

DISTRICT OF COLUMBIA
TAXICAB COMMISSION
DISABILITY ADVISORY
COMMITTEE

June 14, 2013

*Preliminary
Report on
Accessible
Taxicab Service*

EXECUTIVE SUMMARY

On July 10, 2012, the District of Columbia City Council passed the DC Taxicab Service Improvement Amendment Act of 2012 (DC Taxi Act) to improve taxicab service in the District. Section 20f of the Act addresses accessibility, requiring the DC Taxicab Commission to establish a Disability Taxicab Advisory Committee (the Committee) to advise the Commission on how to make taxicab service in the District more accessible to the people with disabilities. The Committee is mandated to transmit to the Mayor and to the Council a comprehensive report and recommendations on a range of subjects regarding accessible taxi service. This preliminary report addresses the first three sections of the comprehensive report: (A) the legal requirements for accessible taxicab service, (B) the need for accessible taxicab service in the District, and (C) how other jurisdictions are providing accessible taxicab service. Sections D through H, to be submitted later in the year, will address timetables and plans, potential funding sources, packages, and incentives, for increasing accessible taxi service in the District.

In 2012, taxis in the District of Columbia delivered an estimated 21 million tourists, business travelers, advocates, workers, and residents to their hotels, Hill visits, businesses, homes, places of worship, and other destinations. In the District of Columbia, the rights of people with disabilities visiting, living, or working in the District to access taxi and sedan services are guaranteed under the landmark Americans with Disabilities Act (ADA) and subsequent regulations, the more recent D.C. Taxicab Service Improvement Amendment Act of 2012 (DC Taxicab Act), and the DC Human Rights Act (DCHRA).

Taxis are an essential form of transportation, especially significant given that according to a 2002 study by the U.S. Bureau of Transportation Statistics, “6 million people with disabilities have difficulties obtaining the transportation they need. Four times as many disabled people as nondisabled people lack suitable transportation options to meet their daily mobility needs.” In DC, taxis are used for work and play, but can be crucial when the Metro is not functioning or when an elevator is broken and can be called on during local emergencies due to weather or other crisis, but are also frequently used for personal emergencies.

There are currently 20 wheelchair accessible taxis out of the approximately 6,500 taxis in the District that are running on a regular basis. The limited numbers of wheelchair accessible taxis remain a concrete barrier to taxi service for many people with disabilities who use motorized mobility devices or have difficulty transferring. An additional barrier to service is getting existing taxis, wheelchair accessible and sedans, to stop for people with disabilities.

There are efforts across the country by local advocates, city agencies and regional transportation agencies to increase the number of wheelchair accessible taxis. Wheelchair accessible taxi service can be found in Arlington, VA; Baltimore, MD; Chicago, IL; Fairfax, VA; Montgomery County, MD; New York, NY; P.G. County, MD; and San Francisco, CA. These jurisdictions are utilizing a combination of federal funds, tax credits, incentives, and governmental requirements to sustain and increase the number of wheelchair accessible taxicabs.

The Committee believes that a significant increase in accessible taxi service could have a measurable, beneficial impact on the lives of people with disabilities living, visiting and working in the District; on the taxi industry; and city as a whole.

Setting a long-term goal of a universally designed taxi system where any taxicab could transport any passenger, including passengers with any disability, is a progressive, exemplary, and necessary goal. This Committee will continue to work toward recommending a feasible, rational plan and timetable to meet this goal.

Contents

A.	THE LEGAL REQUIREMENTS FOR PROVIDING ACCESSIBLE TAXICAB SERVICE	4
I.	The ADA and Taxis	5
II.	Federal Laws & Opinions Requiring Purchase & Operation of Wheelchair Accessible Taxis.....	5
A.	The ADA	5
B.	Equivalent Service Requirements under the ADA.....	5
C.	New York City Taxis and Department of Justice (DOJ) Opinion on Wheelchair-Accessible Service	6
III.	DC Law Requiring Purchase & Operation of Wheelchair Accessible Taxis.....	6
A.	DC Taxi Act	6
B.	DC Human Rights Act	7
IV.	Accessible Taxi Service	7
A.	Service without Discrimination	7
B.	Passenger Use of Wheelchair Accessible Taxis	7
C.	Accessible Communication	8
D.	Training Requirements.....	8
E.	Street Hails and Priority for Wheelchair Users.....	8
F.	Dispatch Service for Wheelchair Accessible Taxis.....	8
V.	Financing & Partnering Requirements.....	9
A.	Financing Wheelchair Accessible Taxis	9
B.	Wheelchair Accessible Taxis for Paratransit & Education-Related Transportation.....	9
VI.	Wheelchair-Accessible Vehicle Requirements.....	9
A.	Wheelchair-Accessible Taxis Defined	9
B.	Space, Size, Securement & Lift Requirements for Accessible Vehicles.....	9
B.	THE NEED FOR ACCESSIBLE TAXICAB SERVICE IN THE DISTRICT	10
I.	People with Disabilities Need Increased Accessible Taxi Service.....	10
A.	The Need for Increased Wheelchair Accessible Taxi Service	10
B.	The Need for Increased Access to Taxi service for All People with Disabilities	11
II.	Accessible Taxi Service in the District	12
III.	Benefits of Increased Access to Taxi Service.....	14
IV.	Conclusion.....	14
C.	HOW OTHER JURISDICTIONS ARE PROVIDING ACCESSIBLE TAXI SERVICE.....	15
Accessible Taxicab Service Program Structures	15	
APPENDIX - A.....	20	
U.S. Code of Federal Regulations	20	
Title 49: Transportation.....	20	

Part 37: Transportation Services for Individuals with Disabilities (ADA)	20
APPENDIX – B	28
DC Taxicab Service Improvement Amendment Act of 2012 (relevant sections)	28
APPENDIX – C	34
DC Municipal Regulations	34
Title 4: Human Rights and Relations	34
Chapter 7: Private Complaints Alleging Unlawful Discriminatory Practices	34
APPENDIX – D	35
DC Code, DC Human Rights Law	35
Title 2: Government Administration	35
Chapter 14: Human Rights	35
DC CODE, DC Taxicabs and Public Vehicles for Hire Discrimination Law	35
Title: 31 Taxicabs and Public Vehicles for Hire	35
Chapter: 31-5 Taxicab Companies, Associations and Fleets Discrimination Prohibited	35
APPENDIX – E	37
Trips for Passengers Using Wheelchairs	37
APPENDIX - F	38
rollDC Response Time	38
APPENDIX – G	39
Accessible Taxi Use: Trips for Riders Using Wheelchairs as Percent of All Rider Trips on Accessible Taxis	39
ABOUT THE DC TAXICAB COMMISSION DISABILITY ADVISORY COMMITTEE	42
MEMBERS OF THE DC TAXICAB COMMISSION DISABILITY ADVISORY COMMITTEE	43

A. THE LEGAL REQUIREMENTS FOR PROVIDING ACCESSIBLE TAXICAB SERVICE

In 2012, taxis in the District of Columbia delivered an estimated 21 million¹ tourists, business travelers, advocates, workers, and residents to their hotels, Hill visits, businesses, homes, places of worship, and other destinations. People with disabilities who use motorized wheelchairs, mobility devices or service animals should be able to access this vital transportation service. In the District of Columbia, the rights of people with disabilities visiting, living, or working in the District to access taxi and sedan services are guaranteed under the landmark Americans with Disabilities Act (ADA) and subsequent regulations, the more recent D.C. Taxicab Service Improvement Amendment Act of 2012 (DC Taxi Act), and the DC Human Rights Act (DCHRA).

The ADA, passed in 1990, regulates taxis under its laws governing demand-responsive transportation, i.e., transportation that a consumer may receive on demand via a phone call, a hail, or through a web application. Under Title III of the ADA, private entities operating demand-responsive transportation (including limousines or sedans) are not required to purchase or drive wheelchair accessible sedan-style taxis. However, the ADA does stipulate that if the taxi owner purchases a new van that seats less than 8, including the driver, the van must be wheelchair accessible or the taxi operator must provide equivalent service to passengers who require wheelchair accessible service. The ADA also requires that any individual with a disability, even if they can walk or transfer from their wheelchair to their seat, must be allowed to board a wheelchair accessible taxi and may not be required to transfer to a seat. In addition to safety measures and rules regarding size, and safety equipment for wheelchair accessible vans, the ADA requires training for taxi employees in how to provide service to people with disabilities, accessible communication materials, and provision of service without discrimination.

The recently-passed DC Taxi Act does require an increasing percentage of vehicles owned by larger taxi fleets to be wheelchair accessible in the coming years. In addition, the DC Taxi Act provides new regulations for taxi employee training, responding to streets hails from people with disabilities, and dispatch service. It also requires the Taxi Commission to seek to partner with WMATA, the DC Office of the State Superintendent of Education, and any other governmental entity to provide accessible services using taxicabs. The Commission is required to report to the Council within 18 months of the Amendment Act on the status of agreements and the estimated cost savings. The Disability Advisory Committee (the Committee) is tasked with exploring and recommending (among other things): a timetable and plan to rapidly increase the number of accessible taxicabs to meet the need; a packages of loans, grants, incentives or other assistance for operators, associations or companies; and the means by which the District can achieve a fleet of 100% wheelchair accessible taxicabs.

The DC Human Rights Act prohibits discrimination on the basis of 19 classes, including disability. Not providing full access to every publicly-regulated transportation option to people in the District may violate the DCHRA. The District has been a leader in addressing inequality and discrimination amongst DC's diverse communities. The intent of the Council in passing the DCHRA was to "secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including ... discrimination by reason of ... disability." D.C. Code § 2-1401.01. Regarding public accommodations, the DCHRA prohibits any individual to "deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities privileges, advantages and accommodations of any place of public accommodations." Taxi companies are considered public accommodations under the DCHRA. *Mitchell v. DCX, Inc.*, 274 F.Supp.2d 33, 48 (D.D.C. 2003).

¹ The DC Taxi Commission (DCTC) has calculated an estimated 21 million total rides in DC based on market research. However, within 3 to 6 months of installing the new Modern Taximeter System DCTC expects to obtain data that should allow more in depth knowledge of DC taxi service.

Following are more detailed descriptions of the legal requirements for providing accessible taxi service. Unless otherwise stated, requirements fall under the ADA. Initial work on this section began with a close reading of the Easter Seals Project ACTION and Taxicab, Limousine & Paratransit Association (TLPA) document, *The Americans with Disabilities Act and You: Frequently Asked Questions on Taxicab Service* (2007).ⁱ We acknowledge the efforts of Easter Seals and the TLPA, and credit them for providing a foundation for what follows. Full text of the relevant Code of Federal Regulations sections, the Accessibility Section of the DC Taxicab Act, and the DC Human Rights Act are provided in Appendices A, B and C.

I. The ADA and Taxis

Providers of taxi service (whether an individual taxi owner or taxi company with a fleet) must comply with ADA requirements as private entities primarily engaged in the business of transporting people that provide demand-responsive transportation.ⁱⁱ With demand-responsive service, the customer is provided transportation along a non-prescribed route.^{iii,iv} Limousine and sedan services are also considered demand-responsive and must comply with ADA requirements. While the ADA does not require taxi companies operating sedan-style taxis to be wheelchair accessible, there is a wheelchair accessible requirement for vans. There are also a number of important accessibility and non-discrimination measures that taxi companies must adhere to; including training, providing accessible communication and service. These additional requirements are described below.

II. Federal Laws & Opinions Requiring Purchase & Operation of Wheelchair Accessible Taxis

A. The ADA

Under the ADA, a taxi company is not required to purchase wheelchair accessible vehicles when purchasing new sedan-style taxis, and is not required to have a certain number of accessible vehicles in its fleet.^v

However, if a taxi company purchases or leases a van with a seating capacity of fewer than eight persons (including the driver), the vehicle must be wheelchair accessible, unless the company is providing “equivalent service”.^{vi} The Americans with Disabilities Act does not define what is classified as a “van,” nor do the implementing regulations.

B. Equivalent Service Requirements under the ADA

Equivalent service, according to 49 CFR § 37.105 (1991), “is provided [to individuals with disabilities] in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) (1) Schedules/headways (if the system is fixed route);
(2) Response time (if the system is demand responsive);
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Availability of information;
- (f) Reservations capability (if the system is demand responsive);
- (g) Any constraints on capacity or service availability;
- (h) Restrictions/priorities based on trip purpose (if the system is demand responsive).”

An equivalent taxi service would arrive in the same amount of time, charge the same rate, and could be reserved in the same ways (over the phone, via an app, etc). The ADA allows contracting with other companies to provide equivalent service. Publicly operated accessible buses and paratransit do not suffice as an equivalent service for taxis. If taxi operators purchase new vans that are not accessible to people with disabilities, they must provide “equivalent service.”

C. New York City Taxicab and Department of Justice (DOJ) Opinion on Wheelchair Accessible Service

In October 2011, the DOJ filed a statement of interest in support of a January 2011 lawsuit filed against the New York City Taxicab and Limousine Commission (TLC).^[1] The DOJ claimed that every taxicab in NYC should be accessible because the TLC, a city agency, set fares, cited vehicle types, set qualifications for drivers, and sold medallions so that the city was “operating” a demand responsive system. A public entity operating a demand-responsive system would fall under ADA Title II regulations as public transportation operated by a public entity required to provide wheelchair accessible service.^[2] The US Southern District of NY disagreed with the DOJ’s claim that the TLC was in violation of Title II subtitle B, but did find that the TLC was violating Title II, subtitle A’s prohibition against discrimination. The Judge’s ruling required the TLC to provide meaningful access. The TLC appealed, and the US Court of Appeals for the Second Circuit reversed the decision, sending the case back to the Southern District.

