



Governor's Commission on Disabilities' Legislation Committee

Monday December 8, 2008 3 – 4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049

(voice) 401-462-0100 (tty) 462-0101 (fax) 462-0106

(e-mail) disabilities@gcd.ri.gov (website) www.disabilities.ri.gov

Attendees:	Timothy Flynn (Chair); Jeanne Behie; Sharon Brinkworth; Linda Deschenes; Elaina Goldstein; Liberty Goodwin; William R. Inlow; Katherine Lowe; Paula Parker; Arthur M. Plitt; Janet Spinelli; & Linda Ward		
Absent:	Kate McCarthy-Barnett (Vice Chair); Raymond Bandusky; Rosemary C. Carmody; Gwendolyn Reeve; Rev. Gerard O. Sabourin;		
----- Minutes -----			
Call to Order and Acceptance of the Minutes	Tim Flynn Chairperson	5 min.	
Introductions: Chair called the meeting to order			
MOTION: To accept the minutes of the previous meeting as presented LD/JB passed unanimously			
Action Items:	Discussion Leader:	Time:	
1. Review of 2009 Legislative Package, as adopted by the Commission	Tim Flynn	10 min.	
Discussion: Chair reviews the adopted package			
<ol style="list-style-type: none"> 1. Ensure implementation of the crisis intervention services for abused non-elderly adults (18-64) with severe impaired (Public Law 2006 Chapter 175 Assault on persons with severe impairments or mentally disabled - penalties - services for adult victims with severe impairments of abuse, neglect and/or exploitation); 2. Mandate the purchase of accessible taxicabs; 3. Ensure the continuation of RIPTA and RIdE service statewide; 4. Monitor and respond to Medicaid Reform proposals to ensure maintenance of services to individuals with severe disabilities and seek appointment to the Global (Medicaid) Waiver Advisory Committee; and 5. Support consolidation of school districts, to improve special education & transportation services. 			
2. Drafting 2009 Legislation:	Bob Cooper	25 min.	
Discussion: Item 1. Crisis Intervention Services – options: <ul style="list-style-type: none"> ➤ Ensuring homeless and domestic violence centers are accessible; ➤ Respite services; ➤ Nursing home vacant beds; ➤ Expand Family Services' contract to cover non-elderly adults. 			

MOTION: To set up subcmte (GR, TF, LW, & AP) to meet with the MHRH Acting Director on setting up a Crisis Intervention Services for non-elders abuse EG/AP passed, BI Nay.

Discussion: **Item 2. Mandate the purchase of accessible taxicabs**

Review of legislation from other states, counties, and municipalities

There are no state laws pertaining to wheelchair accessibility and taxicabs in: **Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.**

Locations with Wheelchair Accessible Taxicabs

District of Colombia as of April, 2008, the D.C. Taxicab Commission (DCTC) has asked for applications to bring wheelchair-accessible taxicabs to the District. Funding for this initiative was authorized in 2007 in the Wheelchair-Accessible Taxicab Promotion Fund Act.

Baltimore (Maryland) some taxicab companies have wheelchair-accessible taxicabs because they have agreed to provide complementary ADA paratransit services when other services are unavailable.

Boston (Massachusetts) requires 10% of all taxicabs within a fleet is required to be wheelchair-accessible. Unfortunately, the ordinance did not require the use of such vehicles, so most wheelchair-accessible taxicabs were not available to the general public.

Las Vegas (Nevada) currently requires that at least two vehicles from each of its 14 fleets must be wheelchair-accessible. There are 28 accessible cabs in the city.

Albuquerque (New Mexico) some taxicab companies have wheelchair-accessible taxicabs because they have agreed to provide complementary ADA paratransit services when other services are unavailable.

Buffalo (New York) some taxicab companies in have wheelchair-accessible taxicabs because they have agreed to provide complementary ADA paratransit services when other services are unavailable.

New York City, the Taxi and Limousine Commission (TLC) has attempted to improve wheelchair-accessibility in taxicabs by requiring fleets to either purchase their own.

Cleveland (Ohio) some taxicab companies have wheelchair-accessible taxicabs because they have agreed to provide complementary ADA paratransit services when other services are unavailable.

Portland (Oregon), the city has passed an ordinance mandating an effort to achieve 20% accessibility of the taxicab fleets by requiring all replacement taxicabs to be wheelchair-accessible. Portland has also required additional training for taxicab drivers, to be facilitated by members of the community with disabilities and by the transit department.

Houston (Texas) some taxicab companies have wheelchair-accessible taxicabs because they have agreed to provide complementary ADA paratransit services when other services are unavailable.

Arlington County (Virginia) currently has 655 taxi licenses. They require that at least 2% of any taxicab company's fleet must be wheelchair-accessible. They use a certificate system as a means of monitoring the quality of wheelchair-accessible taxicabs.

Fairfax County (Virginia) also has 500 taxi licenses. They also have a local ordinance that requires that 2% of a company's fleet must have wheelchair-accessible taxicabs.

Seattle (Washington) passed an ordinance that aimed to achieve 10% accessibility of the taxi fleets. King County has a similar ordinance. While these ordinances pass to improve wheelchair-accessible taxicab standards, they are voluntary measures.

Miami-Dade County (Florida) has developed an Accessible Cab Ordinance. 20 accessible taxicabs are now available with lifts and tie-down. They estimate that the number will increase by 20 each other over the next three years.

