



Legislation Details (With Text)

**File #:** Res 0905-2003      **Version:** \*      **Name:** Former discriminatory policy against people with disabilities resulting from the MTA's denial of TransitChek privileges for Access-A-Ride users.

**Type:** Resolution      **Status:** Filed

**In control:** Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services

**On agenda:** 5/28/2003

**Enactment date:**      **Enactment #:**

**Title:** Resolution denouncing the former discriminatory policy against people with disabilities resulting from the MTA's denial of TransitChek privileges for Access-A-Ride users in early May of 2003, and supporting the subsequent reversal of said policy two weeks later.

**Sponsors:** Margarita Lopez, Maria Baez, Charles Barron, Leroy G. Comrie, Jr., Lewis A. Fidler, Melinda R. Katz, John C. Liu, Michael E. McMahon, Michael C. Nelson, Christine C. Quinn, James Sanders, Jr., Helen Sears, Albert Vann, Robert Jackson, Gale A. Brewer

**Indexes:**

**Attachments:** 1. Cover Sheet

Date	Ver.	Action By	Action	Result
5/28/2003	*	City Council	Introduced by Council	
5/28/2003	*	City Council	Referred to Comm by Council	
12/31/2003	*	City Council	Filed (End of Session)	

Res. No. 905

Resolution denouncing the former discriminatory policy against people with disabilities resulting from the MTA's denial of TransitChek privileges for Access-A-Ride users in early May of 2003, and supporting the subsequent reversal of said policy two weeks later.

By Council Members López, Baez, Barron, Comrie, Fidler, Katz, Liu, McMahon, Nelson, Quinn, Sanders, Sears, Vann, Jackson and Brewer

Whereas, In early May of 2003, the Metropolitan Transit Authority ("MTA") promulgated a new fare increase and policy for City mass transit that included a 50 cent hike, to \$2.00 per fare, and discontinued use of tokens; and

Whereas, This new MTA policy permitted many riders to avoid paying the full \$2.00 fare by purchasing and using MetroCard discounts; and

Whereas, This new MTA policy also permitted senior citizens and wheelchair users to purchase a half-price MetroCard; and

Whereas, Under this new MTA policy, TransitChek users can use pre-tax income to buy coupons instead of tokens, which were eliminated when the fare hike went into effect to ride the City's mass transit system; and

Whereas, When the MTA promulgated this new policy, Access-A-Ride ("AAR") fares could only be paid in cash, whereas in the past, AAR users could pay with tokens; and

Whereas, The new MTA policy did not permit AAR users to pay with TransitChek coupons; and

Whereas, Due to the new MTA policy, AAR users were unable to obtain the same benefits and privileges of TransitChek available to seniors and non-disabled riders of the mass transit system; and

Whereas, The American with Disabilities Act ("ADA") mandates non-discriminatory door-to-door transportation paratransit service that is comparable to the mass transit service for people with disabilities; and

Whereas, Such non-discriminatory treatment in public accommodations and transportation services includes TransitChek privileges, such as allowing for transit fare payment with pre-tax dollars which result in reduction of a rider's taxable income; and

Whereas, The policy that was promulgated by the MTA in early May of 2003 constituted a discriminatory practice against people with disabilities who use the AAR service, in violation of the ADA and without regard for the civil rights of people with disabilities; and

Whereas, On May 16, 2003, the MTA retracted such discriminatory policy, and now enables AAR users to access TransitCheks to pay for their transportation; now, therefore, be it

Resolved, That the Council of the City of New York denounces the former discriminatory policy against people with disabilities resulting from the MTA's denial of TransitChek privileges for Access-A-Ride users in early May of 2003, and supports the subsequent reversal of said policy two weeks later.

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