In early April, 2013, advocates successfully amended the lawsuit, adding a new claim that taxicabs like the TLC-designed Taxicab of Tomorrow, the Nissan NV-200 are vans and have to be accessible pursuant to US DOT’s ADA regulations. This case is currently on remand before the United States District Court of the Southern District of New York.

The recent DC Taxicab Act seeks to modernize DC’s taxicab fleet through regulations. The Americans with Disabilities Act explicitly states that it “should not be construed to invalidate or limit the remedies, rights and procedures of any ... law of any State or political subdivision of any State or jurisdiction that provides greater or equal protection for the rights of individuals with disabilities than are afforded” by the ADA. 42 U.S.C. § 12201(b). Therefore, the District of Columbia may provide additional protections for people with disabilities relating to taxicabs, and has done so through the DCHRA and the DC Taxicab Act.

III. DC Law Requiring Purchase & Operation of Wheelchair Accessible Taxicabs

A. DC Taxicab Act

Under the DC Taxicab Act, each taxicab company with 20 or more taxicabs in its fleet as of July 1, 2012, will be required to dedicate a portion of its fleet to wheelchair accessible taxicabs: 6 percent by December 31, 2014; 12 percent by December 31, 2016; and 20 percent by December 31, 2018. The Commission may withhold license renewals for those companies that do not comply.^{vii} Current DC (and federal) law does not provide a defense that would allow covered companies to avoid this requirement

A taxicab company is defined as “any person, partnership, or corporation engaging in the business of owning and operating a fleet or fleets of taxicabs having a uniform logo or insignia. A company must have a minimum of 20 taxicabs having a uniform logo or insignia and having unified control by ownership or by the company.”

The DC taxicab industry is comprised of a few larger companies, associations of owners, and many individual independent owner-operators. Independent owner-operators may affiliate with a company for services, such as dispatch, or the use of a company’s logo or insignia. A company may have difficulty requiring upgrades to vehicles of independent owner-operators who merely affiliate with the company. An amendment to the DC Taxicab Act, introduced by Councilmember Cheh and adopted by the Council, amended certain requirements for accessibility. In the Explanation and Rationale section of the adopted amendment, the purpose of the amendment, in part, was to clarify that “the requirement for taxicab fleets to increase the number of wheelchair accessible vehicles applies only to fleets owned by companies, not taxicabs owned by individual drivers, even if they are associated with a company.”

According to the DC Taxicab Act, the percentages may be increased based on the recommendations of the Committee and the need for accessible service. Future sections of the Committee report to the Council will include: a timetable and plan to rapidly increase the number of accessible taxicabs to meet the need of

accessible taxicabs in the District; recommended loans, grants, incentives or other assistance for operators, associations or companies; and the means by which the District can achieve a fleet of 100% wheelchair accessible taxicabs.

In addition, the DC Taxi Act amended the Regulation of Taxicabs purposes to include, “provi(sion of) specific policies and programs to increase wheelchair accessible taxicab service to the disabled throughout the District.”

B. DC Human Rights Act

In addition, the DC Human Rights Act prohibits discrimination on the basis of 19 classes, including disability.^{viii} Not providing full access to every publicly-regulated transportation option to people in the District may violate the DCHRA. The District has been a leader in addressing inequality and discrimination amongst DC’s diverse communities.² The intent of the Council in passing the DCHRA was to “secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including ... discrimination by reason of ... disability.” D.C. Code § 2-1401.01. Regarding public accommodations, the DCHRA prohibits any individual to “deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities privileges, advantages and accommodations of any place of public accommodations.” Taxi companies are considered public accommodations under the DCHRA. *Mitchell v. DCX, Inc.*, 274 F.Supp.2d 33, 48 (D.D.C. 2003).

IV. Accessible Taxi Service

Accessible taxi service is a broad concept that may refer to a taxi that is: accessible to wheelchairs and mobility devices via a ramp; provides accessible materials; accommodations for additional equipment or service animals; as well as service without discrimination. There are a number of provisions under the ADA and the DC Taxi Act which ensure accessibility without discrimination.

A. Service without Discrimination

Under the ADA, taxi companies and drivers may not discriminate against people with disabilities.^{ix} Examples of discriminatory service include:

- Denying service to people with disabilities
- Charging higher fees or fares to people with disabilities
- Denying a ride to a potential passenger with a service animal
- Refusing to help with stowing wheelchairs or other mobility devices

The DC Human Rights Act, found in the DC Code Title 4, Chapter 7, and the DC Taxi Commission anti-discrimination policy, DC Code Title 31, Chapter 5, prohibit discrimination based on disability (among 18 other classes). Taxi service is considered a public accommodation under the DC Human Rights Act. Discrimination under the DC Taxi code includes, but is not limited to: not picking up a passenger based on a trait; requesting that a passenger get out of the cab based on a trait; using derogatory or harassing language; refusing to pick up a passenger who uses a service or comfort animal; and charging higher fees or fares. Passengers who are discriminated against may file a complaint with the U.S. Department of Justice, Civil Rights Division, Disability Rights Section, the DC Office of Human rights, and the DC Taxicab Commission.

B. Passenger Use of Wheelchair Accessible Taxis

If a taxi company or driver is using a wheelchair accessible cab, the taxi company or driver must allow “individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle’s lift or ramp to

² See “D.C. Launches Campaign To Fight Transgender Discrimination,” by Patrick Madden, aired on WAMU 88.5, September 13, 2012, accessed at http://wamu.org/news/12/09/13/dc_launches_campaign_to_fight_transgender_discrimination

enter the vehicle,” unless the lift is a Model 141 manufactured by EEC, Inc. If the taxi company chooses not to allow such individuals to use a lift Model 141 manufactured by EEC, Inc., they must notify customers with a sign on the outside of the taxi.^x A taxi operator or driver may recommend, but may *not* require, that a wheelchair user transfer to a seat.^{xi}

C. Accessible Communication

Under the ADA, taxi companies must make communication concerning transportation services “available, through accessible formats and technology, to enable users to obtain information and schedule service.”^{xii}

Accessible communication would include dispatching that is accessible to deaf callers and accessible to blind web-users if reservations are made online or via a smart phone app.

D. Training Requirements

Taxi companies must ensure that personnel are trained to proficiency. All personnel, including both drivers and dispatchers, must be trained as appropriate to their duties. Personnel must be able to operate the vehicle and equipment safely, and must treat people “in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.”^{xiii}

The DC Taxi Act requires that all DC drivers who operate wheelchair accessible taxicabs receive training in how to properly use the equipment and work with disabled passengers. The training will be coordinated through the Commission or taxicab companies.^{xiv}

E. Street Hails and Priority for Wheelchair Users

Under the DC Taxi Act, every taxi driver (including those driving a taxi that is not accessible to wheelchair users) not transporting a fare or responding to a call is required to: stop and ask a passenger in a wheelchair or mobility device who is attempting to street hail if they would like to ride in their taxi, or, contact their dispatch service and request a wheelchair accessible taxi if they are affiliated with a company that provides that service. Every licensed taxicab operator accepting fares and once dispatched to a call from a passenger using a wheelchair may not accept any other fare while traveling to the fare.^{xv}

If a person with a disability believes a taxi driver has violated these requirements under the DC Taxi Act, they may file a complaint with the DC Office of Human Rights (OHR) or the DC Taxicab Commission.

F. Dispatch Service for Wheelchair Accessible Taxis

Under the DC Taxi Act, Section 20f(h), any individual or company that owns, leases, rents, or operates wheelchair accessible taxicabs subsidized by the District must:

- Operate wheelchair-accessible taxicabs equipped with dispatch technology and maintain the capacity to communicate with every wheelchair-accessible taxi operating under its service;
- Grant priority to requests from passengers who use wheelchairs, and once dispatched to a call from a passenger using a wheelchair, shall not accept any other fare while travelling to the fare; provided, that in the absence of a request for service to a passenger who uses a wheelchair, a wheelchair-accessible taxicab operator may transport any person;
- Promptly dispatch a wheelchair-accessible taxicab in response to a wheelchair-accessible taxicab service request. If a wheelchair-accessible vehicle cannot be dispatched within 20 minutes, dispatch must call another company with wheelchair-accessible vehicles to handle the request, and contact the customer with the name and telephone number of the dispatch service for the available wheelchair-accessible taxicab. If no wheelchair-accessible taxicabs are currently available to respond to a customer’s request, dispatch shall notify the customer and record the customer’s name and phone number and the names of the other dispatch services contacted; and

- Record all requests for wheelchair-accessible taxi service, noting the date and time of the request for service, the service address, the vehicle number dispatched, and the time that the wheelchair-accessible taxicab was dispatched to respond to the call.

V. Financing & Partnering Requirements

A. Financing Wheelchair Accessible Taxis

The DC Taxi Act requires the Commission, along with the Committee and the District’s CFO, to develop a program to provide grants, loans, and other types of financial assistance and incentives to applicants and owners of licensed taxicabs to offset the cost of buying, retrofitting, maintaining, and operating a vehicle for use as a wheelchair accessible taxicab.^{xvi}

The DC Taxi Act creates a Public Vehicles-for-Hire Consumer Service Fund. The fund consists of a passenger surcharge, a Commission license fee, and funds from the Department of Motor Vehicles’ Out-Of-State Vehicle Registration Special Fund. The funds may be used by the Commission to provide grants, loans, incentives, or other financial assistance to taxicab owners to offset the cost of acquiring, maintaining, and operating wheelchair accessible vehicles. The funds may also be used to provide a taxicab fare discount for low-income senior citizens aged 65 years and older and persons with disabilities.

B. Wheelchair Accessible Taxis for Paratransit & Education-Related Transportation

The DC Taxi Act requires the Commission to seek to partner with the Washington Metropolitan Area Transit Authority, the Office of the State Superintendent of Education, and any other governmental entity to provide accessible transportation services using taxicabs. The Commission is required to report to the Council within 18 months of the Amendment Act on the status of agreements and the estimated cost savings.^{xvii}

VI. Wheelchair Accessible Vehicle Requirements

A. Wheelchair Accessible Taxis Defined

Under the DC Taxi Act, wheelchair accessible taxis must (1) accommodate wheelchair and personal mobility devices up to 30 inches in width; (2) Have rear-entry or side-entry ramps or lifts; (3) Have safety devices to secure the wheelchair or personal mobility device to the vehicle and protect the passenger; and (4) Display the international wheelchair insignia (ie, the International Symbol of Access) or other insignia approved by the Commission in at least 2 prominent locations on the outside of the vehicle.^{xviii}

B. Space, Size, Securement & Lift Requirements for Accessible Vehicles

The Department of Transportation’s ADA regulations provide detailed specifications for transportation vehicles required to be accessible by the ADA under part 37, including vans used by taxi companies. Select specifications are below.

For vehicles (such as vans used as taxis) of 22 feet in length or less, the overhead clearance between the top of the door opening and the raised lift platform, or highest point of a ramp, shall be a minimum of 56 inches.^{xix}

For reference, common taxicabs including the Ford Crown Victoria, Dodge Caravan and MV1 are roughly 17-18 feet.^{xx,xxi,xxii}

Vans 22 feet in length or less are required to have at least one securement location and device, complying with paragraph (d) of the section.^{xxiii} A seatbelt and shoulder harness are also required and may “not be used in lieu of a device which secures the wheelchair or mobility aid itself.”^{xxiv}

A company’s policy must require drivers to assist people with disabilities with the use of securement systems, ramps and lifts, when necessary or upon request. If it is necessary for the driver to leave her seat to provide the required assistance, she should do so.^{xxv}

Wheelchair and mobility aid users may board facing either inboard or outboard.^{xxvi} Taxi drivers must allow persons using walkers, crutches, canes or braces or who otherwise have difficulty using steps to board via the lift.^{xxvii}

B. THE NEED FOR ACCESSIBLE TAXICAB SERVICE IN THE DISTRICT

According to a National Council on Disability (NCD) report,³ “Taxicabs are a significant form of transportation used by people with disabilities. Many disabled individuals who cannot drive, or who cannot afford their own cars, make extensive use of taxis. Some advantages of taxi travel, as seen by many people with disabilities, are that taxis are generally available 24 hours a day, they generally do not need to be scheduled far in advance, and they closely resemble travel in a private vehicle. Service is direct, without detours to serve other passengers, as is often the case with paratransit service.”^{xxviii}

Taxi service can be crucial when the Metro is not functioning or when an elevator is broken. Taxis are a convenient service when travelling with luggage or bulky items, and are vital when there is an emergency. Taxis can be called on during local emergencies due to weather or other crisis, but are also frequently used for personal emergencies.

I. People with Disabilities Need Increased Accessible Taxi Service

According to the NCD, “A national study conducted by the U.S. Bureau of Transportation Statistics in 2002 found that 6 million people with disabilities have difficulties obtaining the transportation they need. Four times as many disabled people as nondisabled people lack suitable transportation options to meet their daily mobility needs.”^{xxix}

A. The Need for Increased Wheelchair Accessible Taxi Service

There are efforts across the country by local advocates, city agencies and regional transportation agencies to increase the number of wheelchair accessible taxis (See Section C of this report: *Accessible Taxi Service in Other Jurisdictions*). rollDC, a pilot program kick-started by the National Capital Region Transportation Planning Board, and administered by the Metropolitan Washington Council of Governments, has provided limited, though high-quality wheelchair accessible taxi service in DC since 2010. Data from the pilot program will be reviewed in the following pages.

