

PROPOSED MODEL REGULATIONS:

ACCESSIBLE TAXICABS AND FOR-HIRE VEHICLES



*Released on September 23rd, 2014 at the 27th Annual IATR Conference in
New Orleans, Louisiana*

Prepared by:

Matthew W. Daus, Esq.
Jason R. Mischel, Esq.
*Transportation Practice Group
Windels Marx Lane & Mittendorf, LLP
156 West 56th Street
New York NY 10019
1-(212)-237-1106*



www.iatr.org

**WINDELS
MARX** | Windels
Marx
Lane &
Mittendorf, LLP

www.windelsmarx.com

The IATR Accessibility Committee:

Mission Statement & Acknowledgments

The purpose of the IATR's Accessibility Committee, comprised of government transportation regulators and counsel, is to develop model regulations that will provide maximum accessibility in the taxicab and for-hire vehicle industries, and which will ensure access and inclusiveness for all passengers, while maintaining a valid and coherent funding mechanism.

The IATR and its Accessibility Committee would like to especially thank **Jason R. Mischel, Esq.**, who has served as committee volunteer coordinator, as well as pro bono counsel to the committee on behalf of the law firm of **Windels Marx Lane & Mittendorf, LLP** ("**Windels Marx**"). The Committee and the IATR would also like to thank its President, **Matthew W. Daus, Esq.** for his vision, support and leadership with respect to the genesis and implementation of this important project.

These Model Regulations were drafted at the direction, and with the input of the IATR's Accessibility Committee, of Mr. Mischel, Mr. Daus and the law firm of Windels Marx. Mr. Daus, who was the former Commissioner/Chair of the New York City Taxi and Limousine Commission ("TLC") and TLC General Counsel, serves as Partner and Chair of the Transportation Practice Group at Windels Marx, and can be reached at mdaus@iatr.org. Mr. Mischel was the former Commissioner and General Counsel of the New York City Mayor's Office for People With Disabilities prior to joining Windels Marx as Counsel, and he can be reached at jmischel@iatr.org.

The IATR wishes to express its gratitude and appreciation to the transportation regulator members of the Accessibility Committee for their diligence and dedication:

Marcia Andreychuk, Calgary, Alberta Canada

Kerry Bell, Dickson, Australia

Kathryn Bruning, Houston, Texas, United States

Cedric Burse, Atlanta, Georgia, United States

Lorne Chow, Regina, Saskatchewan, Canada

Aaron deRozario, East Perth, Australia

Tom Drischler, Los Angeles, California, United States

Ayten Erkul, Victoria, Melbourne, Australia

Al Fletcher, Hamilton, Ontario, Canada

Bill Gonis, Adelaide, Southern Territory, Australia
Charles Harvey, State of Nevada, United States
Alexander Heim, Houston, Texas, United States
Tom Hicks, Monterey, California, United States
Malachi Hull, New Orleans, Louisiana, United States
Bernie Ingram, Darwin, Northern Territory, Australia
Patrick Joyce, New York, New York, United States
Benoit Jugand, Montreal, Quebec, Canada
Christopher Koermer, State of Maryland, United States
Craig Leisy, Seattle, Washington, United States
Jacques Lerner, Washington, DC, United States
Jeffrey Lewelling, Chicago, Illinois, United States
Joe Mora, Miami, Florida, United States
Karl Mortimer, Adelaide, Southern Territory, Australia
Tina Paez, Houston, Texas, United States
Craig Robertson, Windsor, Ontario, Canada
Virginia Thompson, Victoria, Melbourne, Australia
Greg Turner, Darwin, Northern Territory, Australia
Izabella Vais, New York, New York, United States
Marnie Williams, Victoria, Melbourne, Australia

Overview

I. The Financial Implications of Providing Accessible Vehicles

Accessibility in public transportation, especially in the Taxicab and For-Hire Vehicle industry, has been at the forefront of the most important issues affecting public transportation in the last few years. Whether it be high profile lawsuits garnering extensive media coverage¹; landmark legislation that has provided people with disabilities with increased access to the ability to be transported (an ability many people take for granted)²; the proliferation of dispatch programs as an attempt at a “reasonable accommodation” for disabled passengers; the increasing population of the elderly³ and how their needs overlap those of the disabled community; the growing rise in global tourism⁴ that requires providing for the needs of the disabled and elderly communities; or even the ever-increasing prices

¹ See *Noel v. New York City Taxi & Limousine Comm'n*, 837 F.Supp.2d 268, 274 (S.D.N.Y.2011)

² See <http://www.nydailynews.com/new-york/deal-reached-albany-tuesday-livery-cabs-pick-street-hails-outer-boroughs-upper-manhattan-article-1.994588>

³ According to the United Nations, global population aging is currently “unprecedented”, “pervasive”, “enduring” and “has profound implications for many facets of human life”. See <http://www.un.org/esa/population/publications/worldageing19502050/>.

