

## **May 17, 2022 Testimony to City Council Committee on Rules, Privileges and Elections re appointment of David Do as TLC Commissioner**

Good morning. I am Jean Ryan, President of Disabled In Action of Metropolitan NY, also called DIA. We are members of the Taxis For ALL Campaign, a coalition of disability rights groups that have been fighting for accessible taxis and accessible For Hire Vehicles since 1996. This testimony is slightly different than what I was able to say in my 2 minutes. I would also like to ask that, in the future, when only 2 or 3 people are testifying, that we be allowed more than 2 minutes if we need it and are on topic. We have gotten that consideration before in previous hearings. It is important that the committee, the agency, and the person understand our issues. We work towards solutions and it is helpful to know our issues.

**Safety** - We have some accessible yellow taxis and for-hire-vehicles, but not enough and there are many problems with drivers refusing to pick us up and if they do, not having the proper equipment and/or knowledge of how to safely secure people who use wheelchairs. Safety is everything, but many drivers cannot be bothered to secure our wheelchair and our person. If done properly, it takes 5 minutes or less to lower the ramp and secure us. Drivers are willing to help with suitcases, golf bags, packages, and strollers that take just as much time. Of course, training and enforcement are necessary to effect change, but they are not enough to change drivers' motivation and behavior. Some drivers will always avoid us.

**It's often impossible to get a ride** - Apps have helped Black and Brown people reduce prejudice and refusals because you can't see color in an app. Wheelchair users cannot use any other vehicle besides a WAV and when we have to ask for a WAV through an app or through Access-a-Ride on-demand or regular service, drivers know we are in a wheelchair and do not pick us up. People who live in the outer boroughs also have a hard time getting a ride because drivers want to stay in the central business district or the airport. Is that a business decision or discrimination? It feels like prejudice and discrimination to cherry pick riders. Most New Yorkers live in the outer boroughs and in upper Manhattan, not below 96<sup>th</sup> Street. Seeing a yellow taxi is often like an Elvis sighting. For Hire Vehicles (car services) are the main non subway or bus or private car way that people get around in the outer boroughs, but they are notoriously finicky and inaccessible. I have actually been told in a car service base that I need to call a day ahead and take Access-A-Ride. I've been told all kinds of excuses for not getting a ride. The one accessible car is in another borough or at the airport. The driver did not come in today. No one wants to drive that vehicle. Or the base has drivers for the WAV but they refuse to pick up people in wheelchairs. If the refusal is within the car service, there is no way we can make a complaint to the TLC. Accessible Dispatch has never been a reliable service. The taxi and fhv driver shortage cannot be blamed for people not getting picked up at all because it is not a new problem.

**It can be impossible to get picked up with Access-A-Ride brokers as well as with AAR On-Demand, especially going to the outer boroughs or from the outer boroughs.** We want you and your team to work with the MTA to improve service reliability as well as mandated securements of wheelchairs and the people in them.

**Data is important** - If someone requests a trip and cannot get a ride in 15 minutes or more (hours sometimes) and then cancels, is that request recorded? Because it should be for any taxi or fhv app, and that includes vendors and brokers apps within AAR or separate from it like LEAP, ARRO, MEDI and Sentry (Limousys), Greenpoint (VIA), Accessible Dispatch and CTG. Most would-be riders do not cancel a trip for the heck of it. They cancel because it is obvious that they are not going to get a ride. We would like you and your team to work with Access-A-Ride and brokers and vendors to stop driver refusals and increase safety and keep good records. It is awful to be stranded with no ride.

Mr. Do, are you willing to work with all parties to stop driver refusals, especially WAV driver refusals?

**Access-A-Ride and taxis and for-hire-vehicles are for going anywhere, not just to grocery stores and medical appointments.** Mr. Do needs to know this. We can take accessible transportation to school, work, concerts, nightclubs, and anywhere that non-disabled people take transportation. We do not need paternalism and ableism from the TLC Commissioner and Chair.

