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>> Abby: Hello. My name is Abby Fitzsimmons and I'll be your moderator for today's presentation.

>> Abby: Thank you for joining us today for the webinar, the Fight To Improve Wheelchair Access in New York City and Its Implications. Today's webinar is one of a continuing series of the National Spinal Cord Injury Association that we'll be hosting, and all of the webinars will be archived on our website. That's located at www.spinalcord.org. Our presentation today will be in three sections and we'll be taking questions after each one. Please use the questions window to write in any questions that you may have and we'll do our best to get to all of them.

Today we have two presenters. CIDNY's Director of Communications is Margie Trapani, an educational programming specialist who has worked for a variety of nonprofit organizations over the past 30 years. Her specialties are media and public presentation trainings for advocates and consumers. Ms. Trapani currently supervises work on emergency preparedness. And prior to the 2011 lawsuit against New York City, she was the liaison to the emergency preparedness organization, including emergency management special needs working group and the special needs taskforce. She continues to coordinate emergency preparedness, directs the CAVA downstate voting rights project, media outreach, publications development, and the seventh sense training program and CIDNY's education project.

James Weisman is the general counsel of United Spinal Association. He's advocated for the rights of people with disabilities, including helping craft the landmark Americans With Disabilities Act of 1990. Mr. Weisman is a founding member of the board of directors of the American Association of People With Disabilities and was appointed on the Architectural and Presentation Barriers Board, the access board by

Bill Clinton.

Please note that the instructions for using closed captioning on this webinar appear in the chat window.

Now I would like to hand it off to Ms. Trapani.
>> Thanks, Abby. I'm excited to be here today and I'm excited that we can have some conversation about the issues that have been coming to the fore for well over a decade in New York City. The first issue I wanted to talk to you about is a voting rights issue. Like everyone else, people with disabilities should have the right to vote in their neighborhoods with their friends and neighbors and family and to be seen and to be heard in their basic right to franchise. So since CIDNY's founding in the late Seventies, we've been interested in voting rights issues. In the late nineties began to track some of the barriers that people were telling us about. A lot of what is on the PowerPoint I put for you to review at your leisure. I know that United Spinal has it up on their website and CIDNY will also have it up on ours. But I wanted to just highlight some things.

We got involved in the late nineties tracking barriers that people were telling us about. We also got involved with the Help America Vote Act, which for the first time provided funding for localities to make poll sites accessible. It was a very exciting moment for us, because generally when laws happen, they don't have funding attached. This one did, and so we felt there was no excuse for local election boards to avoid accessibility fixes.

In 2003, because of continued complaints from consumers, we began surveying poll sites with the ADA accessibility surveys, and after a decade of doing that at every election, we found that about 75% of the poll sites were still inaccessible to people with disabilities. And for people who

use wheelchairs, the issues of unsafe ramps or narrow doorways or garbage left in accessible entryways were paramount. It was really astonishing that that still happened in New York City.

We worked with the Board of Elections. United Spinal and Disabled In Action had people who were representatives at the New York City Board of Elections meetings, and we seemed to get nowhere. So in 2010, after a full decade of all kinds of actions and surveys, United Spinal and Disabled In Action became plaintiffs in a lawsuit against New York City Board of Elections. We were unable to be plaintiffs because of the state contract that we had, but CIDNY's surveys and reports were used as evidence in the case.

The federal court decided with the plaintiffs in this case, they felt that the evidence presented in the complaints of consumers was ample enough to prove our allegations that most of the poll sites were inaccessible. So that was a really big win. We were very happy about it. But then, of course, the city appealed. That took a little while, but again, the city didn't come back with any evidence to show improvement in the case, so the appeals court came in with a verdict which would, again, confirm the federal court verdict. It was very gratifying to have that verdict, and now we're in conversations with the Board of Elections to ensure that they act on the decisions. In fact, recently we worked with New York City's public advocate, Letitia James and her staff, who were very concerned about the lack of accessibility for people with disabilities at polling sites. So they asked us to train their staff, which we did, and to do a sample survey at the last primary election.