Wheelchair accessible taxis are essential for people who use motorized wheelchairs or mobility devices, but can be essential for others as well. For many manual wheelchair users, or individuals using other mobility devices, standard taxis may be an option, but transferring to a taxi seat can be cumbersome or even dangerous, leading to greater strain on the body and increased health concerns. Assisting passengers with stowage of wheelchairs and other mobility devices in taxis can also be potentially dangerous to taxi drivers who are older adults or who have health concerns. As the nation’s elderly population continues to grow, the need for safe taxi options will continue to increase.

³ According to the NCD website, “NCD is an independent federal agency charged with advising the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities. NCD is comprised of a team of fifteen Presidential appointees, an Executive Director appointed by the Chairman, and eleven, full-time professional staff.” (see <http://www.ncd.gov/about>)

Currently, only 20 out of the approximately 6,500 taxicabs⁴ that are currently running on a regular basis are fully accessible to wheelchair users and other individuals with mobility disabilities who live, work, and travel in and around Washington, DC. There are more than 6,500 licensed drivers in the District, but not all are operating regularly. Based on the estimated number of cabs running regularly, 0.3% are wheelchair accessible. The District's residents, workers, and visitors who require or would benefit from wheelchair accessible taxis have very limited access to taxi service available to all other residents and visitors across DC.

DC's MetroAccess is a government subsidized program which, according to its website, is "a shared-ride, door-to-door, paratransit service for people whose disability prevents them from using bus or rail."^{xxx} As such, it is not an equivalent service to taxis as MetroAccess utilizes a shared-ride model and requires a minimum of 24 hour advanced booking.

In addition, while paratransit can be used by District residents, it generally is not available for use by visitors unless they already receive qualified paratransit services in a reciprocal city. Moreover, MetroAccess is not a practical service for individuals who come to the District to conduct business, since paratransit rides need to be scheduled far in advance, are not easy to change, and are very limited in availability. The lack of wheelchair accessible taxis can lead people with disabilities to rely on less convenient paratransit systems such as MetroAccess.

Finally, we note that the DCTC Chairman has expressed his support for increased taxi accessibility. In a September 24, 2012 DC Council Committee on the Environment, Public Works and Transportation hearing, Chairman Linton stated, "I personally believe that all taxicabs licensed by the commission for the purpose of street hails should be wheelchair accessible, but it is critical for the commission to develop as rapidly as feasible a rational means of meeting this objective."^{xxxi} A video of the hearing is available on the DC Council's website in the DC Council Hearings Archive.

B. The Need for Increased Access to Taxi service for All People with Disabilities

The limited numbers of wheelchair accessible taxis remain a concrete barrier to taxi service for many people with disabilities who use motorized mobility devices or have difficulty transferring. Getting existing taxis, wheelchair accessible and sedan, to stop for people with disabilities who are hailing is an additional barrier to service.

In a recent May 2013 W*USA 9 story, investigative reporter Russ Ptacek tested taxi drivers' reactions to people who use service dogs and manual wheelchairs.^{xxxii} Ptacek found that many drivers did not stop and offer service to these individuals attempting to hail a cab on the street. Though Ptacek's survey was not scientific, Ptacek does refer to a 2010 Equal Rights Center (ERC) report on discrimination by DC taxi drivers against people who use service dogs. According to the report, a blind tester was discriminated against in 60% of tests conducted by the ERC.^{xxxiii}

As noted in Section A of this report (*Legal Requirements for Accessible Taxi Service*), the recently passed DC Taxi Act requires all DC taxi drivers who are not already providing service, or on their way to a fare, to stop for a person with a disability who is hailing. The driver is required to ask if the potential passenger would like a ride. If the passenger needs a wheelchair accessible taxi and the driver's company participates in rollDC, the driver must call the dispatch service. The Americans with Disabilities Act (ADA) and the DC Human Rights Act also require drivers to stop for all passengers with disabilities.

According to some members of the Committee representing the taxi industry, there is a lack of knowledge amongst DC cab drivers regarding the legal obligation to pick up passengers. ADA compliance is not

⁴ Total taxicab figures are the industry estimation according to Committee taxi industry representatives. The DCTC does not know the exact number of taxicabs in use today. The Modern TaxiMeter System may provide this data in the future.

thoroughly covered in the DC taxi driver training curriculum. Additional training on ADA compliance and passenger sensitivity could create greater access to taxis and will be covered in later sections of this report.

DC is not alone. The NCD reports, “problems of discrimination in taxi service [across the country] continue to be reported. People with disabilities who use service animals, particularly people with visual impairments, face a variety of problems using taxis. And in some cities, individuals with a variety of disabilities—wheelchair users, users of crutches, and blind people, among others—are often passed up by taxicabs.”^{xxxiv}

Access to transportation is a civil and human right that is unattainable to many. What follows is a quantitative review of wheelchair accessible taxi service provided in DC to date, as well as benefits of increased accessible taxi service.

II. Accessible Taxi Service in the District

The District of Columbia remains a fast-growing metropolitan area with a large influx of domestic and international tourists, all in need of transportation services. While most of the fixed rail and route transportation system is wheelchair accessible, some areas of the District remain difficult to access with public transportation.^{5,xxxv} Direct transportation service without multiple stops or advanced reservations is a necessity for personal and business use, both for people with disabilities and those without, making the District’s taxis an essential piece of the transportation network.

Millions of residents and visitors with disabilities use transportation in the District each year. Many of the District’s residents and workers use accessible transportation for crucial purposes such as work, school or healthcare. Of the District’s estimated 608,165 non-institutionalized residents, 67,435 (11.1 percent) have a disability, according to the 2011 American Community Survey (ACS).^{6,xxxvi,xxxvii} Other estimates are significantly higher. The DC Office of Disability Rights estimates that 20 percent of the District’s population has a disability,⁷ or approximately 129,654 individuals.^{xxxviii} An estimated 2.1 million of the District’s 17.9 million tourists are visitors with disabilities,⁸ making the influx of visitors for conferences and sightseeing an important consideration.^{xxxix} Being an international city, it’s important to consider the needs and perceptions of international visitors who assist the economy with trips for business, tourism and government affairs.

Significantly, 21 percent of trips made by wheelchair users in wheelchair accessible cabs are work or school related, and 35 percent health related.^{xi} Yet this likely understates the degree to which District residents with wheelchairs rely on taxis for crucial purposes such as work, school or healthcare, given 35 percent of all wheelchair users in accessible taxis are visitors not from the DC metropolitan area. Because such visitors are less likely to be using taxis for these crucial purposes, the percentage of trips by District residents in wheelchairs for crucial purposes is likely much higher than the aforementioned 56 percent.^{xii}

While taxi service is an important mode of transit for people with disabilities in the District, an analysis of five municipalities⁹ for which accessible taxi and ACS data is available shows the District has an extremely small

⁵ A 2009 Washington Metropolitan Area Transit Authority (WMATA) and the District Department of Transportation report identified isolated neighborhoods and current and predicted gaps in service. Population and employment growth, accessibility (ie, proximity of business and residents to transit stops or stations), average travel speeds (ie, time for a transit trip), and number of transfers contribute to isolation and gaps. The report identified 16 areas with transit accessibility issues because they are farther than one-eighth of a mile (the standard for persons with disabilities) from businesses or residences.

⁶ The American Community Survey defines the institutionalized population as “persons residing in institutional group quarters such as adult correctional facilities, juvenile facilities, skilled-nursing facilities, and other institutional facilities such as mental (psychiatric) hospitals and in-patient hospice facilities.”

⁷ Estimation includes people with HIV/AIDS, diabetes and cancer.

⁸ Estimation assumes the number of visitors with disabilities reflects the overall US population with disabilities, using American Community Survey data from 2011.

⁹ The five municipalities are Arlington, VA; Baltimore, MD; Chicago, IL; New York, NY; and San Francisco, CA

percentage of accessible taxis compared to other jurisdictions.^{10,xlii,xliii,xliv} One-third of one percent of District taxis (20 total) are accessible, compared to nine-tenths of one percent in Baltimore, 1.8 percent in New York City, 2.6 percent in Chicago, 4.9 percent in Arlington, and 6.8 percent in San Francisco.^{xlv} The District’s disproportionately small number of wheelchair accessible taxis is unrelated to its population, as the percentage of people with disabilities in the District is the same or larger than any of the five municipalities, with the exception of Baltimore (Table A).

Table A: Accessible Taxis and Population with Disability by Municipality^{xlvi}

	Population	Total Taxis	# of Accessible Taxis	% of Accessible Taxis	% of Population w/ Disability ^{11,xlvii}	% with Ambulatory Disability*	% with Vision Difficulty**
District of Columbia	608,165	6,500	20	0.3%	11.1%	6.1%	2.4%
Arlington CDP, VA	212,598	757	37	4.9%	5.2%	2.8%	1.2%
Baltimore	610,804	1,074	10	0.9%	15.6%	9.0%	3.4%
Chicago	2,684,882	6,722	172	2.6%	11.1%	6.4%	0.6%
New York City	8,180,575	13,237	233	1.8%	10.3%	6.2%	2.0%
San Francisco	807,662	1,477	100	6.8%	10.4%	5.8%	2.1%

*Ambulatory Disability is based on the ACS survey question: “Does this person have serious difficulty walking or climbing stairs?”

**Vision Difficulty is described as “blind or having serious difficulty seeing, even when wearing glasses.”

The relatively small number of accessible taxis on District streets is reflected in the difficulty of hailing an accessible taxi for on-demand transportation. An average 3.6 percent of wheelchair user trips originated from a street hail between February 2010 and October 2012, according to rollDC data (Appendix A).^{xlviii} This number is a likely indicator of the confidence wheelchair users have in successfully hailing an accessible taxi in a reasonable amount of time. An average 86.8 percent of wheelchair user trips originated from dispatch during that same time period.^{xlix} Although average wait times for trips requested as soon as possible (ASAP) dispatch trips fluctuated tremendously – from as short a wait as one minute to as long as 1.5 hours or more – the average wait time per month¹² for an accessible cab from dispatch was 27 minutes (Appendix B).^l Nearly all pre-booked trips arrived to pick up the passenger with wheelchair either on-time or early.^{li}

Yet the ASAP wait time persists even though the number of accessible taxis nearly doubling – from 11 to 20 – between February 2010 and October 2012. During this period, wheelchair accessible taxis have been increasingly utilized by passengers with wheelchairs (Appendix C). About 3.9 percent of wheelchair accessible taxi trips were for passengers with wheelchairs in 2010 (approximately 354 average trips per month), growing

¹⁰ Note that there are considerable differences between DC’s taxi industry and industries in other cities. According to a 2007 report, *Entry Controls in Taxi Regulation*, the District’s taxi industry is unique among larger cities in the U.S. DC has no limits on the numbers of taxis that can run, and open entry for new companies or drivers. Other major cities which are listed in Table A, like New York City and Chicago, are closed entry, require the purchase of a medallion or permit which can be expensive and difficult to obtain.

In addition, in larger cities like New York, a single taxi may be on the road continuously. According to a 2006 report, *The New York City Taxicab Fact Book*, “Four in ten owner-drivers lease their cabs to other driver(s) for a second shift.” In the case of companies who lease long-term “Typically, the cab [leased from a company to a driver long-term] is leased to two drivers who arrange to pass the vehicle back and forth at the end of each 12-hour shift.” (p. 31). However, under DC Regulations (Title 31, 822-12), a taxicab may not be operated for more than 16 hours in a 24 hour period. In addition, a taxi driver may not drive more than 12 hours at a time in a 24 hour period, unless the driving time is broken by a period of eight hours of continuous rest. According to taxi industry representatives on the Committee, including representatives from the two largest companies in the District: companies rent to one driver on a weekly basis, the driver sets their own work schedule, and are not allowed to sub-rent the vehicle; and independent owner/operators, who comprise a majority of the taxi industry in the District, drive their own vehicles, set their own work schedule, and do not sub-rent their vehicles. DC taxi regulation and industry practices make it extremely likely that less than 20 accessible cabs are operating at any given time.

¹¹ The American Community Survey defines disability as “A long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.”

¹² Royal cab’s average wait time per month is 31 minutes, while Yellow cab’s is 22 minutes.

to 6.2 percent in 2011 and 7.8 percent in 2012 (approximately 452 average trips per month).ⁱⁱⁱ Advocates believe the increased use of accessible taxis by passengers with wheelchairs is a reflection of growing awareness about their availability, and that additional awareness efforts and opportunities for on-demand service such as hailing will increase these numbers further.

III. Benefits of Increased Access to Taxi Service

Increased access to taxis could allow Washington, DC residents and visitors with disabilities to travel to medical appointments and spend time with friends, as well as engage more fully in: work; recreation; religious communities; education; and other components of a full life that many take for granted. For example, the wheelchair accessible taxi used in rollDC allows passengers who use mobility equipment to travel with coworkers, family members, and friends who do not require a ramped vehicle.

Future universally designed (that is, taxis designed for use by any passenger) wheelchair accessible taxis that are low to the ground could offer increased space in the main passenger compartment that would allow many benefits. These benefits could include: allowing more than one person who uses a wheelchair and does not transfer to travel at a time; greater leg space for all passengers; and the ability for parents with strollers or passengers with other mobility devices such as canes, or walkers, to travel with their equipment without having to store it in the trunk.¹³ Future taxi manufacturers may also find a way to provide the necessary space to accommodate any passenger while conserving energy, lessening the impact on the environment.

Increased numbers of wheelchair accessible taxis and access to taxi service could also benefit the taxi industry. There is potential for increased profit and ridership, the ability to service more riders, and create more jobs. Please note; however, that while industry representatives on the Committee support increased numbers of wheelchair accessible taxis and access to services, there are Committee concerns. Funding will be required for wheelchair accessible vehicle costs, start-up costs, and potential needs for ongoing operating costs. In addition, training will be required, and enforcement will be necessary. The Committee will address funding, training and enforcement needs in later sections of this report.