⁴ According to the July 2014 press release from the United Nations’ World Tourism Organization, “destinations worldwide received some 317 million international tourists (overnight visitors) between January and April 2014, 14 million more than in the same period of 2013. This 5% growth consolidates the already strong increase registered in 2013 (+5%) and is well above the long-term trend projected by UNWTO for the period 2010-2020 (+3.8%).” See <http://media.unwto.org/press-release/2014-07-21/international-tourism-strong-peak-season-anticipated>.

of accessible medallions sold at auction and regulated by transportation agencies, accessibility is arguably the most talked-about topic in the transportation world next to the proliferation of Transportation Network Companies (“TNCs”) that utilize phone apps that, in some instances, are an attempt to dodge regulations that apply to certified transportation providers. In fact, many of these TNCs have taken to avoiding the issue of accessibility entirely, choosing instead to “pass the buck” by informing disabled would-be passengers to contact a regulated transportation company in order to meet their accessibility needs.

In the face of this spotlight that surrounds the issue of the need for accessibility is the all-too-common problem that stands in the way of full and efficient accessibility for all. This problem, of course, is money. Whether it be accessibility in transportation, housing, commercial buildings or education, just to name a few, one thing remains clear: accessibility is expensive. In the transportation arena, the ability for a vehicle to transport a wheelchair or scooter user will require a larger and more expensive vehicle that uses more fuel and is more vulnerable to maintenance fees due to the usage of equipment such as ramps and lifts. The vehicles that can accommodate wheelchair users that have been deemed “appropriate” for Taxicab and For-Hire Vehicles (i.e. not ambulettes) are relatively scarce as far as being purpose-built for such a use. Rather, many accessible Taxicabs and For-Hire Vehicles on the road today have been retrofitted,

or “hacked up,” in order to create the necessary space for a disabled passenger. This, of course, requires money as well.

Further, an overlooked portion of the disabled population requires specific features within the vehicle in order to be able to enjoy the same experience as other passengers. The blind/low vision and deaf/hard-of-hearing communities are frequent passengers who require communications systems, room for service animals and the ability to be provided necessary information and make payments. These necessities require that technology and other features be employed to meet these requirements, which, of course, costs money.

II. Addressing the Need for Cohesive and All-Encompassing Standards Addressing Accessibility in the Taxicab and For-Hire Vehicle Industries

An ongoing concern that has emerged is the means by which a municipality provides for meaningful accessibility. Many jurisdictions, whether in the United States, Europe, Australia, or Canada, have mandated various levels of accessibility in their Taxicab and For-Hire Vehicle industries. In many cases, these mandates have been tailored according to the specific population and financial realities in the particular marketplace, thus creating anything but a centralized, model recipe for the provision of such an important goal. For example, while the city of London, England is well known for its fully-accessible Taxicab fleet, City leaders

acknowledge a need for a viable driving training program.⁵ In Australia, accessibility regulations for Taxicabs are combined with those of other conveyances (i.e. aircraft, buses, ferries and trains) and infrastructure, while For-Hire vehicles such as limousines are specifically exempted from said regulations.⁶ In Canada, the Motor Vehicles for the Transportation of People With Physical Disabilities standard promulgated by the Canadian Standards Association does not make reference to people who use scooters as a mobility aid, and does not specifically mention people who are blind, have low vision, are deaf or are hard-of-hearing.⁷ Thus, municipalities have enacted what amounts to a hodgepodge of accessibility, whether it be through the providing of a minimum amount of accessible vehicles, or a dispatch system, or a surcharge, or provisions for people of different disabilities, or some combination of the above. While such provisions help people with disabilities on one level or another, the lack of a centralized focus on covering all accessibility requirements in public transportation only serves to leave out portions of the population who demand to be served.