We didn't find any major changes. We are still dealing with bad ramps, bad signage, lack of space around machines inside the voting areas. So people who use wheelchairs and scooters, people who have vision issues still have

difficulty and they can't be sure that when they go to vote with their neighbors, they'll be able to get in and they'll be able to use the machines. Just yesterday we've joined the public advocate for a press conference in which she released a report that included some recommendations, and one of the recommendations that we find very important is for the New York City Board of Elections to develop memos of understanding with their poll sites about what needs to happen on election day. Often poll sites, including schools Charlotte of New York City poll sites, will change the venue. That is the room that's been chosen where they'll store stuff in the room that's being used as a poll site which limits the space, or there are myriad problems. So we are very pleased that the public advocate chose to highlight that issue and encourage the board to develop agreements with poll sites.

So we are working with the Board of Elections. We're working with the public advocate to see that some of these issues are resolved. We're hoping that by the November election, many of these issues will be resolved.

Jim, do you want to add anything? You guys were plaintiffs. Is he on?

>> Jim: We really relied on CIDNY's research and really voluminous. Many years worth with lots of recurring problems at the same polling sites and new problems popping up everyday. The other thing is that every election day, every election day we get calls from people with disabilities, not just from New York, but from out of the country, complaining about polling places. We had to sue. I asked a few of our board members who live in New York, only a few do, did they have polling place problems? And of course they did, and one of them became a star witness in the case.

>> Margie: Right.

>> Jim: About her inaccessible polling place in Brooklyn. But I would say that this is going to take years to solve this problem, because it's site by site, voter by voter, issue by issue until

they resolve all of these problems. And even in places that looked accessible, when you do a cursory inspection before election day, on election day the place is set up differently. There's garbage bags in front of the ramp. It takes so much training to get the people running polling sites thinking the way we want them to be thinking. So it's great they're going to have -- I'm sorry.

>> Margie: No, no. One of the things that we hear from poll workers is, well, nobody with a disability comes to vote here. Well, of course they don't. They can't get in, you know? So I think it's a change in attitude all the way around, but also, I think it's an issue where people don't have faith, that they can get to their poll sites, and so they don't try, and that's really a problem. So I think you're right. It will take awhile it takes education on both sides.

>> Jim: Margie, you can continue.

>> Margie: I just wanted to say that it's a matter of training poll workers, as Jim pointed out. It's a matter of training the sites that are chosen as poll sites, and it's a matter of getting people to think beyond their own experience, which is difficult for a lot of people. When we did the trainings for poll workers, we found that simple things like where you place a sign is not something that they think about. So they might place the sign to tell you where the accessible entrance is way above the vision line for somebody who uses a wheelchair. So it's a change in a total way of thinking about how you set something up.

I was wondering if anybody had any questions?

>> Jim: I do to get one started, if you know mine. Then maybe people will be writing in now that you ask. But the question I have is what about the equipment itself that you vote with or on?

>> Margie: That's another one of those issues that's going to take awhile for people to get used to. The ballot marking devices have, as you

know, all kinds of accessibility devices so people can use the sip and puff, people can use foot paddles or hand paddles or they can use the touchscreen, which changes contrast and font size so that they can vote independently and privately like everybody else. It takes a little while for feel get used to it just in the same way that it took awhile for people to get used to ATMs, but it's also taken time for poll workers to get used to them and learn thousand use them. One of the things we found was that poll workers would stand directly behind the voter, because they wanted to see how the machines worked. Well, that blows privacy right out of the water. So again, it's just going to take awhile for everybody to get used to things, but if we don't start and if we don't make it a priority, it won't happen.

>> Abe: We do have several questions that have come in now. The first one is it sounds to me that you're implying that the Board of Education is making polling sites inaccessible on purpose. Am I hearing you correctly?

>> Margie: No, I don't think anybody is doing this on purpose. I think it's a lack of understanding of what the law says, what makes something accessible for people with disabilities, and it's a lack of understanding of what's required of a poll site on election day. So I think the memo of understanding between the Board of Elections and the Department of Education would go a long way to identify all the areas that have been taken care of on election day.

>> Abby: Okay. We have another question here. If a person is told that the voting site is accessible, but they arrive and it's not, are they able to vote?

>> Margie: Well, that's a difficult question to answer. It depends other how it's inaccessible. If there's no ramp and you can't get up a series of steps and there's no one outside who can see you and who can help you, you're not going to be able to vote. You would have to call the Board of Elections to get some help. If you can get

into the site, but you can't get to the machine and the machine is broken down, you can fill out an affidavit ballot and vote that way. You might need help from poll workers to do that, but you still can vote. It just depends on what the accessibility issue is. Does that answer the question?