The Committee also believes that a significant increase in accessible taxi service could have a measurable, beneficial impact on the city as a whole. A larger fleet of wheelchair accessible taxis would increase transportation options for individuals with disabilities, particularly those with mobility impairments, and would be an incentive to encourage people with disabilities (and their families) to visit, hold conventions and conferences in Washington, DC, increasing revenue for the hospitality, restaurants, other businesses and the city.

IV. Conclusion

It is critical that DC increases the number of wheelchair accessible taxis and access to taxi service to meet the current and future demands of individuals with disabilities who live in, work in, or visit the city. Setting a long-term goal of a universally designed taxi system where any taxicab could transport any passenger, including passengers with any disability, is a progressive, exemplary, and necessary goal. This Committee will continue to work toward recommending a feasible, rational plan and timetable to meet this goal.

¹³ According to the Ron Mace, founder of the North Carolina State University Center for Universal Design “Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.” (Retrieved from http://www.ncsu.edu/www/ncsu/design/sod5/cud/about_us/usronmace.htm) Dropped sidewalk curbs, a standard used around the world to make sidewalks accessible for all, and closed captioning initially provided for persons who are deaf or hard of hearing and now used in bars and airports, are two examples of accommodations created for people with disabilities, now used by all.

C. HOW OTHER JURISDICTIONS ARE PROVIDING ACCESSIBLE TAXI SERVICE

Many jurisdictions throughout the U.S. are utilizing a combination of federal funds, tax credits, incentives, and governmental requirements to increase the number of accessible taxis. Cities are also supplementing rides for people with disabilities through the use of paratransit and contract transportation service providers.

Table B: City and States Assessed

City & State	Population	Accessible Taxi Service Began	Number of Taxis	Number of Accessible Taxis
Arlington, VA	221,045	1996	757	37
Baltimore, MD	621,342	Unavailable	1074	10
Chicago, IL	2,707,120	2000	6,722	141
Fairfax Co, VA	1,118,602	Unavailable	Unavailable	Unavailable
Montgomery Co., MD	989,794	Unavailable	770	48
New York, NY	8,244,910	2012	13,237	233
P. G. County, MD	881,138	2012	1,075	7
San Francisco, CA	825,863	1994	1,477	100
Washington D.C.	632,323	2010	6,500	20

Source: Population Count U.S. Census Bureau 2011/2012 and city and county taxicab regulations' departments

Accessible Taxicab Service Program Structures

Washington, D.C.: In February 2010 Washington launched its first wheelchair accessible taxi service—*rollDC* as a pilot program. The program is funded through the National Capital Region Transportation Planning Board (TPB) and participating taxicab companies. *rollDC's* full service includes a fleet of 20 accessible taxicabs, provided by Royal Cab and the Yellow Cab Company of D.C. The curb-to-curb service is provided to people with disabilities using wheelchairs and other mobility devices.

- Open (non-medallion) system
- Dispatch service
- Pay normal metered fare
- ADA-compliant and disability sensitivity training required
- Trips may be reserved up to a week in advance
- Vehicle accommodates up to 4 other passengers
- Street hail
- Rear entry
- **Frequency of use:** Since the program was launched, the demand for wheelchair accessible taxi service has grown steadily since 2010; the number of monthly wheelchair trips more than tripled between

August 2010 and August 2012. While there has been a dramatic growth in usage, the percentage of wheelchair trips compared to total trips remain relatively low at an average of 5.4% of trips being taken by passengers using wheelchairs from February 2010-October 2012.^{liii}

- **Driver incentives:** Drivers who opt to participate in the program drive a Toyota Sienna at a subsidized rate.
- **Additional information:** According to survey findings, customer satisfaction of the service has been very high with 85% of customers rating the service as excellent and only 1.0% rating the service as poor. Washington D.C. was the only major city researched that operates on an open system.^{liv}

Arlington, VA: Accessible taxicabs are available for on-demand point-to-point service in Arlington for people who use wheelchairs, scooters and other mobility devices. Passengers are encouraged to call ahead whenever possible to request a wheelchair accessible taxi.

- Twenty-four hours/seven-day per week service
- Request may be made up to two weeks in advance
- Normal metered fare
- Discount up to 10% for seniors and persons with disabilities

Baltimore, MD: On December 18, 2012, the Public Service Commission in Baltimore that regulates taxi service, proposed that "...permit holders in Baltimore City and Baltimore County that if within six months of its order there are not 25 wheelchair accessible cab (WACs) in the City and five (5) in the County, the Commission will conduct a lottery for permit to bridge the remaining deficiency. The recommended levels include those already in service, which are around nine (9) WACs in the City and none in the County. These additional permits will be restricted to wheelchair [WAVs], while providing service to all customers."^{liv} It is also noted in the testimony that "Taxis are not required to provide wheelchair accessible service under the Americans with Disabilities Act (ADA).^{lvi} Based on the testimony, the Public Service Commission is putting WAVs in place because other cities around the country are offering wheelchair accessible taxi service. We found that only three (3) taxi companies are providing wheelchair accessible service which includes such services as:

- Not government mandated
- Permit System (not considered a medallion system though permits are bought and sold)
- Dispatch
- 24-hour advanced booking
- No street hail
- Only customers who cannot transfer
- Paratransit^{lvii}
 - MTA Taxi Access II Service is available to MTA-certified Mobility (paratransit) customers
 - Customers are given a Taxi Access card that is used to verify eligibility with the driver
 - Customers pay a \$3 fare and any amount over \$20

Chicago, IL: The Department of Business Affairs is the government entity responsible for oversight. Over the past year the city of Chicago has doubled the number of wheelchair accessible vehicles in their fleet to 141 of their 6,722 vehicles (2.1%). Chicago recently passed legislation that requires "*Any single licensee that owns or controls 20 or more licenses must place into service wheelchair accessible vehicles as taxicabs on five percent of its taxicab vehicle fleet.*"^{lviii} An incentive for wheelchair accessible vehicles of \$100 off of the \$600 annual medallion fee is offered to encourage companies to make more of their cabs wheelchair accessible. Additionally, any cab company with more than 20 cabs must maintain at least five percent as accessible vehicles taxis.^{lix} Chicago's accessible taxi service includes:

- Medallion system
- Incentives
 - Five-seven year use limit on all accessible vehicles or environmentally friendly vehicles versus four-year use limit for non-accessible vehicles
 - Monetary incentive program where a driver can receive a free taxi medallion for providing exemplary service
 - An industry fund subsidizing the purchase of wheelchair accessible cabs by raising the taxicab licensing fee from \$500 to \$600. The \$600,000 generated by that increase will be returned to those who purchase wheelchair accessible cabs.^{lx}
- The program is carried out by individual taxi cab companies which are required by law to include wheelchair accessible cabs
- MV-1 Vehicle
 - Accommodates two wheelchairs and three non-wheelchair passengers
- Paratransit
 - The Taxi Access Program allows RTA certified paratransit customers to travel in taxis at reduced rates for trips within the City of Chicago.
- TAP Swipe Card trips, good for a one-way taxi ride valued up to \$13.50, may be purchased for \$5.00 each. Riders must pay the difference if the taxi meter exceeds \$13.50.

Fairfax, VA:

- No Government Mandate
- Several independent companies offer wheelchair accessible taxi service
- Fairfax Red Top offers a 10% discounted rate for senior citizens and persons with disabilities
- Advance booking is required
- Toyota Sienna vehicle
- Paratransit
 - TaxiAccess is a program that provides subsidized taxicab service to Fairfax County residents who are MetroAccess users.
 - TaxiAccess users have the opportunity to purchase coupon books good toward taxicab rides at one-third of the face value.
 - Participants can purchase up to eight coupon books per year and the coupons can be used with any of the four taxicab providers licensed to do business in Fairfax County.^{lxi}

Montgomery County, MD: Montgomery County requires that 8% of vehicles in a fleet of 20 or more taxis be wheelchair accessible. Currently, 48 of the 770 licensed taxis are wheelchair accessible. The Montgomery County Department of Transportation is the government entity responsible for oversight. Montgomery County accessible taxi service includes:

- Medallion system
- Advance booking required
- The drivers are required to undergo training that is consistent with ADA standards.
- Subsidized Taxi Service: Call n Ride
 - Eligibility - low income and at least 67 years of age or low income and at least 16 years of age with a disability.
 - Clients may add up to \$120.00 monthly to swipe cards at discounts according to income.

New York City, NY: The Accessible Dispatch program was launched on September 14, 2012, and is overseen by The New York City Taxi and Limousine Commission (NYCTLC). The NYCTL accessible dispatch program specifically services passengers using wheelchairs. It operates in Manhattan but takes passengers to any destination in the five NYC boroughs, Nassau and Westchester counties, as well as to the three regional airports, JFK, La Guardia and Newark, NJ. Since the program was launched, there have been 5,664 completed trips as of March 2013. The NYCTLC plans to add an additional 2,000 accessible taxis to its yellow taxi fleet later this year as well as 3,600 accessible livery cabs which service boroughs other than Manhattan. After more than two decades of advocating for accessible taxi service, an April 18th NYC City Council hearing addressed Proposed Int. No. 443-A, a bill with 36 sponsors requiring that all newly manufactured taxicabs be accessible to people with disabilities. Their wheelchair accessible service includes:

- Medallion system
- Dispatch service only available in the borough of Manhattan
- Street hail
- Pay normal metered fare
- ADA-compliant training required for drivers
- Rear-entry, lowered-floor minivan or a side-entry MV-1 vehicles
- Five ways to book a taxi:
 - Call **311**
 - Call our dispatch center directly
 - Text a request
 - Mobile app WOW Taxi (Wheels on Wheels)
 - Book online
- **Driver incentives:** New York has a state tax credit for taxi companies that upgrade to wheelchair accessible vehicles; the tax credit is up to \$10,000 per vehicle. Additionally drivers in New York City receive an additional fee for completing a trip dispatched by the Accessible Taxi Dispatcher. The Dispatch Fee will be \$6 for trips under .5 miles; \$10 for trips between .5 miles and 1 mile; and \$15 for all trips over 1 mile. The Dispatch Fee will include tolls to the pickup location and will also include an additional \$5 fee for wait time if the Driver waits for the passenger for more than 10 minutes after the later of either the appointed pickup time or the Driver's arrival at the pickup location (the \$5 is also payable if no passenger appears).^{lxii} 'Deadhead' miles paid for by \$98 fee paid by every medallion owner in the city – Added Incentive

Prince George's Count, MD: Prince George's County (PG) regulates the taxicab service industry through its Department of Environmental Resources and a five-member board, two members from the industry and three members from the public. Wheelchair accessible taxi service began last year in PG County. Accessible Taxi, Inc., is the taxi company providing the service which includes:

- License System – receives a Certificate of Taxicab Regulation License
- Dispatch
- Pay normal metered fare
- ADA, safety and sensitivity training
- MV-1 vehicle model
- Pick-up guaranteed within 30 minutes of a call

San Francisco, CA: The San Francisco Municipal Transportation Agency is the government entity responsible for oversight of taxi regulation. San Francisco is the leading major city in the United States with the highest percentage of accessible taxis (16.5%). It is also one of the oldest with requirements dating back to 1994. Wheelchair accessible services include:

- Medallion system
- Dispatch service
- Street hail but can reserve trip
- Minivan with side entry
- Pay normal fare
- City limit service only
- Paratransit Service^{lxiii}
 - 14,000 registered riders, 4,000 registered wheelchair customers
 - 26,000 ramped taxi trips annually
 - Paratransit Debit Card issued to riders allows for better monitoring and reporting, enforcement, reduction in administration costs for taxi companies, faster invoicing process
 - Amendment to transportation code now requires monthly minimum wheelchair pickups
 - Monetary award for ramp taxi drivers who complete more than the average wheelchair pickups
 - Taxi companies receive a \$500 monthly bonus for providing the most wheelchair trips (per medallion)
 - 100 of the 156 required paratransit wheelchair pickups must be verified via debit card for ramp medallion applicants
 - Progressive disciplinary schedule, \$150 citation with repeat facing suspension
 - Ramped Taxi Driver Training Certification Required

London: London, England is the international leader in accessible taxi transportation with 100% of the 22,500 vehicles being wheelchair accessible. London's taxi service as a whole is regularly voted the best taxi trade in the world. The 100% figure was mandated by the Disability Discrimination Act of 1995 and reached by January 1, 2000.^{lxiv} London's Underground (Subway) and bus systems are not 100% accessible.^{lxv} London was used by New York City as a model when designing the Accessible Dispatch Program.

APPENDIX - A

U.S. Code of Federal Regulations

Title 49: Transportation

Part 37: Transportation Services for Individuals with Disabilities (ADA)

Source: 56 FR 45621, Sept. 6, 1991, unless otherwise noted.

Subpart A-General

§ 37.3 Definitions.

Accessible means, with respect to vehicles and facilities, complying with the accessibility requirements of parts 37 and 38 of this title.

The *Act or ADA* means the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611), as it may be amended from time to time.

Auxiliary aids and services includes:

- (1) Qualified interpreters, notetakers, transcription services, written materials, telephone headset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, closed and open captioning, text telephones (also known as telephone devices for the deaf, or TDDs), videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- (2) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- (3) Acquisition or modification of equipment or devices; or
- (4) Other similar services or actions.

Demand responsive system means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

- (1) The phrase physical or mental impairment means—
 - (i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine;
 - (ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) The term physical or mental impairment includes, but is not limited to, such contagious or noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease, tuberculosis, drug addiction and alcoholism;

(iv) The phrase physical or mental impairment does not include homosexuality or bisexuality.

(2) The phrase major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and work.