However, in addition to the fact that many believe it is not only a civil right, but “the right thing to do,” to provide maximum accessibility in transportation,

⁵ See <http://www.london-taxis.co.uk/jsp/index.jsp?lnk=830>

⁶ See Australia’s *Disability Standards for Accessible Public Transport 2002*

⁷ See Canadian Standards Association Standard No. D409-02.

there is a practical effect in doing so that would both decrease the carbon footprint of public transportation and, surprisingly, saves money⁸. For example, these regulations propose a “lockbox” whereby a single fund would be created and overseen by a single transportation agency in each municipality, and funded by a combination of small ride surcharges, paratransit savings and even contributions from TNCs that would be used for the sole purpose of funding accessibility measures in the Taxicab and For-Hire Vehicle industry.

It is this concept, together with the immediate need to provide maximum accessibility in the Taxicab and For-Hire Vehicle industry incorporating consistent, and not haphazard, provisions that serves as the catalyst for these Model Regulations. At the IATR Conference in New Orleans, Louisiana in September 2014, there will be an International Public Hearing at the conference to coincide with the release of the final version of the Model Regulations. The Public Hearing will include a panel of regulators who contributed to these Model Regulations to explain and discuss the content contained within, and address questions from regulators and stakeholders as to the viability of same.

⁸ As detailed in the article *Accessible Transportation Reform: Transforming the Public Paratransit and Private For-Hire Transportation Systems* by Matthew W. Daus, President of the IATR, and Jason R. Mischel, Esq., the Counsel to the IATR Accessibility Committee, the implementation of accessible Taxicabs and For-Hire vehicles within the paratransit industry would significantly and drastically cut costs while improving the environment.

**Notice of Public Hearing and Opportunity to Comment
on Proposed Regulations**

What are we proposing? The IATR Accessibility Committee is proposing **Model Regulations for Accessible Taxicabs and For-Hire Vehicles**.

The proposed Definitions and Model Regulations set forth below attempt to address the fact that while many jurisdictions address accessibility to some degree within their local Taxicab and For-Hire Vehicle regulations, there exists no all-encompassing accessibility regulatory framework that addresses each and every issue that is critical to ensure that people with disabilities are afforded equal enjoyment to fully take advantage of public transportation in this arena.

When and where is the Hearing? The Committee will hold an interactive international forum and public hearing on the proposed model regulations. The public hearing will take place at **9:30 a.m. on Tuesday, September 23, 2014**. The hearing will be held at the IATR 27th Annual Conference at the Hyatt Regency Hotel located at 601 Loyola Avenue, New Orleans, LA 70113.

How do I comment on the proposed rules? Anyone may comment on the proposed model regulations by:

- **Mail:** You may mail written comments to:

**International Association of Transportation Regulators (IATR)
C/O Sarah Huque
P.O. Box 20709
New York, New York 10023**

- **Email:** You may submit your comments in writing via email to:
jmischel@iatr.org

- **By Speaking at the Hearing:** Anyone who wants to comment on the proposed model regulations at the public hearing must sign-up to speak. You may sign-up or pre-register to speak before the hearing at the IATR Conference by emailing jmischel@iatr.org on or before September 19, 2014. You may also sign-up in the hearing room before the hearing begins on September 23, 2014. You may speak up to three (3) minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by September 19, 2014 in order to be considered at the September 23, 2014 hearing. After the hearing you may submit additional written comments on or before December 22, 2014.

What if I require an accommodation for my disability in order to attend the conference? If you require an accommodation for your disability, please contact Jason R. Mischel at the above email address, or Sarah Huque at shuque@iatr.org on or before September 16, 2014. You can also send requests via the above referenced IATR U.S. Mail address.

Statement of Basis of Purpose of Proposed Model Regulations

We have reviewed and considered accessible Taxicab and For-Hire Vehicle regulations from a number of jurisdictions from around the world, including Australia, Canada, the United Kingdom and the United States. In addition, we have painstakingly researched substantive data associated with certain accessible vehicles being utilized as Taxicabs and For-Hire Vehicles, as well as utilized the knowledge and experience with accessibility of those involved with the drafting of these regulations. Further, we sought and received comments from regulators and industry stakeholders, including people with disabilities and disability advocates. In light of our review and the comments, it is the hope that these proposed Model Regulations will be adaptable to most, if not all, jurisdictions, and address both the necessary and immediate requirements to serve all passengers while maintaining a balance with the financial realities in providing these measures.