>> Abby: Sounds good. There's one last one. If the city doesn't own the buildings that the poll sites are in, how can they control the accessibility?

>> Margie: Well, that's a good question. The city has a responsibility to make sure that poll sites are accessible. And if a site agrees to be a poll site, then they also have responsibility to make their space accessible. They are a public space and they have requirements under the Americans With Disabilities Act, as well as the Board of Elections. So again, I think a lot of this has to do with education so that each entity understands what its requirements are under the law, and then enforcement so that those entities actually do what they're supposed to do. Jim, do you want to add anything to that?

>> Jim: Yes. Several years ago we were speaking to New York State assembly majority leader, and he said to me that lots of politicians will support you when you say you want to make polling places accessible, but remember, every one of them was elected with polling places exactly like they are. And the more you push to change them, the more you risk their re-election, because you're changing a variable. Did you find when you were pursuing this that there was that kind of support that was kind of tacit support, but they didn't want to, for example, move a polling place?

>> Margie: Actually, I don't think that any of the electives that we spoke with got down into the weeds with us about those kinds of issues. Mostly they were concerned about constituents complaining if their poll site was changed. But we never heard from anyone about concerns about being re-elected based on that.

>> Jim: You mean complaining because the constituents were complaining because they didn't know where it was or it was inconvenient?

>> Margie: Right. People who had gone to the same poll site for 20 years suddenly had to go to a different site. Sometimes they would complain to their local legislators and say, why do I have to do this? So that's the kind of thing we heard.

>> Jim: I think you're up to Part two.

>> Margie: Okay. That's all the questions we have. Okay. So moving along to another huge issue for New York City. As most of you know, since 9/11 New York City has been focused on emergency preparedness. One of the ways their focus has drifted, though, has been for people with disabilities. CIDNY was the lead agency for people with disabilities after 9/11, and we learned a lot about what didn't happen for us. People stuck in their apartments who couldn't get help, couldn't get out. People who couldn't get out -- sorry. People who couldn't get services once they got out. So CIDNY, among with other IOCs and other organizations representing people with disabilities joined committees like OEM's Committee on people with special needs, voluntary organizations, active and disaster. We wanted to make sure that our voices were heard as planning was being done.

Then we experienced the blackout in 2003 and realized, well, nothing had changed. Then again in 2010 and 2011, we experienced the same things we had been concerned about since 9/11. So CIDNY, along with Brooklyn center to independence of the disabled and two wonderful courageous individuals, Tonya Morales and Gregory Bell, sued the city for lack of planning for people with disabilities and for their lack of adherence to the Americans With Disabilities Act. As we were in the middle of the court case, Sandy appeared and again proved that the city wasn't ready to work with people with disabilities in emergencies and disasters.

We had surveyed shelters as we had done in the past and found many were not accessible. We knew that the messaging that the city sent out was tough for people with disabilities. Often there weren't ASL translators or the formats were not accessible or the information didn't include how people with disabilities were supposed to evacuate if they had to.

So after Hurricane Sandy and during the Court case, we started all over again surveying shelters, trying to get through to our consumers, and again, same issues since 9/11. So the judge had plenty of evidence that everything that the plaintiffs were claiming was accurate. And our view of the decision is that the judge concurred with our allegations that the city had just not made plans for people with disabilities.

This is not just for New York City, though. Across the country, we began hearing from other ICLs and other consumers that so much of emergency planning didn't include them. Certainly the shelters were a big issue, because people who needed to evacuate couldn't always get into the shelters, or if they could get in, there was no refrigeration for their medication or they couldn't power up their wheelchairs, because there wasn't sufficient electrical outlets at the shelters. Things like that. Also, I think a big issue was training for shelter workers. People didn't know how to communicate easily with each other -- how to communicate easily with each other. It was a very bad situation for everybody concerned. Many people were against high rise buildings. Even when there was some evacuation efforts, some people can their durable medical equipment left and had to go into nursing homes or other institutions until things got back to, quote, normal, unquote, because they didn't have their durable medical equipment with them.