**We want all taxis and for-hire-vehicles, 100%, to be accessible** because then when drivers refuse to pick us up, and they will, we will easily be able to get a ride from a different driver. Until that happens, availability of accessible taxis and fhv's will never meet the demands and the needs of wheelchair users. This City is too big and we are many people.

**Wheelchair users can only ride in WAVs, but everyone else can also ride in a WAV.**

**We want to know, Mr. Do, what you will do to meet this goal of 100% accessibility, not just in taxis but also in fhv's.** Your predecessor as well as the current acting head of the TLC have expressed the desire and goal to be 100% accessible. We expect you to have the same goal, not just 50% which is already legally required.

**We expect to regularly meet with you and your team as we currently do now with the TLC and have been doing for years.**

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**Testimony of Joseph G. Rappaport**  
**Executive Director of the Brooklyn Center for Independence of the Disabled**  
**before the New York City Council Committee on Rules, Privileges and Elections**  
**on the nomination of David Do as TLC Chair**

May 17, 2022

Good morning. I'm Joe Rappaport, the executive director of the Brooklyn Center for Independence of the Disabled, or BCID. We appreciate the chance to testify today.

BCID is a core member of the Taxis For All Campaign. We were a plaintiff in the lawsuit that forced the Taxi and Limousine Commission to convert yellow medallion taxis to 50% accessible here in New York City. We also advocated for and won some accessibility in the for-hire business, including on Uber and Lyft.

Accessibility doesn't happen by chance or by good wishes. Accessibility typically happens when outside forces – disability advocates like Jean Ryan's group Disabled In Action, and mine – make it happen. We do this by showing up. By getting officials to realize that accessibility is both fair and makes sense.

Often, we have to go to court. That is why buses in New York City and around the country are accessible. That is why we're going to make the subways accessible, after filing lawsuits against the MTA more than five years ago.

And that is what we did here in New York City to get accessible taxi service. When BCID and DIA and other groups filed our lawsuit against the TLC in 2009, there were only about 230 accessible yellow taxis out of 13,000 in New York. When I started working on this issue in 2004, there were only three out of 13,000!

This is not some abstract issue for BCID or the Taxis For All Campaign. Taxis and for-hire vehicles are an essential part of our transportation system. Just like

anyone else, wheelchair users need to get places quickly – when they're late for a meeting, when they can't or don't want to take the subways, when they want to visit a loved one in the hospital.

The City would not allow office buildings to be built that weren't accessible, nor would it exclude one group of people from a school system. Why should it be any different in our taxi and for-hire system?

We appreciate the Council's emphasis on accessibility in its written questions to Mr. Do. We also see that Mr. Do does have some limited experience in getting accessible vehicles on the road. But we note that Mr. Do did not meet with accessibility advocates in preparing for this hearing or for the job. We expect that to change soon.

When we meet with Mr. Do, we'll want to hear about his commitment to:

- get wheelchair-accessible back on the road. We've raised this several times with the TLC over the years, but unfortunately there appears to be little success in getting this done. How will he achieve this?
- make the taxi and for-hire system fully accessible. Fifty percent was a compromise for us on medallions. The best way to ensure accessible service is 100% accessibility in the first place.
- Ensure accessibility for all new for-hire vehicles, which is currently the standard at the TLC. This has led to an increase in the availability of WAVs in Uber and Lyft and other services.
- make sure that safety rules are followed by drivers, who often do not know how to strap wheelchair users into their vehicles. This puts wheelchair users at particular risk.
- work with MTA NYC Transit to integrate the yellow and green taxis, and accessible for-hire vehicles, into its Access-A-Ride system, offering on-demand service to all paratransit users and business growth for drivers.
- the introduction of electric vehicles that also are fully accessible, rather than a two-tiered system that will result in more non-accessible vehicles. The TLC has the ability to make a significant difference by insisting that only accessible electric vehicles come into the New York market.

Thank you.

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

**(PLEASE PRINT)**

Name: David Do

Address: \_\_\_\_\_

I represent: TLC Nominee

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