In the proposed regulations, we were careful to incorporate the needs of people with myriad disabilities while proposing ideas and standards that are already being utilized by certain jurisdictions and vehicle manufacturers. Moreover, we have carefully scrutinized the content to ensure that many facets of accessibility in the Taxicab and For-Hire Vehicle arena that are overlooked as to their importance to people with disabilities are highlighted with detail.

In prescribing how Taxicabs and For-Hire Vehicles are to provide maximum accessibility for disabled passengers, as well as access to the vehicles themselves, these proposed Model Regulations acknowledge certain rights of passengers, operators and providers, as well as imposing some responsibilities. Further, these proposed Model Regulations are meant to be incorporated, and improve upon, existing municipality regulations that may have overlooked, or have not mandated, particular sectors of accessibility, and are designed to apply to both the widest possible range of people with disabilities and to all owners and operators of Taxicab and For-Hire Vehicle fleets and vehicles. As stated in the United Kingdom Department of Transport’s “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance,” people with disabilities “should be able to hire a taxi on the spot with minimum delay or inconvenience.” It is our belief that these Model Regulations will help to achieve this result.

1. Vehicle Accessibility

The Model Regulations begin with a highly-detailed examination of the vehicles themselves. Some of the ideas propounded within these regulations include:

- fare payment and ticket validation systems that must not require actions from passengers with disabilities that exceed the requirements for

other passengers and grant a wheelchair, scooter or other mobility aid user the ability to reach the payment system from the wheelchair location;

- wheelchair, scooter or other mobility aid securement devices that must be securely anchored to the vehicle and include retractable or manual belts and straps; and

- the incorporation of universal design concepts that cover a variety of disabilities that, where applicable, utilize specific measurements and specifications, including in such areas as load-bearing requirements of ramps and lifts relating to the boarding of passengers who use wheelchairs, scooters or other mobility devices, as well as the minimum allocated space for such passengers, and requiring that information must be able to be communicated to the blind/low vision and deaf/hard-of-hearing communities.

Taken altogether, these Model Regulations would require that each and every accessible vehicle being utilized as a Taxicab or For-Hire vehicle must provide maximum accessibility for all potential passengers.

2. Driver Training

One of the topics we have striven to improve upon that is commonly provided within public transportation regulations is the subject of driver training. The proposed Model Regulations specifically ensure that drivers are required to assist any passenger when it is evident that the passenger is a person with a disability, elderly or otherwise in need of assistance, and that drivers must be trained both in their local disability law responsibilities and in the safe operation of their vehicles through a mandated accessibility training program that must be conducted in-person and augmented by published materials. Further, drivers are to be subjected to a full vetting process, which should include a criminal and driver history background check. In order to further this important and necessary mandate, the IATR is contemplating offering its own certified accessible vehicle driver training program in the near future.

3. Accessible Dispatch Programs and App Technology

It must be noted that the notion of “equivalent access” that has been accepted by many jurisdictions has been, for the most part, deliberately omitted from these regulations. The entire notion behind these Model Regulations is to provide maximum accessibility while ensuring that jurisdictions are not given an

incentive to do anything less. However, these regulations have carved out an exemption in the category of “equivalent access” at it relates to the creation of an “Accessible Dispatch Program” that allows disabled passengers to have access to accessible vehicles in situations where such vehicles are outnumbered in supply by vehicles that are not accessible. Because such a program has shown some success in certain jurisdictions, the Accessible Dispatch Program that these Model Regulations are proposing would maximize efficiency, reliability and accessibility within the program by requiring:

- 24/7 access with no advanced reservations;
- the closest available accessible vehicle be dispatched to the customer;
- the vehicle be equipped at all times with a global positioning system and mobile data terminal technology that is able to receive Taxi dispatches from a computer-aided dispatch system;
- detailed record-keeping and reporting requirements in order to consistently determine the efficiency of the program; and
- multiple communicative options to utilize the program, including by phone, text, mobile app and via a website.

This last point is of significant importance, as people with disabilities must be able to take advantage of the proliferation of the app technology that much of the population takes for granted. Indeed, when proliferated by entities that do not attempt to circumvent important and necessary regulations, apps have dramatically improved the process by which passengers can take advantage of transportation. Just as the TNCs that provide app technology must be subject to the same regulations that govern Taxicab and For-Hire Vehicle fleets, so should they be subject to the anti-discrimination laws throughout the world that ensure that all passengers, regardless of whether they have a disability, can enjoy the benefits of public transportation equally.