So all in all, it was just pretty horrific after Sandy. There were many people who just didn't

know how to evacuate, because the information wasn't there in time for them to make plans. We had people who tried to get out by using the buses that the city said were accessible, but there wouldn't be room on the buses, so they had to go back home and ride out the storm as best they could. Things like that happened throughout all of the emergencies we've been experiencing in New York City.

There is no basic canvassing plan. A lot of the canvassing was done by community groups, which is terrific, but they were not trained to deal with the issues that people with disabilities may have in an emergency. And in fact, I think the judge agreed that there really weren't significant or sufficient plans for people with disabilities throughout.

So right now, we are involved in mediations with the city to try to come to some agreement on changes. We believe we're going to have an agreement on making shelters and evacuation centers accessible, and we're hoping to have other agreements in place. It's been a long ride for a lot of our folks and they're hoping that we can make some changes.

>> Abby: Margie, we have a couple of questions here. What, on a case-by-case basis, do you want done to correct this?

>> Margie: Well, I've listed some of the recommendations that we've made on the PowerPoint that will be available to you, but I think there are a couple of things that are pretty significant. First of all, people with disabilities and their representatives should be involved in the planning for the city's response to emergencies and disasters. There needs to be somebody at higher levels in the city who has some responsibility to ensure that the city is abiding by the Americans With Disabilities Act and making things accessible for people. It's too late to plan after the event happens, so we're hoping that the city will see the importance of and the ease of tag people with disabilities and their

representatives and somebody relatively high up in the system involved in planning. I think that we have to solve issues of reaching out to people before and after the event. Services have to be made available to people so that they can get the help they need. And given what we've experienced so far, we know that people with disabilities are over-represented in people who didn't get services after each of these events.

>> Abby: Okay. A couple of other questions. What's wrong with temporarily going into a nursing home?

>> Margie: Well, for one thing, you are separated from people you know and maybe your partners, your spouses, your family. You don't need -- you know, essentially, you're putting somebody in a nursing home when they don't really need to be in one. It's a function of not having the equipment that you need in order to take care of yourself, but you don't need a nursing home. You can do just fine if you have your wheelchair and the ability to power up or have refrigeration for your medication. It's a very expensive solution to a problem that doesn't need to be solved in that way. And we've had experiences of people who were put in nursing homes whose health deteriorated, because they didn't have the ability in the nursing home to keep up with physical therapies, with, you know, just being active, carrying on with their lives. And that's not something anybody wants to see.

>> Abby: What's the time line in terms of start dates for fixing all of these items?

>> Margie: I wish I knew the answer to that. As I said, we're in mediation right now with the city. We're not sure how long all of this will take. I think there's a hearing date in October with the judge and we'll know better than where we are with all of this.

>> Abby: Have you had other cities contact you because of the --

>> Margie: Other cities? Yes, we have. We try to keep in regular contact with folks all over the country to understand how everybody is doing. What are some of the best practices and

solutions? Obviously, these are experiences we've all had all around the country. So for example, our executive director, Susan Dua, has been speaking around the country in Oregon and Washington, North Carolina, I believe Atlanta, talking with groups like ours and like United Spinal Association and others about what they've experienced and how they can craft solutions to some of the problems we've all experienced.

>> Abby: Okay. And one final question. How can individuals with disabilities involve themselves in the planning process?

>> Margie: Ah, excellent question. I think first start by finding out in your area, I mean, obvious any you're in New York City, we'd love to hear from you. If not, contact your local independent living center or your local disability organization to find out if they're involved and how they're involved and how can you get involved? But then also, you should contacted your city representatives and ask them the question. What's our plan? How can I get involved? Who's responsible? How can I speak to them? The more we speak out, the more we take some responsibility to be part of the solution, I think, the better it will be for everyone.

Jim, did you have anything you wanted to add?

>> Jim: No. That's great. Having lived through Sandy in New York and seen all the suffering of people with disabilities, we know this was vitally necessary. Sandy was evidence that happened during the pendency of the litigation. The lawsuit was brought and then Sandy happened, as if to highlight --

>> Margie: Right.

>> Jim: -- the problem. I don't know if you mentioned this. The para-transit system stopped running six hours before the public bus system so that there was just absolutely no alternative for people to get out of low-lying areas. They had no transportation whatsoever.