ARTICLE II. LICENSING AND REGULATION OF FOR-HIRE MOTOR VEHICLES

Sec. 31-82. For-hire licenses.

(1) In order to assure the development and maintenance of adequate wheelchair accessible taxicab service, Miami-Dade County shall strive to ensure that at least three (3) percent of the total number

of for-hire taxicab licenses are operated using accessible vehicles by December 31, 2006.

(1) The director, by administrative decision, may require that at least fifty percent of for-hire vehicles authorized to operate under a for-hire license initially issued pursuant to sections 31-82(o)(1) and 31-82(p) after the effective date of this ordinance must be accessible vehicles. All for-hire taxicab licenses issued pursuant to this subsection (1) shall be selected first in each lottery.

(2) Licenses to be operated using accessible vehicles pursuant to 31-82(l)(1), 31-82(o)(1), 31-82(o)(2), or 31-82(o)(3) shall be issued upon payment of an amount that is \$10,000 less than the amounts stated in sections 31-82(m), 31-93(c)(2), or 31-93(d), respectively, or \$5,000, whichever amount is greater, payable in full within one hundred and twenty (120) days after each lottery.

(3) It shall be a condition of all for-hire taxicab licenses that are required to operate using accessible vehicles pursuant to sections 31-82(l)(1), 31-82(o)(1), 31-82(o)(2), or 31-82(o)(3) that the vehicle operated under the authority of such license shall always be an accessible vehicle.

(4) Notwithstanding any provision to the contrary, all for-hire taxicab licenses ordered by the director to operate using accessible vehicles pursuant to sections 31-82(l)(1) or 31-82(o)(2) shall meet the following vehicle age requirements: any vehicle initially placed into service shall not have been previously used as a taxicab and shall be no greater than five (5) model years of age. Any vehicle over ten (10) years of age shall not be operated as a taxicab.

(p) Rules governing the distribution of new for-hire licenses.

(1) The County Manager shall cause a study to be performed and completed to analyze the relative use of taxicab service by visitors and residents, the utilization of wheelchair accessible taxicabs, the geographic distribution of taxicabs in the County, the impact of additional for-hire taxicab licenses on existing taxicab chauffeurs, recommendations on the formula to be used to establish the number of for-hire taxicabs, and other matters related to taxicab use and need. The scope of service will be developed with industry input.

Chicago (Illinois) has passed an ordinance requiring that every fleet of 15 taxicabs must have at least one wheelchair-accessible taxicab in service. Fleets with more than 100 vehicles require a second accessible taxicab. To date, there are 41 wheelchair-accessible taxicabs in service. The City of Chicago has also designated \$1 million available to taxicab companies to compensate for the initial cost of an accessible ramp. The Chicago fleets have also reached a voluntary agreement to participate in the Chicago Accessible Taxicab Service (CATS), a centralized program that ensures that a passenger requiring a wheelchair-accessible taxicab will receive the closest taxicab in service.

9-112-465 C.T.A.-T.A.P. Program compliance – Wheelchair accessible vehicle dispatch.

(a) As a condition of being licensed, every affiliation and every taxicab affiliated with that affiliation shall participate fully in the Chicago Transit Authority Taxi Access Program (C.T.A.-T.A.P.) or similar program providing for increased access to taxicab service to persons with disabilities.

(b) All affiliations with wheelchair accessible vehicles licensed by their affiliates must jointly prepare and submit to the commissioner by March 1, 2001, a proposed plan involving a coordinated or centralized dispatch system for the dispatch of wheelchair accessible taxicabs to ensure prompt service to people with disabilities. In the event that no such plan is timely filed or the commissioner does not approve the plan, the commissioner is authorized to provide by rule a plan requiring all affiliations to participate in a central dispatch system for wheelchair accessible taxicabs. The commissioner is authorized to assess the costs of such a central dispatch system upon those medallion owners with wheelchair accessible taxicabs.

(c) The commissioner is authorized to promulgate all other rules and regulations necessary and reasonable to insure the timely and proper dispatching of wheelchair accessible taxicabs. These rules and regulations shall include, but not be limited to: standards for determining adequate and timely service; the responsibilities of any central or coordinated dispatch system, affiliations, taxicab licensees and public chauffeurs in responding to such requests for service; and penalties for violation

of such rules. In addition, the commissioner is authorized to provide by rule a minimum number of rides per day which must be provided by wheelchair accessible taxicabs to persons needing such transportation.

(d) Each affiliation must have verifiable records, in a form designated by the commissioner by regulation, regarding the response of the affiliation to each request for a wheelchair accessible vehicle. Each affiliation shall provide such records to the commissioner within 48 hours of a request for same.

MOTION: To require every taxicab company's next vehicle must be a wheelchair accessible taxicab. AP/ failed for lack of a second.

4. Strategy for Implementing Prior Years' Enacted Legislation:	Tim Flynn	45 min.
Discussion tabled until the next meeting.		
Announcements and Scheduling of Meetings	Chairperson	5 min.
Next meeting will be on:	Jan. 12, 2009	Starting at: 3 PM
Adjournment:	Chairperson adjourned the meeting at [Insert time]	
Other Information		
Observers:	Ana Liebenow (SILC) , Mary Wambach (Corliss), Laura Jones (RIPIN)	
Resource persons:	Bob Cooper, Committee Staff	