4. Financing the Implementation of the Model Regulations

Finally, as stated above, these regulations recognize the economic realities of the proposals contained within, which is the catalyst for the proposal of a funding mechanism, or “Accessible Transportation Lockbox,” that jurisdictions can implement to efficiently meet the requirements contained within these Model Regulations and can, as stated earlier, be secured from a combination of surcharges, paratransit savings and contributions from TNCs in order to confirm the mandate that these TNCs must be held to the same accessibility regulations as properly licensed regulators.

IATR MODEL REGULATIONS FOR ACCESSIBLE TAXICABS AND FOR-HIRE VEHICLES

SEPTEMBER 23, 2014

Chapter 1 – Statement of Basis and Purpose

1.1 Name of Regulations

These Model Regulations are the International Association of Transportation Regulators (IATR) Model Regulations for Accessible Taxicabs and For-Hire Vehicles.

1.2 Purpose of Model Regulations

(1) The Americans With Disabilities Act, as well as other related Disability Discrimination Acts from around the world, seek to eliminate discrimination against people with disabilities in the area of public transportation. However, throughout the world, there are a number of differing mandates and policies with respect to what should be considered minimum requirements in the provision of accessible Taxicab and For-Hire Vehicle services.

(2) The purpose of these Model Regulations is to enable owners and operators of Taxicab and For-Hire Vehicle fleets and vehicles to remove the maximum amount of discrimination from the provision of accessible Taxicabs and For-Hire Vehicles.

1.3 How the Model Regulations Were Derived

These Model Regulations were derived through a combination of significant research of substantive regulations from a number of jurisdictions worldwide, as well as through data associated with certain accessible vehicles being used as Taxicabs and for-hire vehicles. Additional input and material was provided from regulators and stakeholders, including people with disabilities and disability advocates.

1.4 Funding Statement

These Model Regulations propose an “Accessible Transportation Lockbox” for each municipality that regulates accessible transportation, whereby a single funding source would be created and overseen by a single transportation agency in order to implement the ideas and data contained within these Model Regulations. This funding source would result from a small surcharge to be added to each Taxicab and For-Hire Vehicle trip to be deposited in a single fund and used exclusively for accessibility purposes. Further, it is proposed that additional funding be secured from Transportation Network Companies (TNCs) such as Uber, Sidecar and Lyft in order to confirm the mandate that these TNCs must be held to the same accessibility regulations as properly licensed owners and operators of Taxicab and For-Hire vehicle fleets.

1.5 Acknowledgment of Rights of Passengers, Operators and Providers

In prescribing how Taxicabs and For-Hire Vehicles are to provide maximum accessibility for disabled passengers, as well as access to the vehicles themselves, these Model Regulations acknowledge certain rights of passengers, operators and providers, as well as imposing some responsibilities. As stated in the United Kingdom Department of Transport’s “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance”, people with disabilities “should be able to hire a taxi on the spot with minimum delay or inconvenience.”

1.6 Application of Model Regulations

- (1) These Model Regulations are designed to apply to the widest possible range of people with disabilities.
- (2) These Model Regulations are designed to apply to all owners and operators of Taxicab and For-Hire Vehicle fleets and vehicles.

Chapter 2 - Definitions

“**Accessible Vehicle**” means a Taxicab or For-Hire vehicle that is designed and intended to be used for the purpose of transporting persons who use wheelchairs or scooters

“**Allocated Space**” is a three dimensional space that can accommodate a wheelchair or similar mobility aid

“**Dispatch**” means any communication of an order or other information between a dispatcher and a Taxicab driver

“**Dispatcher**” means a person who sends an accessible vehicle to a destination for the purpose of carrying on the business of operating a Taxicab or For-Hire vehicle

“**Equivalent Service**” means 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:

Response time;

Fares;

Geographic area of service;

Hours and days of service;

Availability of information;

Reservations capability;

Any constraints on capacity or service availability; and

Restrictions priorities based on trip purpose

“**For-Hire Vehicle**” means a vehicle, other than a Taxicab, used for hire for the conveyance of passengers and available for hire by the general public

“**Paratransit**” is the term used for a “demand-response” service in which an eligible customer reserves a trip in advance to a destination within the service area covered by public buses and subways, and provides shared-ride, door-to-door, or feeder service

“Service Animal” means an animal trained by a recognized school for service as a guide dog for people who: i) are blind or have low vision, or ii) people who are deaf or hard-of-hearing, or as a service or special-skills dog for other persons with a disability, and shall include an animal used for therapy which is registered with a recognized organization for that purpose

“Taxicab” means a motor vehicle hired for one specific trip for the transportation of one person or group of persons, with one fare or charge being collected or made for the trip

Chapter 3 – Access for Passengers Who Use Wheelchairs or Other Mobility Devices

3.1 Passengers who use wheelchairs or mobility aids must be able to enter and exit a conveyance and position their aids in the allocated space. If this is not practicable, operators must provide equivalent access by direct assistance.