>> Margie: You're right, and I didn't mention it. We even had, in fact, a case of somebody who had tried to get out and there was no room on the

buses. He went back home and ended up with flooding in his home and waiting for a day before somebody could get to him. So he's waiting with water up to his neck. And that's just not acceptable. It's not what needed to happen if there had been a plan.

>> Jim: The only thing you could say on the city's behalf here is that what happened was unimaginable.

>> Margie: Right.

>> Jim: The fact that a disaster is going to slap not unimaginable, which is why you have to have a plan.

>> Margie: Right.

>> Jim: But the amount of flooding was staggering.

>> Margie: No, that's absolutely right.

>> Jim: Never had anything like it here before.

>> Margie: That's absolutely true, but I think what you said is correct. If you don't have a plan, you don't have anything. You don't, you know -- you can't foresee everything that happens, but if there's no plan, anything that happens is going to be a problem. Anyway, so I've given you control, Jim.

>> Jim: Thank you, Margie.

>> Jim: Okay. Hi, everybody. This is Jim Weisman. I am senior vice president and general counsel of United Spinal. We used to be called the Paralyzed Veterans Association and I've been doing disability advocacy work, especially transportation, for 30 umpteen years and was involved in the lawsuit to make transportation accessible in New York City, which was brought way back in 1979 and settled in 1984. That becomes relevant to this discussion later on in the presentation.

Why are taxis such a big issue is a question people ask me all the time. Buses are accessible and para-transit is available and why are taxis so fundamental? Why was it such a big issue that you had to sue the city? Well, the Americans With Disabilities Act exempted sedan-style taxis. I was involved in drafting the

transportation provisions of the ADA and I will tell you why that happened. It's because sedans are inaccessible and no one could imagine them being accessible. Minivans were just becoming popular, so if you read the statute and the regulations, you'll see that vans that seat less than eight passengers, including the driver, have to be accessible if they're used as taxis, unless equivalent service is offered, but it isn't, so it's -- that's what the regulation says, but there is no equivalent service to a taxi. There always was a van accessibility requirement and still is so if you're in a town where people are using Dodge caravans with Toyota Siennas or Honda Odysseys or those type of vehicles as taxis, those privately operated taxis are violating the ADA if they are inaccessible, and they are almost entirely inaccessible around the United States, with very few exceptions. New York City had about 1100 of them that the New York City taxi and limousine commission had brought into service, that is, inaccessible vans in violation of this provision of the ADA when we began our advocacy.

Our advocacy began 16 years ago, almost 17 years ago in New York City to make taxis accessible. We formed a group called The Taxis Are For All campaign. The Taxis Are For All campaign involved disabled advocates and lots of groups of people with disabilities in New York City. Everyone had something to say about the inaccessible taxi system. People wanted loop systems or FM systems or amplification or they couldn't hear through the wheel partitions between the driver and the passenger for the safety of the driver. They couldn't hear the driver and there were no speakers, because they were hearing impaired. Or the driver passed them by, because they were a wheelchair and a manual chair could be fold and had put in a cab, but the driver passed them by. We'd get complaints constantly about taxis.

The reason it's necessary, despite all the access

we have in New York City, will become obvious when I tell but what we've got. We've got a public bus system and thousands of buses. However, they're all accessible and have been. We were one of the first countries in the city to have 100% accessible bus system, because of our lawsuit and its settlement in 1984. And for the last 20-plus years, we've had 100,000 rides a month, at least, by wheelchair riders on public buses. We only have 82 of 466 subway stations that are accessible. There will be 100 accessible, probably a little more accessible by 2020, but it's still very, very limited access.

The way the bus works in New York City is that most of it is intra-borough. That is, Queens buses usually stay in Queens. Bronx buses stay in the Bronx, et cetera. Therefore, you can't do long trips, you can't change boroughs on the public bus system, with very few exceptions on bus routes. The reason that that is is that we have a subway system to do that. Most able bodied New Yorkers use the subway for long transportation. It is below ground or elevated and avoids traffic and is inexpensive, the same as the bus fare. So it's not like taking a cab. It's practical. But for people with disabilities, when only 82 subway stations have elevators or ramps or there's a couple at grade level, but most of them are elevators or ramps, actually mostly elevators, with only 82, that is not a lot of subway access. You might be able to get somewhere by subway, but you may not be able to get back and you can't change destinations once you've set out. Your trip plans have to stay the same, because there's only a few elevators. It's hard to change routes. It's hard to change lines on the subway.