(3) The phrase has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) The phrase is regarded as having such an impairment means—

(i) Has a physical or mental impairment that does not substantially limit major life activities, but which is treated by a public or private entity as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such an impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a public or private entity as having such an impairment.

(5) The term disability does not include—

(i) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) Compulsive gambling, kleptomania, or pyromania;

(iii) Psychoactive substance abuse disorders resulting from the current illegal use of drugs.

Individual with a disability means a person who has a disability, but does not include an individual who is currently engaging in the illegal use of drugs, when a public or private entity acts on the basis of such use.

Private entity means any entity other than a public entity.

Service animal means any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Vehicle, as the term is applied to private entities, does not include a rail passenger car, railroad locomotive, railroad freight car, or railroad caboose, or other rail rolling stock described in section 242 of title III of the Act.

Wheelchair means a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

[56 FR 45621, Sept. 6, 1991, as amended at 58 FR 63101, Nov. 30, 1993; 61 FR 25415, May 21, 1996; 63 FR 51690, Sept. 28, 1998; 76 FR 57935, Sept. 19, 2011]

§ 37.5 Nondiscrimination.

(a) No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.

(b) Notwithstanding the provision of any special transportation service to individuals with disabilities, an entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity's transportation service for the general public, if the individual is capable of using that service.

(c) An entity shall not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

(d) An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them.

(e) An entity shall not require that an individual with disabilities be accompanied by an attendant.

(f) Private entities that are primarily engaged in the business of transporting people and whose operations affect commerce shall not discriminate against any individual on the basis of disability in the full and equal enjoyment of specified transportation services. This obligation includes, with respect to the provision of transportation services, compliance with the requirements of the rules of the Department of Justice concerning eligibility criteria, making reasonable modifications, providing auxiliary aids and services, and removing barriers (28 CFR 36.301-36.306).

(g) An entity shall not refuse to serve an individual with a disability or require anything contrary to this part because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to this part.

(h) It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

Subpart B-Applicability

§ 37.29 Private entities providing taxi service.

(a) Providers of taxi service are subject to the requirements of this part for private entities primarily engaged in the business of transporting people which provide demand responsive service.

(b) Providers of taxi service are not required to purchase or lease accessible automobiles. When a provider of taxi service purchases or leases a vehicle other than an automobile, the vehicle is required to be accessible unless the provider demonstrates equivalency as provided in § 37.105 of this part. A provider of taxi service is not required to purchase vehicles other than automobiles in order to have a number of accessible vehicles in its fleet.

(c) Private entities providing taxi service shall not discriminate against individuals with disabilities by actions including, but not limited to, refusing to provide service to individuals with disabilities who can use taxi vehicles, refusing to assist with the stowing of mobility devices, and charging higher fares or fees for carrying individuals with disabilities and their equipment than are charged to other persons.

Subpart D-Acquisition of Accessible Vehicles by Public Entities

§ 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public.

(a) Except as provided in this section, a public entity operating a demand responsive system for the general public making a solicitation after August 25, 1990, to purchase or lease a new bus or other new vehicle for use on the system, shall ensure that the vehicle is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs.

(b) If the system, when viewed in its entirety, provides a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service it provides to individuals without disabilities, it may purchase new vehicles that are not readily accessible to and usable by individuals with disabilities.

(c) For purposes of this section, a demand responsive system, when viewed in its entirety, shall be deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (1) Response time;
- (2) Fares;
- (3) Geographic area of service;
- (4) Hours and days of service;
- (5) Restrictions or priorities based on trip purpose;
- (6) Availability of information and reservations capability; and
- (7) Any constraints on capacity or service availability.

(d) A public entity receiving FTA funds under section 18 or a public entity in a small urbanized area which receives FTA funds under Section 9 from a state administering agency rather than directly from FTA, which determines that its service to individuals with disabilities is equivalent to that provided other persons shall, before any procurement of an inaccessible vehicle, file with the appropriate state program office a certificate that it provides equivalent service meeting the standards of paragraph (c) of this section. Public entities operating demand responsive service receiving funds under any other section of the FT Act shall file the certificate with the appropriate FTA regional office. A public entity which does not receive FTA funds shall make such a certificate and retain it in its files, subject to inspection on request of FTA. All certificates under this paragraph may be made and filed in connection with a particular procurement or in advance of a procurement; however, no certificate shall be valid for more than one year. A copy of the required certificate is found in appendix C to this part.

(e) The waiver mechanism set forth in § 37.71(b)-(g) (unavailability of lifts) of this subpart shall also be available to public entities operating a demand responsive system for the general public.

Subpart E-Acquisition of Accessible Vehicles by Private Entities

§ 37.103 Purchase or lease of new non-rail vehicles by private entities primarily engaged in the business of transporting people.

(a) Application. This section applies to all acquisitions of new vehicles by private entities which are primarily engaged in the business of transporting people and whose operations affect commerce, in which a solicitation for the vehicle is made (except as provided in paragraph (d) of this section) after August 25, 1990.

(c) Demand responsive systems. If the entity operates a demand responsive system, and purchases or leases a new vehicle other than an automobile, a van with a seating capacity of less than eight persons (including the driver), it shall ensure that the vehicle is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the system, when viewed in its entirety, meets the standard for equivalent service of § 37.105 of this part.

(d) Vans with a capacity of fewer than 8 persons. If the entity operates either a fixed route or demand responsive system, and purchases or leases a new van with a seating capacity of fewer than eight persons including the driver (the solicitation for the vehicle being made after February 25, 1992), the entity shall ensure that the vehicle is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the system, when viewed in its entirety, meets the standard for equivalent service of § 37.105 of this part.

[56 FR 45621, Sept. 6, 1991, as amended at 76 FR 57936, Sept. 19, 2011]

§ 37.105 Equivalent service standard.

For purposes of §§ 37.101 and 37.103 of this part, a fixed route system or demand responsive system, when viewed in its entirety, shall be deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) (1) Schedules/headways (if the system is fixed route);
- (2) Response time (if the system is demand responsive);
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Availability of information;
- (f) Reservations capability (if the system is demand responsive);
- (g) Any constraints on capacity or service availability;
- (h) Restrictions priorities based on trip purpose (if the system is demand responsive).

Subpart G – Provision of Service

§ 37.161 Maintenance of accessible features: General.

(a) Public and private entities providing transportation services shall maintain in operative condition those features of facilities and vehicles that are required to make the vehicles and facilities readily accessible to and usable by individuals with disabilities. These features include, but are not limited to, lifts and other means of access to vehicles, securement devices, elevators, signage and systems to facilitate communications with persons with impaired vision or hearing.

(b) Accessibility features shall be repaired promptly if they are damaged or out of order. When an accessibility feature is out of order, the entity shall take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature.

(c) This section does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

§ 37.165 Lift and securement use.

(a) This section applies to public and private entities.

(b) Except as provided in this section, individuals using wheelchairs shall be transported in the entity's vehicles or other conveyances.

(1) With respect to wheelchair/occupant combinations that are larger or heavier than those to which the design standards for vehicles and equipment of 49 CFR part 38 refer, the entity must carry the wheelchair and occupant if the lift and vehicle can accommodate the wheelchair and occupant. The entity may decline to carry a wheelchair/occupant if the combined weight exceeds that of the lift specifications or if carriage of the wheelchair is demonstrated to be inconsistent with legitimate safety requirements.

(2) The entity is not required to permit wheelchairs to ride in places other than designated securement locations in the vehicle, where such locations exist.

(c)(1) For vehicles complying with part 38 of this title, the entity shall use the securement system to secure wheelchairs as provided in that Part.

(2) For other vehicles transporting individuals who use wheelchairs, the entity shall provide and use a securement system to ensure that the wheelchair remains within the securement area.

(3) The entity may require that an individual permit his or her wheelchair to be secured.

(d) The entity may not deny transportation to a wheelchair or its user on the ground that the device cannot be secured or restrained satisfactorily by the vehicle's securement system.

(e) The entity may recommend to a user of a wheelchair that the individual transfer to a vehicle seat. The entity may not require the individual to transfer.

(f) Where necessary or upon request, the entity's personnel shall assist individuals with disabilities with the use of securement systems, ramps and lifts. If it is necessary for the personnel to leave their seats to provide this assistance, they shall do so.

(g) The entity shall permit individuals with disabilities who do not use wheelchairs, including standees, to use a vehicle's lift or ramp to enter the vehicle. Provided, that an entity is not required to permit such individuals to use a lift Model 141 manufactured by EEC, Inc. If the entity chooses not to allow such individuals to use such a lift, it shall clearly notify consumers of this fact by signage on the exterior of the vehicle (adjacent to and of equivalent size with the accessibility symbol).

[56 FR 45621, Sept. 6, 1991, as amended at 58 FR 63103, Nov. 30, 1993; 76 FR 57936, Sept. 19, 2011]

§ 37.167 Other service requirements.

(a) This section applies to public and private entities.

(d) The entity shall permit service animals to accompany individuals with disabilities in vehicles and facilities.

(e) The entity shall ensure that vehicle operators and other personnel make use of accessibility-related equipment or features required by part 38 of this title.

(f) The entity shall make available to individuals with disabilities adequate information concerning transportation services. This obligation includes making adequate communications capacity available, through accessible formats and technology, to enable users to obtain information and schedule service.

(g) The entity shall not refuse to permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers.

(h) The entity shall not prohibit an individual with a disability from traveling with a respirator or portable oxygen supply, consistent with applicable Department of Transportation rules on the transportation of hazardous materials (49 CFR subtitle B, chapter 1, subchapter C).

(i) The entity shall ensure that adequate time is provided to allow individuals with disabilities to complete boarding or disembarking from the vehicle.

[56 FR 45621, Sept. 6, 1991, as amended at 58 FR 63103, Nov. 30, 1993]

§ 37.173 Training requirements.

Each public or private entity which operates a fixed route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

Part 38: Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles

Source: 56 FR 45756, Sept. 6, 1991, unless otherwise noted.

Subpart A—General

§ 38.1 Purpose.

This part provides minimum guidelines and requirements for accessibility standards in part 37 of this title for transportation vehicles required to be accessible by the Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. 1201 et seq.).

§ 38.2 Equivalent facilitation.

Departures from particular technical and scoping requirements of these guidelines by use of other designs and technologies are permitted where the alternative designs and technologies used will provide substantially equivalent or greater access to and usability of the vehicle. Departures are to be considered on a case-by-case basis under procedures set forth in § 37.7 of this title.

§ 38.3 Definitions.

See § 37.3 of this title.

Subpart B—Buses, Vans and Systems

§ 38.21 General.

(a) New, used or remanufactured buses and vans (except over-the-road buses covered by subpart G of this part), to be considered accessible by regulations in part 37 of this title shall comply with the applicable provisions of this subpart.

(b) If portions of the vehicle are modified in a way that affects or could affect accessibility, each such portion shall comply, to the extent practicable, with the applicable provisions of this subpart. This provision does not require that inaccessible buses be retrofitted with lifts, ramps or other boarding devices.

§ 38.23 Mobility aid accessibility.

(a) General. All vehicles covered by this subpart shall provide a level-change mechanism or boarding device (e.g., lift or ramp) complying with paragraph (b) or (c) of this section and sufficient clearances to permit a wheelchair or other mobility aid user to reach a securement location. At least two securement locations and devices, complying with paragraph (d) of this section, shall be provided on vehicles in excess of 22 feet in length; at least one securement location and device, complying with paragraph (d) of this section, shall be provided on vehicles 22 feet in length or less.

(b) Vehicle Lift

(11) Boarding direction. The lift shall permit both inboard and outboard facing of wheelchair and mobility aid users.

(12) Use by standees. Lifts shall accommodate persons using walkers, crutches, canes or braces or who otherwise have difficulty using steps. The platform may be marked to indicate a preferred standing position.

(d) Securement Devices

(7) Seat belt and shoulder harness. For each wheelchair or mobility aid securement device provided, a passenger seat belt and shoulder harness, complying with all applicable provisions of part 571 of this title, shall also be provided for use by wheelchair or mobility aid users. Such seat belts and shoulder harnesses shall not be used in lieu of a device which secures the wheelchair or mobility aid itself.

§ 38.25 Doors, steps and thresholds.

(c) Door height. For vehicles in excess of 22 feet in length, the overhead clearance between the top of the door opening and the raised lift platform, or highest point of a ramp, shall be a minimum of 68 inches. For vehicles of 22 feet in length or less, the overhead clearance between the top of the door opening and the raised lift platform, or highest point of a ramp, shall be a minimum of 56 inches.

APPENDIX – B

DC Taxicab Service Improvement Amendment Act of 2012 (relevant sections)

Sec 4. Definitions

(c) Section 4 (D.C. Official Code § 50-303) is amended to read as follows: “Sec. 4. Definitions.