3.2 Every accessible vehicle:

- (a) must be equipped with an interior mirror designed to provide the driver with a view of the passengers;
- (b) must be equipped with lights arranged to illuminate all of the interior of the vehicle that shall be constantly lit during the loading or unloading of passengers;
- (c) must be equipped with a light above or beside each passenger access door to illuminate the loading equipment or step nosings, as the case may be, and such lights shall be constantly lit during the loading or unloading of passengers;
- (d) must be equipped with a means of securing in the open position each passenger access door that could be subject to unintentional closing during the loading or unloading of passengers;
- (e) must have an interior that is free of any sharp projections that may constitute a hazard to passengers and is free of any item, object or otherwise (i.e. spare tires, folded seats) that protrudes into the interior space;

- (f) must have permanently bonded to the floor, in the aisle and on the steps, floor covering that is fire-retardant, skid-resistant and wear-resistant rubber or equivalent material;
- (g) must have yellow or white step nosings;
- (h) must have the capability to transfer a reduced mobility rider from the curb to the Taxi (i.e. via a turn-out seat);
- (i) must provide strategic placement of bright yellow easy-to-grab handrails and stanchions to assist limited mobility riders;
- (j) must provide non-slip floor covering;
- (k) must provide clearly marked seat edges;
- (l) must provide contrasting delineation of any gap for passing money through a screen;
- (m) must provide strong illumination of roof sign with clear indication of wheelchair accessibility;
- (n) must be equipped with monitoring devices, including internal cameras and 24/7 global positioning system (GPS) devices;
- (o) must have the capacity to allow access to, and to carry, at least one person using a wheelchair, scooter or other large (ride-on) mobility aid within its allocated passenger space;
- (p) must have provision for the rapid release of each wheelchair or other mobility aid and its occupant in the case of an accident or emergency;
and
- (q) must be equipped with a unitized first aid kit that is in compliance with a municipality's local standards and regulations for the provision of a first aid kit for portable use in mobile indoor and/or outdoor settings.

3.3 Every accessible vehicle used for the transportation of wheelchair users shall be equipped with wheelchair, scooter or other mobility aid securement devices that limit the forward, backward, rotational, lateral and vertical motion of every wheelchair, scooter or other mobility aid in the vehicle at

the points of contact of the wheelchair, scooter or other mobility aid with the vehicle while the vehicle is in normal operation.

- 3.4** For the purpose of subsection 3.3, normal operation includes full throttle acceleration and maximum braking and cornering.
- 3.5** Every wheelchair, scooter or other mobility aid securement device in an accessible vehicle shall:
- (a) be securely anchored to the vehicle;
 - (b) include retractable, self-tensioning belts and straps or, in the alternative, manual belts and straps that provide the same level of securement; and
 - (c) be capable of withstanding a load in any direction of not less than 2,500 pounds for a period of ten seconds.
- 3.6** Where more than one wheelchair securement device is used to secure a wheelchair in an accessible vehicle, Section 3.5(b) applies to the combination of devices used and not to each single device.
- 3.7** Every accessible vehicle shall be equipped with either a lap sash or pelvic-type occupant restraint assembly, securely anchored to the vehicle, for each seat in the vehicle.
- 3.8** Every designated wheelchair, scooter or other mobility aid position in an accessible vehicle shall be equipped with an occupant restraint assembly,
- (a) securely anchored to the vehicle; or
 - (b) capable of securing a wheelchair, scooter or other mobility aid occupant to the wheelchair, scooter or other mobility aid by encircling both the occupant and wheelchair, scooter or other mobility aid.
- 3.9** The slope of an external boarding ramp must not exceed:
- (a) 1 in 14 for unassisted access; and

- (b) 1 in 8 for unassisted access where the ramp length is less than 1520 mm/60 inches; and
- (c) 1 in 4 for assisted access

3.10 External Boarding Ramp flooring must have anti-skid surface having a static coefficient of friction on wet and dry ramp surfaces not less than 0.5.