We have an ADA required para-transit program which was established by our lawsuit settlement as well. That program Mayor Koch, back in the Seventies and early Eighties when I was fighting access to the subway, he predicted that it would cost, if we kept the subway and buses

inaccessible, we could pick up every person with a disability that wanted to use para-transit and get where they wanted to go for \$9 million a year. In fact, with 82 subway stations accessible and 100,000 wheelchair rides a month on the bus system, we're spending 575 million this year on supplemental para-transit. That's only for people who can't use mass transit on the trips they want to go on, and that involves about 1600 vehicles and costs over \$60 a trip. That's right. \$60 a trip. But of course, the user doesn't pay it. The user pays the mass transit fare: Two dollars and 50 cents. And taxpayers, the mass transit agency, which is funded by taxpayers and fare pairs, play the balance. \$63, \$62 of every trip is paid for by taxpayers, and it keeps going up. People with disabilities are expecting to travel. More people with disabilities are living longer in our community. Aging with disabilities and using wheel mobility aides, the demand for para-transit is exorbitant. Rather, the price is exorbitant because of the demand, which keeps increasing.

Only a few years ago this was \$275 million. So it's been increasing exponentially. In addition to that, there's so much money. There's 575 million. Benefits related to travel, just Medicaid, just Medicaid, not vocational rehabilitation, not the Department of Veterans affairs, not other Veterans paying agencies, not the Board of Education, not any of those special transits, subsidized transits that is benefits related, the last number I have is 2010. Medicaid spent \$200 million on ambulances just to get poor people in wheel chairs to their doctor. So there's 775 million just between public transit agency in New York City and Medicaid in New York City. Taxi rides in New York City are cheaper than most cities, actually. I've traveled around the country. I know there are quite reasonable taxi fares in New York. If you spent \$60 a ride on a taxi, you could go anywhere in New York City for that price. Most taxi rides are ten or \$12. Local rides are eight

or \$9, \$6. We're talking about a very inexpensive alternative to the 60-dollar a ride, 60 plus dollar a ride para-transit. Yet there's 13,000 yellow cabs that operate in Manhattan south of 96th Street, and only a couple of years ago, only a year ago there were only 230 of them that were accessible. If you do the fraction 230 over 13,000, we're talking about a versus and a half or something of the taxis and that would mean that in New York City where yellow cabs are hail only, you cannot call a yellow cab in New York. If you're an able bodied person in New York, you have to go out in the street and wave to one in Manhattan. The odds are 230 out of 13,000 that you'll get an accessible cab. So hailing an accessible cab became impossible right away. It was obvious it was impossible to use them. The drivers were trained and then never used the equipment and forgot how to use it.

In the other boroughs and north of 96th Street, there are 30 livery leaks that are dispatched. Maybe two of them are accessible, but no one's seen them. They're few and far between. We were very frustrated with this. So were the other members of the taxis for all campaign. I don't believe lawsuits are the answer to all problems. I'm a lawyer and I get it that lawsuits are necessary, but they are also not always the best alternative and they should be a last alternative when you've tried everything else. We felt like this was the last alternative.

We were very lucky in New York. There's a group called disability rights advocates in Berkley, California. Some of you may know them around the country. They opened a New York office and a young lawyer named Julia Pinover mans that office, ran that office, and together with Julia, we crafted a terrific lawsuit against the taxi and limousine commission of the City of New York. We can talk until we're blue in the face about the reasons for making taxis accessible. Spontaneous travel is permitted. Everything

else is either a dance ride or public transit may not get you there. May not be available to you. With accessible taxis, you can come, in early stay late, go out for a link after workings socialize, recreate, go on dates. And in New York City where there are this many vehicles, how many? 17,000 yellow cabs. We're talking about a tremendous amount of vehicles.

And with the liveries in the boroughs, instead of using all of these ambulettes to take people on Medicaid trips, the car services that are already operating, if they would switch to accessible vehicles, could become much cheaper alternatives to the ambulettes when they're not carrying passengers in regular service, both able-bodied and disabled.