For the purposes of this act, the term:

- (1) “ADA” means the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 328; 42 U.S.C. § 12101 et seq.).
- (2) “Alternative fuel” means advanced fuels, which can be any materials or substances that can be used as fuels, other than conventional fuels such as fossil fuels, including biodiesel, compressed natural gas, electricity, and ethanol. The term “alternative fuel” shall also apply to hybrid vehicles that use alternative forms of power such as electricity.
- (3) “Capital City Plan” means the formal alphabetical and numerical pattern and layout of streets within the District’s 4 quadrants, the formal pattern and layout of avenues and circles within the District, and the formal system and pattern of addresses within the District.
- (4) “CNG” means compressed natural gas.
- (5) “CNG vehicle” means an automobile powered by compressed natural gas.
- (6) “Commission” means the District of Columbia Taxicab Commission established by section 5.
- (7) “Commissioner” means the Commissioner of the Department of Insurance, Securities, and Banking.
- (8) “Committee” means the Disability Taxicab Advisory Committee established by section 20f.
- (9) “DDOE” means the District Department of the Environment.
- (10) “Fund” means the Public Vehicles-for-Hire Consumer Service Fund established by section 20a.
- (11) “GPS” means Global Positioning Satellite.
- (12) “Hospitality industry” means any person or entity involved in the operation, management, support, or ownership of a restaurant, catering business, hotel business, conference business, travel business, tourism business, tour business, or tour guide business.
- (13) “Industry member” means a person experienced in the transportation or hospitality industry.
- (14) “Limousine” means a public vehicle-for-hire that operates exclusively through advanced registration, charges exclusively on the basis of time, and shall not accept street hails.
- (15) “Office” means the Office of Taxicabs established by section 13.
- (16) “Passenger surcharge” means a fee assessed to passengers for each public vehicle-for-hire ride in an amount not to exceed 50 cents.
- (17) “Public vehicle-for-hire” means:
 - (A) Any passenger motor vehicle operated in the District by an individual or any entity that is used for the transportation of passengers for hire, including as a taxicab, limousine, or sedan; or
 - (B) Any other private passenger motor vehicle that is used for the transportation of passengers for hire but is not operated on a schedule or between fixed termini and is operated exclusively in the District, or a vehicle licensed pursuant to D.C. Official Code § 47-2829, including taxicabs, limousines, and sedans.
- (18) “Public vehicle-for-hire industry” means all public vehicle-for-hire companies, associations, owners, and operators, or any person who, by virtue of employment or office, is directly involved in the provision of public vehicle-for-hire services within the District.
- (19) “Public vehicle inspection officer” means a Commission employee trained in the laws, rules, and regulations governing public vehicle-for-hire service to ensure the proper provision of service and to support safety through street enforcement efforts, including traffic stops of public vehicles-for-hire, pursuant to protocol prescribed by the Commission.

- (20) “Sedan-class vehicle” means a public vehicle-for-hire that operates exclusively through dispatch, charges exclusively on the basis of time and distance, and shall not accept street hails.
- (21) “Taxicab” means a public passenger vehicle-for-hire that may be hired by dispatch or hailed on the street and for which the fare charged is calculated by a Commission-approved meter with uniform rates determined by the Commission.
- (22) “Taxicab association” means a group of taxicab owners organized for the purpose of engaging in the business of taxicab transportation for common benefits regarding operation, logo or insignia. An association must have a minimum of 20 taxicabs having a uniform logo or insignia and having unified control by ownership or by association.
- (23) “Taxicab company” means any person, partnership, or corporation engaging in the business of owning and operating a fleet or fleets of taxicabs having a uniform logo or insignia. A company must have a minimum of 20 taxicabs having a uniform logo or insignia and having unified control by ownership or by the company.
- (24) “Taxicab fleet” means a group of 20 or more taxicabs having a uniform logo or insignia and having unified control by ownership or by association.
- (25) “Taxicab industry” means all taxicab companies, associations, owners, and operators, or any person who by virtue of employment or office is directly involved in the provision of taxicab services within the District.
- (26) “Taxicab operator” means a person operating or licensed to operate a taxicab in the District of Columbia.
- (27) “Taxicab owner” means a person, corporation, partnership, or association that holds the legal title to a taxicab that is required to be registered in the District. If a taxicab is the subject of an agreement for the conditional sale or lease with right of purchase upon performance of the condition stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a taxicab is entitled to possession, the conditional vendee, lessee, or mortgagor shall be considered the owner for the purpose of this act.
- (29) “Taxicab service” means passenger transportation service originating in the District in which the passenger directs the points between which the service is to be provided, the service is provided at a time chosen by the passenger, and the fare and fees for which are prescribed by the Commission.
- (30) “Underserved area” means a designated zone, as determined by the Commission, with an established need for greater taxicab service.
- (31) “Washington Metropolitan Area” means the area encompassed by the District; Montgomery County, Prince George’s County, and Frederick County in Maryland; Arlington County, Fairfax County, Loudon County, and Prince William County, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park in Virginia.
- (32) “Wheelchair-accessible vehicle” means a vehicle compliant with the, ADA that accommodates a passenger using a wheelchair or other personal mobility device who needs a ramp or lift to enter or exit the vehicle. The vehicle must comply with the provisions of 49 C.F.R. Part 38.1 – 38.39.”.

Sec. 2. The District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code § 50-301 et seq.), is amended as follows:

(b) Section 3 (D.C. Official Code § 50-302 [*Regulation of Taxicabs, Purposes*]) is amended as follows:

(1) Subsection (a) is amended as follows:

(H) Provide specific policies and programs to increase wheelchair-accessible taxicab service to the disabled throughout the District;”.

Sec. 6. Section 47-2829 of the District of Columbia Official Code is amended as follows:

(B) Subparagraph (A) is amended to read as follows:

(A) Completion of the primary public passenger vehicle-for-hire license training course as established by the District of Columbia Taxicab Commission for a fee of no less than \$100 per person. Upon completion of the course, the applicant shall be issued a certificate of completion that shall include the date of completion and shall be presented to the Office of Taxicabs with the application for a license. Before issuing the certificate, each person shall have passed an examination consisting of the subject matters taught in the course and an

evaluation of the person's English communication skills. At a minimum, the training course shall be designed to develop the applicant's knowledge of the following:

(vii) The legal requirements that apply to transportation of persons with disabilities, including providing equal access to transportation and complying with the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 328; 42 U.S.C. § 12101 et seq.)(“ADA”).”.

(C) A new subparagraph (A-i) is added to read as follows:

(A-i) All courses for operators of wheelchair-accessible taxicabs shall provide training as to:

(i) The legal requirements that apply to transportation of persons with disabilities, including providing equal access to transportation and complying with the ADA;

(ii) Passenger assistance techniques, including a review of various disabilities, hands-on demonstrations of how to assist those with disabilities, mobility equipment training (including familiarity with lift and ramp operations and various types of wheelchairs and personal mobility devices), and safety procedures;

(iii) Training with an actual person using a wheelchair or personal mobility device;

(iv) Sensitivity training, including customer service and conflict resolution techniques; and

(v) Overall training in passenger relations and courtesy.”.

Sec. 20a. Public Vehicles-for-Hire Consumer Service Fund.

(2) Subsections (a) and (b) are amended to read as follows:

(a) There is established within the District of Columbia Treasury a fiduciary fund to be known as the Public Vehicles-for-Hire Consumer Service Fund. The Fund shall be a revolving, segregated, nonlapsing fund administered by the Commission. The Fund shall consist of the following:

(1) Funds collected from a passenger surcharge;

(2) Funds collected by the Commission from the issuance and renewal of a public vehicle-for-hire license pursuant to D.C. Official Code § 47-2829, including those held in miscellaneous trust funds by the Commission and the Office of the People's Counsel before June 23, 1987, pursuant to section 8, par. 42 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913 (37 Stat. 984; D.C. Official Code § 34-912(a)). These funds shall be accounted for under procedures established pursuant to subtitle V of Chapter 3 of Title 47, or any other applicable law;

(3) Funds collected by the Commission from the Department of Motor Vehicles through the Out-Of-State Vehicle Registration Special Fund, pursuant to section 3a of the District of Columbia Revenue Act of 1937, effective March 26, 2008 (D.C. Law 17-130; D.C. Official Code § 50-1501.03a); and

(4) All funds collected by the Commission pursuant to subsections (c) and (d) of this section.

(b)(1) The funds deposited into the Fund and allocated to the Commission:

(A) Shall be used to pay the costs incurred by the Commission, including operating and administering programs, investigations, proceedings, and inspections, administering the Fund, and improving the District's public vehicles-for-hire industry.

(B) May be used to provide grants, loans, incentives, or other financial assistance to owners of licensed taxicabs legally operating and incorporated in the District to offset the cost of acquiring, maintaining, and operating wheelchair-accessible vehicles;

(C) May be used to establish a program to provide a taxicab fare discount for low-income senior citizens aged 65 years and older and persons with disabilities; and

(D) May be used to provide grants, loans, incentives, or other financial assistance to owners of licensed taxicabs legally operating and incorporated in the District to incentivize the purchase and use of alternative-fuel vehicles, directing licensed taxicabs to underserved areas, and to offset costs associated with meeting the mandates of this act, as established by rulemaking.

(2) Nothing in this subsection shall affect any requirements

Sec. 20f. Accessible taxicabs

(a) Taxicab service in the District shall be accessible to the disabled and in compliance with the ADA and the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; Repeal § 50-324

(b)(1) Within 90 days of the effective date of the Amendment Act, the Commission shall establish a Disability Taxicab Advisory Committee to advise the Commission on how to make taxicab service in the District more accessible to the disabled.

(2)

(A) The Committee shall include representatives from the following:

- (i) The Office of Disability Rights;
- (ii) The Office of Human Rights;
- (iii) The Commission on Persons with Disabilities;
- (iv) The disability advocacy community;
- (v) Taxicab companies, associations, or operators;
- (vi) The Office of the Chief Financial Officer, when appropriate; and
- (vii) The Commission.

(B) At least half of the Committee shall be comprised of members or representatives of the disability advocacy community.

(3) On or before February 15, 2013, the Committee shall transmit to the Mayor and to the Council a comprehensive report and recommendations on the following:

- (A) The legal requirements for providing accessible taxicab service;
- (B) The need for accessible taxicab service in the District;
- (C) How other jurisdictions are providing accessible taxicab service;
- (D) A timetable and plan to rapidly increase the number of accessible taxicabs to meet the need of accessible taxicabs in the District;
- (E) A description of the types of grants, loans, tax credits, and other financial assistance and incentives that could be provided to taxicab companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible taxicabs;
- (F) A recommended package of grants, loans, tax credits, or other types of financial assistance and incentives that could be provided to taxicab companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible taxicabs;
- (G) The means by which the District can achieve a fleet of 100% wheelchair-accessible taxicabs; and
- (H) A proposed timeline and plan, including an analysis of the feasibility, costs, and benefits, for requiring all new taxicabs to be wheelchair-accessible when replacing old taxicabs that are removed from service.

(4) On or before September 30, 2013, and each year thereafter, the Committee shall transmit to the Mayor and to the Council a report on the accessibility of taxicab service in the District and how it can be further improved.

(c)(1) Each taxicab company with 20 or more taxicabs in its fleet as of July 1, 2012, or anytime thereafter, shall dedicate a portion of its taxi fleet as follows:

- (A) At least 6% of each taxicab fleet shall be wheelchair-accessible by December 31, 2014.
- (B) At least 12% of each taxicab fleet shall be wheelchair-accessible by December 31, 2016.
- (C) At least 20% of each taxicab fleet shall be wheelchair-accessible by December 31, 2018.
- (D) Based on the recommendations of the Committee, which shall be given great weight, the Commission shall increase the requirements in subparagraphs (A), (B), and (C) of this paragraph to ensure that the District's taxicab system meets the legal requirements and need for accessible taxicab service.

(2) The Commission may withhold the renewal of licenses of taxicab companies or associations that do not meet the requirements of this subsection.

(3) With the Committee and the Chief Financial Officer, the Commission shall develop a program to provide grants, loans, and other types of financial assistance and incentives to applicants and owners of licensed taxicabs to offset the cost of buying, retrofitting, maintaining, and operating a vehicle for use as a wheelchair-accessible taxicab.

(d) The Commission shall seek to partner with the Washington Metropolitan Area Transit Authority, the Office of the State Superintendent of Education, and any other governmental entity to provide accessible transportation services using taxicabs, and shall report to the Council within 18 months of the effective date of the Amendment Act on the status of such agreements and the estimated cost savings from such agreements.

(e) All drivers who operate wheelchair-accessible taxicabs shall receive training in how to properly use the equipment and work with disabled passengers. The training shall be coordinated through the Commission or taxicab companies.

(f) Wheelchair-accessible taxicabs shall:

- (1) Accommodate wheelchair and personal mobility devices up to 30 inches in width;
- (2) Have rear-entry or side-entry ramps or lifts that enable a passenger and driver to easily and comfortably gain access to the interior of the vehicle upon entry and exterior upon drop off;
- (3) Have safety devices to secure the wheelchair or personal mobility device to the vehicle and protect the passenger; and
- (4) Display the international wheelchair insignia or other insignia approved by the Commission that identifies the vehicle as a wheelchair-accessible vehicle in a minimum of 2 prominent locations on the exterior of the vehicle.

(g)(1) Except as provided in paragraph (2) of this subsection, every licensed taxicab operator accepting fares shall:

- (A) Stop and inquire of a prospective passenger in a wheelchair or personal mobility device attempting to street-hail a taxicab whether the passenger wishes to ride in that taxicab or, if the taxicab operator is not driving a wheelchair-accessible taxicab and is affiliated with a

taxicab company or association that offers such services, wishes to have the taxicab operator contact a dispatch service to send a wheelchair-accessible taxicab; and

(B) Grant priority to requests for service from passengers who use wheelchairs, and once dispatched to a call from a passenger using a wheelchair shall not accept any other fare while traveling to the fare; provided, that in the absence of a request for service to a passenger who uses a wheelchair, a wheelchair-accessible taxicab operator may transport any person.

(2) A taxicab operator shall not be subject to the requirements of this subsection while transporting a fare or responding to a dispatched call for service.

