorporated into curriculum.

“3) After entering buses with fold-out boarding ramps with a wheelchair, there needs to be sufficient turning space to turn, back up and parallel park into the niche created when the designated seats are folded up. Often, I have to request that passengers fully retract so I can pass through, avoiding having their toes squashed.

“4) Express buses to outer boroughs and ferry buses must be totally wheelchair accessible.

“5) Boarding ramps from dock to ferry must be sturdy & secure. The Circle Line is a good example that can be emulated.”

Manhattan, Cerebral Palsy, Spinal Condition

Correspondence dated April 25, 2007:

“Thank you for calling me about the focus groups. I am very sorry that I will not be able to attend. The reason shows exactly why the city needs to do so much more to see that transportation is accessible to people with disabilities. I rely on a scooter and can only use buses to get around, which is a slow way to get around and most impractical for great distances. Subway elevators and access-a-ride are notoriously unreliable. Unlike cities such as Las Vegas, taxis are not generally available here to people in wheelchairs. I would love to arrange for cabs to take me where the bus can’t. More has to be done to address these issues.”

Manhattan, Mobility Impairment

Correspondence dated April 18, 2007:

“I would like to suggest something that the groups might want to talk about. I object very strongly to able-bodied people parking their cars in Disabled Parking. The police do not seem to enforce it. These illegally parked cars should be towed and heavily fined. Thank you.”

Amputee

APPENDIX C
Demographic Characteristics of Focus Group Participants

Demographic Information of Focus Group Participants

In some cases, a participant may have identified with multiple categories (e.g., a wheelchair user who is also blind); therefore, the totals of some demographic headings equal more than the total number of participants (81).

<i>Types of Disability</i>	
<ul style="list-style-type: none"> ▪ Wheelchair users (18) ▪ Other mobility impairment (16) ▪ Blind (7) ▪ Low vision (7) ▪ Deaf (10) ▪ Hard-of-hearing (6) ▪ Learning disorder (2) ▪ Intellectual disability (8) ▪ Psychological disorder (1) 	<ul style="list-style-type: none"> ▪ Cardiac disorder (2) ▪ Respiratory illness (4) ▪ Auto-immune disorder (3) ▪ Temporary disability (1) ▪ Brain injury (1) ▪ Organ failure (3) ▪ Parkinson's Disease (1) ▪ Environment Disability (1) ▪ Other (2)
<i>Gender</i>	
<ul style="list-style-type: none"> ▪ Male (30) 	<ul style="list-style-type: none"> ▪ Female (51)
<i>Age</i>	
<ul style="list-style-type: none"> ▪ Under 18 years (1) ▪ 18-25 (21) ▪ 26-40 (13) 	<ul style="list-style-type: none"> ▪ 41-54 (22) ▪ 55-64 (14) ▪ 65 years and older (10)
<i>Race</i>	
<ul style="list-style-type: none"> ▪ White (34) ▪ Black (26) ▪ Latino (17) 	<ul style="list-style-type: none"> ▪ Asian (4) ▪ Native American (2) ▪ Other/Decline to answer (3)
<i>Employment</i>	
<ul style="list-style-type: none"> ▪ Working (21) 	<ul style="list-style-type: none"> ▪ Not working (60)
<i>Education</i>	
<ul style="list-style-type: none"> ▪ Some college (55) ▪ No college (24) 	<ul style="list-style-type: none"> ▪ Decline to answer (2)