The Department of Justice filed a statement of interest with the judge in the case. That's a very unusual procedure for the department. Justice to take, but it has done it several times in New York in these cases. The Department of Justice said that New York regulates taxis so heavily that it's practically an operator of the taxi system and all taxis should be accessible. We, as plaintiffs, when I say we, United Spinal and other disability groups in New York City and a couple disabled individuals who brought suit, just sought meaningful access to the system. It's got to work. The judge decided we were entitled to meaningful access. At the same time that this was happening, Mayor Bloomberg, who fought us for almost 12 years, almost all of his administration, sponsored a taxi of tomorrow competition, an inaccessible taxi was chosen. There are other vehicles and were other vehicles that submitted to the competition or were available. The MV-1, which is an accessible factory built car, did not participate in the competition, but was an obvious alternative for the city, but it didn't go, and this Nissan NV200 would have to be retrofitted like a Honda on I didn't or Don caravan or Toyota sienna if it were to be made accessible.

In 2012, Governor Cuomo heard our pleas for assistance, agreed with us that taxis should be accessible, and created street hail privileges for some of the livery cabs in the boroughs that had to be dispatched. If you were in downtown Brooklyn, you might be able to find a yellow cab from a trip there, but other than, that you'd have to call. If you lived in a residential neighborhood, you always had to call. Now some, these green cabs, have street hail privileges and the state legislation we got passed, every document I'm referring, to by the way, will be available to you. You'll see how at the end of the presentation. They created 2,000 new medallions to add 2,000 new yellow taxis to the fleet below 96th Street. The medallions are worth about a million dollars at auction, so the city thought it could raise \$2 billion that way. They all had to be accessible. Governor Cuomo insisted and Mayor Bloomberg had to accept that. The green vehicles, Governor Cuomo insisted at least 20% had to be accessible.

The good news, however, is that Mayor Bloomberg had a change of heart. Some people can be educated, even if it takes 12 years. Right before he went out of office, he agreed to 50% of yellow taxis being accessible forever. We had to put a deal together with the new Mayor. The new Mayor affirmed the commitment by Mayor Bloomberg. Said 50% of yellow taxis will be accessible. They will be accessible by 2020 through vehicle replacement policies. The normal vehicle replacement policy in New York. 50% of the green taxis, remember, the statute we got passed only required 20%, 50% of the green taxis will be accessible by 2024. So we weren't wild about how to pay for it. The first deal, the 2000 new medallions, out of the medallion sale money, that will pay for the accessibility equipment, 15,000 a vehicle for those 2,000 cabs. The rest of the cabs will be made accessible and maintenance money for accessible features from a 30-cent fare increase that every worker will

pay when they take taxis.

The sleeping giant of new issues are Transportation Network Companies. These are dispatch apps. Apps are not rides. Transportation Network Companies are not vehicle operators in that. They usually just match people with rides. They don't have to and don't necessarily obey all of the requirements imposed on taxis and for-hire vehicles. This is a big problem for people with disabilities. Police say 50% of the taxis have to be accessible, and then along comes a Uber or Halo or another dispatcher and there's going to be many. There are many now. And you want to get an accessible cab, we don't know if they have capacity. We don't think they do. And in most cities, they say they don't have to, because they're just an app, not a ride company. They don't operate vehicles. We don't think they're going to provide service to people with disabilities.

In your city, you must get whoever regulates taxis, and if that's no one, because in some towns it's, you know, the wild west out there, you can call yourself a taxi and be a taxi. Then you have to get your local governing body to acquire PNCs -- that is the dispatch apps -- to ensure that, first of all, the app is accessible to people with disabilities, and second of all, that they have the ability to match a disabled passenger with a cab appropriate to their needs.

There are materials available to you. The additional materials that are available at this site include a 62-page memo written by Carol Tyson in United Spinal's Washington, D. C. office on kind of the state of the art of taxis now. The memorandum of understanding between United Spinal and the City of New York on the taxi deal, the state statute we got passed, which creates the new accessible medallions and the funding mechanism for that, the judge's decision finding that meaningful access is required by the ADA to the New York City taxi program. The Department

of Justice statement of interest in the New York City taxi case, which is fascinating how they get through that all taxis being accessible and the implementation agreement of the memorandum of understanding between the City of New York and the plaintiffs in the accessible taxi case. That is, how do we go, now that we've committed to 50% of the greens and 50% of the yellow taxis becoming accessible, how are we going to operate the system? I should say before I let you ask questions that even though New York City is a hail only city south of 96th Street, people with disabilities can call for dispatch and will be able to, both for the yellow cab south of 96th Street and the greens. There will be a central addition patch. There is now for the yellows and there will be a central dispatch for the greens as well, and it will probably be, the plan is to make it one dispatch that you could, if you were in Brooklyn or Manhattan or the Bronx or Staten Island, Queens, you'd call the same Number or use the same app or the same website or the same e-mail. However many ways they can get you to reserve a ride or request a ride. You'd still be able to do it even hail only cabs.