(h) Any individual, company, or affiliation that owns, leases, rents, or operates wheelchair-accessible taxicabs subsidized by the District shall:

(1) Operate wheelchair-accessible taxicabs equipped with dispatch technology and maintain the capacity to communicate with every wheelchair-accessible taxicab operating under its service;

(2) Grant priority to requests for service from passengers who use wheelchairs, and once dispatched to a call from a passenger using a wheelchair, shall not accept any other fare while traveling to the fare; provided, that in the absence of a request for service to a passenger who uses a wheelchair, a wheelchair-accessible taxicab operator may transport any person;

(3) Promptly dispatch a wheelchair-accessible taxicab in response to a wheelchair-accessible taxicab service request. If a wheelchair-accessible vehicle cannot be dispatched within 20 minutes, dispatch shall call another company with wheelchair-accessible vehicles to handle the request, and contact the customer with the name and telephone number of the dispatch service for the available wheelchair-accessible taxicab. If no wheelchair-accessible taxicabs are currently available to respond to a customer's request, dispatch shall notify the customer and record the customer's name and phone number and the names of the other dispatch services contacted; and

(4) Record all requests for wheelchair-accessible taxicab service, noting the date and time of the request for service, the service address, the vehicle number dispatched, and the time that the wheelchair-accessible taxicab was dispatched to respond to the call.

(i) A taxicab operator of a wheelchair-accessible taxicab shall not deny a dispatch request for wheelchair accessible service unless the taxicab is unavailable to provide service due to already being engaged. The Commission shall enforce this provision through rulemaking.

APPENDIX – C

DC Municipal Regulations

Title 4: Human Rights and Relations

Chapter 7: Private Complaints Alleging Unlawful Discriminatory Practices

700 SCOPE

700.1 The provisions of this chapter shall apply to all employers, places of public accommodation, educational institutions, and housing and commercial space subject to the D.C. Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 et seq.).

701 COVERAGE

The provisions of this chapter shall govern the processing of any matters involving discrimination on the grounds of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, and place of residence or business.

701.2 Nothing in this chapter shall be construed to supersede any federal or District of Columbia law, or to invalidate any proceedings commenced under the authority of any prior regulations.

702 JURISDICTION

702.1 The Office has the statutory authority to receive, investigate, and seek an appropriate remedy for allegations of conduct prohibited by the Act and which has caused harm to a person or persons protected by the Act; provided, that the following requirements are met:

- (a) The complaint is filed with the Office within one year of the occurrence of the unlawful discriminatory practice, or the discovery thereof, except as may be modified in accordance with procedures established pursuant to section 303 of the Act (D.C. Official Code § 2-1403.03);
- (b) The alleged unlawful discriminatory practice occurred within the District of Columbia; and
- (c) The respondent is identified as follows:
 - (1) Maintaining a presence within the District of Columbia, including that of a registered agent;
 - (2) Substantially engaged in doing business within the District of Columbia; or
 - (3) Operating an enterprise which is subject to licensing by the District of Columbia government.
 - (4) Columbia government.

APPENDIX – D

DC Code, DC Human Rights Law

Title 2: Government Administration

Chapter 14: Human Rights

Unit A: Human Rights Law,

Subchapter II: Prohibited Acts of Discrimination

§ 2-1401.01. Intent of Council

It is the intent of the Council of the District of Columbia, in enacting this chapter, to secure an end in the District of Columbia to discrimination for any reason other than that of individual merit, including, but not limited to, discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, and place of residence or business.

§ 2-1402.01. General.

Every individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the District and to have an equal opportunity to participate in all aspects of life, including, but not limited to, in employment, in places of public accommodation, resort or amusement, in educational institutions, in public service, and in housing and commercial space accommodations.

Part D: Public Accommodations

§ 2-1402.31. Prohibitions

(a) General. -- It shall be an unlawful discriminatory practice to do any of the following acts, wholly or partially for a discriminatory reason based on the actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, genetic information, disability, matriculation, political affiliation, source of income, or place of residence or business of any individual:

(1) To deny, directly or indirectly, any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodations;

(2) To print, circulate, post, or mail, or otherwise cause, directly or indirectly, to be published a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation will be unlawfully refused, withheld from or denied an individual; or that an individual's patronage of, or presence at, a place of public accommodation is objectionable, unwelcome, unacceptable, or undesirable.

DC CODE, DC Taxicabs and Public Vehicles for Hire Discrimination Law

Title: 31 Taxicabs and Public Vehicles for Hire

Chapter: 31-5 Taxicab Companies, Associations and Fleets Discrimination Prohibited

508.1 No taxicab company, association, or fleet, or its agent, shall discriminate based upon race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business.

508.2 Discriminatory conduct may include, but is not limited to the following:

- (a) Not picking up a passenger on the basis of any protected characteristic or trait, including an individual with a service animal;
- (b) Requesting that a passenger get out of a taxicab on the basis of a protected characteristic or trait;
- (c) Using derogatory or harassing language on the basis of a protected characteristic or trait; or
- (d) Refusing calls or street hails beginning or ending in specific geographic areas of the District

508.3 Discrimination based on a disability may include refusing to assist in the transportation of a person using a Service Animal or Comfort Animal because of an undocumented personal allergic reaction to animals or potential allergic reactions of future customers.

SOURCE: Final Rulemaking published at 37 DCR 3595, 3601 (June 1, 1990); as amended by Final Rulemaking published at 59 DCR 8549, 8557 (July 20, 2012).

APPENDIX – E

Taxi Company	Trips for Passengers Using Wheelchairs				
	Completed	Cancel & No-Shows	Transferred	Could Not Serve	Trips, Sample Period
March - June 2010					
Royal	59%	24%	14%	3%	37
Yellow	66%	33%	1%	0%	130
July - September 2010					
Royal	91%	5%	5%	0%	64
Yellow	66%	31%	1%	2%	99
October - December 2010					
Royal	98%	2%	0%	0%	50
Yellow	77%	18%	3%	2%	125
January - March 2011					
Royal	90%	8%	1%	0%	71
Yellow	85%	14%	0%	1%	127
April - June 2011					
Royal	86%	10%	4%	0%	69
Yellow	84%	14%	1%	0%	152
July - Sept 2011					
Royal	94%	6%	0%	0%	90
Yellow	86%	14%	0%	1%	177
October - December 2011					
Royal	83%	8%	8%	1%	137
Yellow	86%	14%	0%	0%	189
<i>Begin Sampled Data Collection One Month Per Quarter</i>					
January 2012					
Royal	33	0	3	0	36
Yellow	54	5	2	0	61
April 2012					
Royal	34	6	1	0	41
Yellow	44	3	0	0	47
July 2012 (Royal) and August 2012 (Yellow)					
Royal	23	9	0	0	32
Yellow	53	7	1	0	61
October 2012					
Royal	50	18	0	0	68
Yellow	52	9	0	0	61

Source: RollDC Data: "Wheelchair Accessible Taxi Pilot – Washington DC," 2012.

APPENDIX - F

rollDC Response Time

Response Time, Sampled Data								
Requested Time to Taxi Arrival Time, in Minutes								
	"ASAP" Trips				Pre-Booked Trips			
	Average		Range		Average		Range	
	Royal	Yellow	Royal	Yellow	Royal	Yellow	Royal	Yellow
2010								
March	na	0:32 (5 trips)	na	0:19 - 1:20	na	-0:03 (7 trips)	na	-0:13 - 0:12
April	0:36 (3 trips)	0:19 (6 trips)	0:23 - 1:00	0:07 - 0:37	-0:12 (2 trips)	-0:10 (3 trips)	-0:10 - -0:15	-0:07 - -0:15
May	0:33 (6 trips)	0:18 (22 trips)	0:17 - 0:57	0:04 - 0:42	0:00 (2 trips)	0:01 (16 trips)	-0:05 - -0:15	-0:11 - 0:22
June	0:23 (5 trips)	0:25 (13 trips)	0:06 - 0:46	0:09 - 0:52	no prebooked	0:15 (13 trips)	-	0:00 - 0:54
July	0:31(13 trips)	0:27 (5 trips)	0:06 - 1:11	0:07- 0:47	0:00 (1 trip)	0:05 (3 trips)	-	0:00 - 0:15
August	0:27 (13 trips)	0:21 (21 trips)	0:05 - 1:54	0:02 - 1:14	0:00 (3 trips)	-0:01 (7 trips)	-	-0:12 - 0:19
September	0:28 (24 trips)	0:17 (14 trips)	0:08 - 2:47	0:04 - 0:32	0:00 (5 trips)	-0:02 (15 trips)	-	-0:25 - 0:32
October	0:35 (20 trips)	0:19 (19 trips)	0:13 - 1:07	0:03 - 0:51	0:00 (4 trips)	0:02 (11 trips)	-	-0:15 - 0:20
November	0:33 (12 trips)	0:19 (20 trips)	0:08 - 1:10	0:02 - 0:45	no prebooked	0:01 (10 trips)	-	-0:11 - 0:22
December	0:41 (9 trips)	0:22 (22 trips)	0:12 - 2:14	0:06 - 1:03	-0:17 (4 trips)	0:03 (11 trips)	-0:26 - -0:10	-0:21 - 0:34
2011								
January	0:36 (20 trips)	0:20 (27 trips)	0:05 - 2:53	0:03 - 0:53	-0:14 (3 trips)	-0:02 (15 trips)	-0:27 - 0:00	-0:18 - 0:39
February	0:38 (18 trips)	0:21 (27 trips)	0:09 - 1:54	0:07 - 0:51	0:00 (1 trip)	-0:03 (13 trips)	-	-0:18 - 0:49
March	0:35 (12 trips)	0:20 (19 trips)	0:10 - 1:25	0:06 - 0:52	incomplete data (7 trips)	-0:07 (7 trips)	-	-0:17 - -0:02
April	0:38 (18 trips)	0:22 (27 trips)	0:08 - 1:57	0:04 - 0:50	1:15 (3 trips)	-0:08 (11 trips)	0:55 - 1:40	-0:40 - 0:13
May	0:41 (12 trips)	0:26 (25 trips)	0:10 - 2:10	0:01 - 1:07	incomplete data (8 trips)	0:00 (25 trips)	-	-0:19 - 0:33
June	0:42 (12 trips)	0:23 (19 trips)	0:04 - 2:39	0:06 - 0:57	-0:01 (9 trips)	-0:01 (21 trips)	-0:05 - 0:10	-0:29 - 0:25
July	0:21 (14 trips)	0:20 (25 trips)	0:01 - 3:24	0:07 - 0:46	-0:07 (10 trips)	-0:02 (30 trips)	-0:15 - 0:10	-0:25 - 0:25
August	0:23 (21 trips)	0:19 (20 trips)	0:06 - 1:42	0:01 - 0:49	incomplete data (8 trips)	-0:02 (23 trips)	-	-0:21 - 0:29
September	0:20 (30 trips)	0:20 (24 trips)	0:07 - 1:18	0:04 - 0:49	-0:04 (2 trips)	0:05 (29 trips)	-0:10 - 0:01	-0:18 - 0:56
October	0:36 (28 trips)	0:26 (31 trips)	0:12 - 1:36	0:04 - 1:25	-0:06 (10 trips)	0:06 (33 trips)	-0:55 - -0:02	-0:23 - 0:52
November	0:23 (40 trips)	0:23 (27 trips)	0:05 - 0:46	0:04 - 0:52	-0:09 (4 trips)	0:06 (25 trips)	-0:15 - -0:06	-0:21 - 1:34
December	0:41 (19 trips)	0:22 (21 trips)	0:10 - 2:18	0:03 - 1:14	-0:08 (8 trips)	-0:03 (25 trips)	-0:15 - -0:04	-0:17 - 0:56
2012	Begin Sampled Data Collection One Month Per Quarter							
January	0:25 (23 trips)	0:24 (26 trips)	0:02 - 1:23	0:06 - 0:52	-0:02 (10 trips)	0:05 (28 trips)	-0:08 - 0:00	-0:16 - 1:00
April	-	0:17 (15 trips)	-	0:10 - 1:00	-	0:01 (28 trips)	-	-0:33 - 0:36
July-R/Aug-Y	0:22 (14 trips)	0:26 (19 trips)	0:04 - 0:49	0:05 - 1:09	-0:08 (8 trips)	-0:01 (34 trips)	-0:15 - 0:06	-0:19 - 0:31
October	0:24 (27 trips)	0:27 (24 trips)	0:04 - 1:25	0:03 - 1:06	-0:02 (22 trips)	0:01 (28 trips)	-0:17 - 0:21	-0:20 - 0:19

Source: RollDC Data: "Wheelchair Accessible Taxi Pilot – Washington DC," 2012.

APPENDIX – G

Accessible Taxi Use: Trips for Riders Using Wheelchairs as Percent of All Rider Trips on Accessible Taxis				
2010	Accessible Taxis in Service	W-C Trips	All Trips	% W-C Trips
<i>February</i>	11	49	2,480	2.0%
<i>March</i>	14	104	3,192	3.3%
<i>April</i>	14	113	3,833	2.9%
<i>May</i>	15	186	4,023	4.6%
<i>June</i>	14	140	3,484	4.0%
<i>July</i>	19	200	4,466	4.5%
<i>August</i>	18	160	4,825	3.3%
<i>Sept.</i>	18	205	5,316	3.9%
<i>Oct.</i>	19	173	5,354	3.2%
<i>Nov.</i>	19	230	5,126	4.5%
<i>Dec.</i>	19	287	5,558	5.2%
2011				
<i>January</i>	19	261	5,448	4.8%
<i>February</i>	19	264	4,975	5.3%
<i>March</i>	18	349	5,409	6.5%
<i>April</i>	19	262	5,211	5.0%
<i>May</i>	18	364	5,384	6.8%
<i>June</i>	19	352	5,375	6.5%
<i>July</i>	19	430	5,812	7.4%
<i>August</i>	19	426	5,507	7.7%
<i>Sept.</i>	19	371	5,858	6.3%
<i>Oct.</i>	19	390	6,758	5.8%
<i>Nov.</i>	19	423	6,277	6.7%
<i>Dec.</i>	19	352	6,085	5.8%
2012 <i>Begin Sampled Data Collection One Month per Quarter</i>				
<i>January</i>	19	415	5,462	7.6%
<i>April</i>	19	421	6,673	6.3%
<i>July</i>	20	474	5,755	8.2%
<i>October</i>	20	499	5,331	9.4%

Source: RollDC Data: "Wheelchair Accessible Taxi Pilot – Washington DC," 2012.