3.11 External Boarding Ramp must operate in temperatures between -4 degrees Fahrenheit/-20 degrees Celsius to 122 degrees Fahrenheit/50 degrees Celsius.

3.12 External Boarding Ramp side barriers must automatically swing up to prevent wheelchair run-off during use.

3.13 External Boarding Ramp must provide White center stripe for wheelchair guidance.

3.14 External Boarding Ramps must also be secured by means other than a support or lug in the door while the vehicle is operated on a highway.

3.15 Every Power Lift used on an accessible vehicle must:

- (a) have a skid resistant platform surface;
- (b) have the sides of the platform fitted with guards extending the full length on each side and of sufficient height to prevent a wheelchair from rolling off the platform during vertical operation of the lift;
- (c) have a retractable lip on the outer edge of the platform of sufficient height to prevent a wheelchair from rolling off the platform during vertical operation of the lift;

- (d) be secured by means other than a support or lug in the door while the vehicle is operated on a highway;
- (e) be capable of raising and lowering a minimum weight of 275 kilograms/606 pounds;
- (f) must include a handrail on the lift;
- (g) must include a manual backup pump that must be incorporated with the lift;
- (h) must incorporate an electrical automatic circuit breaker to isolate the hoist electrical system from the Vehicle's electrical system to reduce the likelihood of fire; and
- (i) where hoist controls are mounted inside the accessible vehicle in a position accessible to the passenger system, must incorporate an isolation switch to avoid inadvertent operation of the hoist.

3.16 A boarding device must be able to support a total weight of up to 300 kg (660 lbs at mid-span).

3.17 A boarding device must be clearly labelled with the maximum load that it can carry, both on the boarding device and next to the accessible entrance on the outside of the conveyance.

3.18 The minimum allocated space for a single wheelchair or similar mobility aid must be 800 mm/31.5 inches width by 1300 mm/51.2 inches length by 1500 mm/59.05 inches height.

3.19 At least one allocated space must be provided in each accessible vehicle.

3.20 The minimum head room in an allocated space must be 1500 mm/59 inches.

3.21 Automatic or power-assisted doors.

- (1) Doors may be fully automatic.
- (2) Power-assisted doors must not require passengers to grip or twist controls in order to operate opening devices.
- (3) Operators may provide equivalent access to conveyances by opening manual doors for people with disabilities.

3.22 Accessibility for People Who are Blind or Have Low Vision.

- (1) All signs must incorporate raised lettering or symbols, and must be at least 0.8 mm/0.03 inches above the surface of the sign.
- (2) Operators or providers must supplement all notices with Braille characters, which must be placed to the left of the raised characters.
- (3) All accessible vehicles must provide a defined color high contrast on the inside and outside of vehicle, including passenger monitor controls, license numbers, complaint information, telephone numbers and Taxi fares. It is recommended that yellow letters on black using both upper and lower case lettering be utilized.
- (4) All accessible vehicles must utilize a distinct sound (i.e. series of high-pitched “beeps”) or visual cue (i.e. continuous blinking blue lights) to identify it is a Taxicab or For-Hire vehicle relative to other vehicles
- (5) In addition to 3.2 above, all accessible vehicles must provide:
 - (a) Enhanced lighting for controls and payment;
 - (b) High color contrast handles and floor area definition;
 - (c) Talking meter;
 - (d) Underfoot tactile indicators; and
 - (e) Microphone between driver and passenger.

3.23 Accessibility for People Who are Deaf or Hard-of-Hearing.

- (1) People who are deaf or are hard-of-hearing must be able to receive a message equivalent to the message received by people who are not deaf or hard of hearing. Accessible vehicles must incorporate assistive listening/audible information systems (i.e. voice to text, hearing loop, captioning).
- (2) The accessible vehicle must provide a visual cue that the vehicle is pulling over for pick-up.

3.24 Location of Carers, Assistants and Service Animals

- (1) On booked services, operators must locate carers, assistants or service animals with the passenger with whom they are travelling.
- (2) In the case of carers or assistants, this would normally be in an adjoining seat.
- (3) If a passenger is travelling with a service animal, the animal must be able to accompany the passenger at all times and to travel without encroaching onto an access path.