Please don't hesitate to contact me personally in the United Spinal offers if you have questions about taxi in his your community. We want to help and now I'll take questions now if that's okay, Abby.

>> Abby: Sure, we have several. Regarding the settlement terms, are there incremental goals before 2020?

>> Jim: There are. If you look at the implementation agreement, it will lay it all out for you. It has to be real. It can't be illusory. So there has to be benchmarks. Now, with the yellow cabs, it was relatively simple to set those out, because they have normal vehicles. They're only allowed to run their vehicles, depending on the type of vehicle and whether it's a hybrid or not and things like that, they're only allowed to run them for three or four-year or an accessible vehicle gets another

year, too, before they age out and have to be replaced. So they were easy to predict what was going to happen. The liveries don't have rules like that, so we took a shot at it with the taxi and limousine commission. And you can see what we did in the implementation agreement.

>> Abby: How frequent and available are these accessible taxis at airports or train stations?

>> Jim: Right this minute, they are not frequent. However, the dispatch, the city says, you know, I'm not the one dealing with the raw data, but the city says that people don't wait more than 14, 15 minutes south of 96th Street when they call dispatch. The boroughs are a different story. That system hasn't really been set up yet, and people are dealing with community car services that happen to have accessible vehicles in calling them, and sometimes that's quick, because they're in your neighborhood, and other times they're not available, because they only have one car and it's in service. This is going to change dramatically in the next six months to a year, because so many new vehicles are coming in.

The other issue is availability of accessible vehicles. It takes awhile to convert a van or a car or a minivan to be accessible, and it requires money. Even though New York City has set up a funding mechanism to pay for this, it is not fronting the money and what I mean is if you have a car, a van that needs to be made accessible, either the van converter himself is laying out the money and doing it, hoping to be paid; the owner of the vehicle is laying out the money, which might be 14, \$15,000, hoping to be reimbursed. He will be reimbursed by the city, but he's hoping to be reimbursed. And in fact, the payment is assignable to the van converter. But how many vans will a converter convert? That's a tongue twister. Before they run out of money and say, look, I have to be reimbursed before I can start another job. And that's starting to become an issue, the payment mechanism. So we're looking into that now.

>> Abby: Okay. We have about one more minute for another question, and that would be can taxis charge more for the accessible services?

>> Jim: The answer is no. Taxis -- more than able-bodied people, the answer is no. If a fare increase for everybody is a fare increase for everybody, and even if they say it's for access like New York City did, of course they can do that, but people with disabilities who want to go from Point A to Points B shouldn't pay any more than able-bodied people to go from Point A to Point B. I am aware of a taxi company on Long Island that actually does charge people more who are about to file a complaint with the Department of Justice against if they don't cease and desist. Their argument, it's a special ride.

We can only send one type of vehicle and we have many types of vehicles in our fleet, and this requires one type of vehicle. But the simple fact of the matter is that the Department of Justice and the Department of Transportation's ADA regulations would prohibit this type of a charge. So I think we can get it stopped. If it's napping your community and you need help, give us a call or e-mail and we're happy to help.

>> Abby: All right. On behalf of National Spinal Cord Injury Association, I'd like to thank Margie Trapani and Jim Weisman for sharing personal experience and his professional knowledge with us today. Our next webinar will be October 14th and we'll focus on service animals. To receive and sign up for our webinar newsletter, you can visit us at www.spinalcord.org. That's also where this webinar will be archived, so you can reference it later. Also, check out our new mobility magazine, which covers everything active wheelchair users need to know. You can visit that at newmobility.com. Thank you, everyone.

(End of webinar.)

THE FOLLOWING IS AN UNEDITED ROUGH DRAFT TRANSLATION FROM THE CART PROVIDER'S OUTPUT FILE. THIS TRANSCRIPT IS NOT VERBATIM AND MAY CONTAIN ERRORS.