- ⁱ Easter Seals Project ACTION, Taxicab, Limousine & Paratransit Association. (2007). The Americans with Disabilities Act and You: Frequently Asked Questions on Taxicab Service. Retrieved from <http://www.projectaction.org/ResourcesPublications/BrowseOurResourceLibrary/ResourceSearchResults.aspx?org=a2GSpnDbrul=&query=The Americans with Disabilities Act and You>
- ⁱⁱ 49 CFR § 37.29(a) (1991).
- ⁱⁱⁱ 49CFR § 37.3 (2011).
- ^{iv} “The Americans With Disabilities Act and You: Frequently Asked Questions on Tax,” Easter Seals Project ACTION and the Taxicab, Limousine & Paratransit Association, accessed April 4, 2013, <http://www.projectaction.org/ResourcesPublications/BrowseOurResourceLibrary/ResourceSearchResults.aspx?org=a2GSpnDbrul=&query=The Americans with Disabilities Act and You>
- ^v 49 CFR § 37.29(b) (1991).
- ^{vi} 49 CFR § 37.103(c) (2011).
- ^[1] Department of Justice, Statement of Interest Supporting Plaintiffs' Motion in *Noel, et al. v. New York City Taxi and Limousine Commission*, accessed April 5, 2013, <http://www.ada.gov/briefs/adabrief.htm>
- ^[2] 49 CFR § 37.77 (1991).
- ^{vii} DC Taxi Act, Section 20f(c) (2012).
- ^{viii} DC Code Ann. § 4.700-702 (2007).
- ^{ix} 49 CFR § 37.5 (1991), 49 CFR § 37.167(d) (1993), 49 CFR § 37.29(c) (1991).
- ^x 49 CFR § 37.165(g) (2011).
- ^{xi} 49 CFR § 37.165(e) (2011).
- ^{xii} 49 CFR § 37.167(f) (1993).
- ^{xiii} 49 CFR § 37.173 (1991).
- ^{xiv} DC Taxi Act, Section 20f(e) (2012).
- ^{xv} DC Taxi Act, Section 20f(g) (2012).
- ^{xvi} DC Taxi Act, Section 20f(c)(3) (2012).
- ^{xvii} DC Taxi Act, Section 20f(d) (2012).
- ^{xviii} DC Taxi Act, Section 20f(f) (2012).
- ^{xix} 49 CFR § 38.25 (1991).
- ^{xx} <http://www.cars.com/ford/crown-victoria/2007/specifications>
- ^{xxi} <http://www.cars.com/dodge/grand-caravan/2010/specifications/>
- ^{xxii} <http://www.vpgautos.com/Files/VPG-453111014%20Taxi.pdf>
- ^{xxiii} 49 CFR § 38.23(a) (1991).
- ^{xxiv} 49 CFR § 38.23(d)(1) (1991).
- ^{xxv} 49 CFR § 37.165(f) (2011).
- ^{xxvi} 49 CFR § 38.23(b)(11) (1991).
- ^{xxvii} 49 CFR § 38.23(b)(12) (1991).
- ^{xxviii} National Council on Disabilities. (2005, June 13). *The Current State of Transportation for People with Disabilities in the United States*. Washington, DC: National Council on Disabilities. p. 125.
- ^{xxix} National Council on Disabilities. p. 19.
- ^{xxx} “MetroAccess Paratransit.” Washington Metropolitan Area transit Authority. Retrieved from: http://www.wmata.com/accessibility/metroaccess_service/
- ^{xxxi} Linton, Chairman R. (Panelist) (2012, September 24). DC Council Committee on Transportation and the Environment Hearing, Minute 6:30. Testimony Retrieved from http://dc.granicus.com/MediaPlayer.php?view_id=23&clip_id=1395
- ^{xxxii} Ptacek, R. (Reporter). (2013, May 13). WUSA9 Investigation: Undercover Cameras Show DC Cabs Stranding Disabled Passengers [Television Broadcast]. Washington, DC: W*USA9. Retrieved from <http://www.wusa9.com/news/article/259124/373/DC-Cabs-Strand-Disabled-Passengers-On-Camera>
- ^{xxxiii} “No Dogs Allowed: Discrimination by D.C. Taxicabs against People who use Service Dogs,” Equal Rights Center, The Washington Lawyer’s Committee for Civil Rights & Urban Affairs, and Hogan Lovells, September 2010. P. 2.
- ^{xxxiv} National Council on Disabilities. p. 125.
- ^{xxxv} Washington Metropolitan Area Transit Authority (WMATA), District Department of Transportation. (2009, May). DC Neighborhood Circulation Study, Final Report. Retrieved from <http://www.wmata.com/pdfs/planning/NCS%20Final%20Report.pdf>

-
- ^{xxxvi} Definition: Institutionalized Populations.” American Community Survey Frequently Asked Questions. Retrieved from: <https://askacs.census.gov/faq.php?id=5000&faqId=6669>
- ^{xxxvii} U.S. Census Bureau; American Community Survey, 2011, Detailed Tables using American FactFinder.
- ^{xxxviii} Testimony of Director Derek K. Orr at the Annual Performance Oversight Hearing, February 28, 2012.
- ^{xxxix} “About Destination DC.” Washington.org. Retrieved from: <http://washington.org/DC-information/about-destination-dc>.
- ^{xi} rollDC data. Wheelchair Accessible Taxi Pilot Report. “Trip Purpose.”
- ^{xii} rollDC data. Wheelchair Accessible Taxi Pilot Report. “DC area resident v. tourist.”
- ^{xiii} Schaller, Bruce. “Entry Controls in Taxi Regulation: Implications of US and Canadian Experience for taxi regulation and deregulation.” Transport Policy 14 (2007) 490-506, p. 6 -8. Retrieved from <http://www.schallerconsult.com/taxi/entrycontrol.pdf>
- ^{xiii} Schaller, Bruce. (2006, March). The New York City Taxicab Fact Book. Schaller Consulting: Brooklyn, NY. P. 31. Retrieved from
- ^{xiv} DC Taxicab Commission. (2009, September 22). “Taxicab and limousine Owner/Operator information.” Retrieved from <http://www.schallerconsult.com/taxi/taxifb.pdf><http://track.dc.gov/Agency/TCO>
- ^{xiv} Data collected from city and country taxicab regulations’ departments
- ^{xvi} U.S. Census Bureau; American Community Survey, 2011, Detailed Tables using American FactFinder, unless otherwise noted.
- ^{xvii} “Definition: Disability.” American Community Survey Frequently Asked Questions. Retrieved from: <https://askacs.census.gov/faq.php?id=5000&faqId=6573>
- ^{xviii} rollDC data. Wheelchair Accessible Taxi Pilot Report. Adapted data from “How Passengers Using Wheelchairs Access Their Taxi Trips.”
- ^{xlix} rollDC data. Wheelchair Accessible Taxi Pilot Report. Adapted data from “How Passengers Using Wheelchairs Access Their Taxi Trips.”
- ⁱ rollDC data. Wheelchair Accessible Taxi Pilot Report. Adapted data from “Response Time, Sampled Data.”
- ⁱⁱ rollDC data. Wheelchair Accessible Taxi Pilot Report. Adapted data from “Response Time, Sampled Data.”
- ⁱⁱⁱ rollDC data. Wheelchair Accessible Taxi Pilot Report. Adapted data from “Accessible Taxi Use: Trips for Riders Using Wheelchairs.” Note that January is not included in 2010 data and in 2012 data was collected only one month per quarter.
- ^{liii} rollDC Accessible Taxi Pilot Workgroup data
- ^{liv} Results from 2011 Customer Satisfaction Survey
- ^{lv} Before the Public Service Commission of Maryland In the Matter of Increase of Rates for Taxicab Service in Baltimore City and Baltimore County Case No. 9184 (Phase II)
- ^{lvi} Same as No. 3 above in Case NO. 9184 (Phase II) page 38.
- ^{lvii} Taxi Access II Website, <http://taxiaccess.org/default.asp>, Accessed April 18, 2013
- ^{lviii} City of Chicago Municipal Code 9-112-070
- ^{lix} Chicago CBS <http://chicago.cbslocal.com/2012/03/19/50-percent-more-wheelchair-accessible-cabs-in-chicago-this-year/>
- ^{lx} Spielman, Fran, “City incentives mean more wheelchair accessible cabs on the street,” March 28, 2012, <http://www.suntimes.com/news/transportation/11584367-418/city-incentives-mean-more-wheelchair-accessible-cabs-on-the-street.html>
- ^{lxi} www.fairfaxcounty.gov/ncs/taxiaccess.htm
- ^{lxii} Patrick Joyce Director Office of Disability Rights New York City
- ^{lxiii} Project ACTION Accessible Taxis Webinar, December 19, 2012.
- ^{lxiv} <http://www.legislation.gov.uk/ukpga/1995/50/contents>
- ^{lxv} <http://www.sagetraveling.com/London-Disabled-Access/>

ABOUT THE DC TAXICAB COMMISSION DISABILITY ADVISORY COMMITTEE

On July 10, 2012, the District of Columbia City Council passed the DC Taxicab Service Improvement Amendment Act of 2012 (DC Taxi Act) to improve taxi service in the District. Section 20f of the DC Taxi Act addresses accessibility, requiring the DC Taxicab Commission to establish a Disability Taxicab Advisory Committee (the Committee) to advise the Commission on how to make taxicab service in the District more accessible to the people with disabilities. The Committee is mandated to transmit to the Mayor and to the Council a comprehensive report and recommendations on a range of subjects regarding accessible taxi service.

The Committee – which met 6 times between January and June 2013 – is a compilation of representatives from the DC Office of Disability Rights; the Office of Human Rights; the Commission on Persons with Disabilities; DC taxicab companies, associations, and operators; the Office of the Chief Financial Officer; disability advocates; and the DC Taxicab Commission. Half of the Committee is comprised of members or representatives of the disability advocacy community.

The Committee convened as a whole and also met as subcommittees in the areas of (A) The legal requirements for providing accessible taxicab service, (B) The need for accessible taxicab service in the District, and (C) How other jurisdictions are providing accessible taxicab service. The Committee will continue to meet monthly - between June and November 2013 - to complete a comprehensive report on accessible taxicab service. Additional sections to be completed are: (D) A timetable and plan to rapidly increase the number of accessible taxicabs to meet the need of accessible taxicabs in the District; (E) A description of the types of grants, loans, tax credits, and other financial assistance and incentives that could be provided to taxicab companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible taxicabs; (F) A recommended package of grants, loans, tax credits, or other types of financial assistance and incentives that could be provided to taxicab companies, associations, and operators to offset the cost of purchasing, retrofitting, maintaining, and operating accessible taxicabs; (G) The means by which the District can achieve a fleet of 100% wheelchair-accessible taxicabs; and (H) A proposed timeline and plan, including an analysis of the feasibility, costs, and benefits, for requiring all new taxicabs to be wheelchair-accessible when replacing old taxicabs that are removed from service.

The Disability Advisory Committee will continue to meet after the initial comprehensive report is submitted and is mandated to transmit to the Mayor and to the DC Council an annual report on the accessibility of taxicab service in the District and how it can be further improved.

The Disability Advisory Committee thanks the Committee on Transportation and Environment and the DC Council for acknowledging the need for accessible taxi service in the District.

MEMBERS OF THE DC TAXICAB COMMISSION DISABILITY ADVISORY COMMITTEE

DC Taxicab Commission Representatives

Anthony Muhammad, Commissioner, DC Taxicab Commission, Committee Chairman

Stanley Tapscott, Commissioner, DC Taxicab Commission

DC City Offices and Agency Representatives

Dara Baldwin, ADA Compliance Specialist (Human Services), DC Office of Disability Rights

Elliot Imse, Policy & Public Affairs Officer, DC Office of Human Rights

Susie McFadden-Resper, ADA Compliance Specialist (Public Works), DC Office of Disability Rights

Christina Mitchell, DC Commission on Persons with Disabilities

Derek Orr, Director, DC Office of Disability Rights

Elizabeth Pollitt Paisner, Senior Policy Analyst, Office of the Chief Financial Officer

Kyle Roll, Intern, DC Office of Disability Rights

DC Taxicab Industry Representatives

Negede Abebe, Small Business Association of DC Taxicabs

Haimanot Bizuayehu, United Ventures Consortium

Matthew Brooks, Royal Cab

Carolyn Robinson, DC Professional Taxicab Drivers Association

Roy Spooner, Yellow Cab

DC Disability Advocacy Community Representatives

Dennis Butler, University Legal Services

Robert Coward, DC ADAPT

Dana Fink, Institute for Educational Leadership

Jonathan Martinis, Quality Trust for Individuals with Disabilities

Mat McCollough, DC Developmental Disabilities Council

Rebecca (Becky) Ogle, Political Consultant

Lee Perselay, Disability Counsel, Senator Tom Harkin

Anais Sensiba, DC National Lawyers Guild

Richard Simms, DC Center for Independent Living, Inc

Carol Tyson, VetsFirst, a program of United Spinal Association, Committee Vice-Chair

Ian Watlington, National Disability Rights Network

Committee Observers

Kelly Buckland, Executive Director, National Council on Independent Living

Anthony J. Catalino, Legislative Counsel, Office of Councilmember Mary M. Cheh

Neville Waters, Public Information Officer, DC Taxicab Commission