3.25 International symbol of accessibility to be displayed.

- (1) The floor area of an allocated space must:
 - (a) display the international symbol of accessibility; and
 - (b) be outlined in a flush contrasting strip 25 mm/1 inch wide.
- (2) Every accessible vehicle used for the transportation of wheelchair users shall display the international symbol of accessibility in a clearly visible position on the rear of the vehicle and on the front of the vehicle in a position other than on the windshield.

3.26 Fare payment and Ticket Validation systems.

(1) Fare payment and ticket validation systems must not require actions from passengers with disabilities that exceed the requirements for other passengers, and a wheelchair user must have the ability to reach the payment system from the wheelchair location.

(2) Fare payment and ticket validation systems or passengers who have difficulties with standard fare payment systems, operators and providers must offer a form of payment that meets equivalent access principles.

3.27 General information about transport services must be accessible to all passengers. If information cannot be supplied in a passenger's preferred format, equivalent access must be given by direct assistance.

Chapter 4 – Accessible Dispatch Program/Equivalent Access Exemption

If an Accessible Dispatch program is provided as an “equivalent access” solution, it must be available 24 hours a day, seven days a week, and requires absolutely no advanced reservations. It must provide multiple options to utilize the program, including: by phone, text, mobile app and via a website. The dispatcher must dispatch the closest available accessible vehicle to the customer. If the driver of the closest available accessible vehicle does not accept the transportation request within 120 seconds, the job request must automatically jump to the next closest available accessible vehicle until the passenger's request is accepted by a driver. The Accessible Dispatch Program must: 1) ensure that the vehicle that the accessible vehicle is equipped at all times with a global positioning system and mobile data terminal technology that is able to receive Taxi dispatches from a computer-aided dispatch system; and 2) provide detailed record-keeping and reporting requirements in order to consistently determine the efficiency of the program.

Chapter 5 – Driver Vetting and Training

- 5.1** When operating an accessible vehicle, every accessible vehicle driver shall be civil and courteous, refrain from using profanity, and offer to assist any passenger when it is evident that the passenger is a person with a disability, elderly or otherwise in need of assistance.
- 5.2** All drivers must be trained in their local disability law-compliant responsibilities.
- 5.3** All drivers of the accessible vehicle must be trained in the safe use and operation of that accessible vehicle.
- 5.4** Drivers must complete an accessibility training program, including boarding and de-boarding protocols, First Person Language, disability awareness and etiquette. Driver training must be conducted in-person and augmented by CD, DVD and/or published materials.
- 5.5** All drivers must have a thorough background check performed on them for suitability, including a criminal history and driver history check.

Chapter 6 – Funding Mechanism

- 6.1** As stated in 1.4 above, an “Accessible Transportation Lockbox” for each municipality must be created that regulates accessible transportation, whereby a single funding source is earmarked and overseen by a single transportation agency in order to implement the ideas and data contained within these Model Regulations. This fund is to be used exclusively for accessibility purposes.
- 6.2** Funding should be provided by the following:
 - (1) A small surcharge to be added to each Taxicab and For-Hire Vehicle trip;

- (2) Transportation Network Companies (TNCs) such as Uber, Sidecar and Lyft must be mandated to contribute funding in order to confirm that they are being held to the same accessibility regulations as properly licensed owners and operators of Taxicab and For-Hire Vehicle fleets; and
- (3) A portion of savings of municipality funds that is dedicated to paratransit services should such services incorporate Taxicabs and/or For-Hire vehicles in the paratransit fleet as alternatives to costly ambulettes and vans.

Chapter 7 – Other Accessibility Provisions

- 7.1** If a hail-and-ride service is offered, passengers must be able to hail the service at locations where boarding devices can be deployed.
- 7.2** Disability aids (for example, equipment and apparatus including mobility, technical and medical aids) are to be in addition to normal baggage allowances at no extra charge.
- 7.3** Operators of booked services may request advance notice of a requirement for accessible travel. However, any such advance notice required must not exceed the period of notice specified for other passengers.
- 7.4**
 - (1) No extra money can be charged for serving people with disabilities. If a provider or operator charges a fee based on the number of passengers transported, it may NOT charge a fee for an attendant traveling with a passenger with disabilities.
 - (2) Should a vehicle being utilized as a Taxicab or For-Hire vehicle allow for a certain number of passengers who do not use wheelchairs, wheelchair users who are traveling with a number of individuals that would equal the allowed allotment but cannot altogether fit in the accessible vehicle must be offered a second vehicle to transport the other individuals, and the cost of the trip must equal that of one trip containing the allowed number of passengers who do not use wheelchairs.