



The Our American States podcast—produced by the National Conference of State Legislatures—is where you hear compelling conversations that tell the story of America’s state legislatures, the people in them, the politics that compel them, and the important work of democracy.

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Ride Hailing Services: Wheelchairs and Seniors Waiting at the Curb | OAS Episode 37 | July 12, 2018

Welcome to “Our American States,” a podcast of meaningful conversations that tell the story of America’s state legislatures, the people in them, the politics that compel them, and the important work of democracy. For the National Conference of State Legislatures, I’m your host, Gene Rose.

On this issue of “Our American States,” we’ll take a look at how ride-sharing services such as Lyft and Uber are having an impact on people with disabilities and senior citizens. Historically the Americans with Disabilities Act has required taxi services to make accommodations for people with disabilities in order to ensure equal access to transportation services.

There has been, of course, an explosive growth in ride-sharing services which you will note our guests will refer to as TNCs, an acronym for Transportation Network Companies. An unintended consequence is that it appears to have led to a decrease of taxi services and the number of wheelchair-accessible vehicles available for people with disabilities.

Our two guests today will provide us with background on this subject and efforts that are being taken to address these issues. Later in the program we will talk with Jana Lynott, who is with AARP, and she’ll discuss how this affects older Americans and even their employment options.

First we will get the perspective from the disability community. Our guest now is Carol Tyson, who is the Government Affairs Liaison at the Disability Rights Education and Defense Fund. Carol, welcome to the program.

Carol: Thank you. Thank you for having me.

Gene: So give us some perspective, Carol, about what access to transportation looks like for people with disabilities.

Carol: People with disabilities would like to rely on the same transportation options as everyone else: using the bus, driving a car if possible, or accessing a car, taking a taxi, just walking or rolling down the street. We need the same levels of access to transportation to get to school, work, to visit friends and family, go out to see a movie, get groceries, and during emergencies.

We need safe, affordable, convenient, quality transportation that is also accessible, available in our neighborhoods, free from discrimination, and integrated – that is, not separate from the general public. Unfortunately, significant barriers and gaps to access remain. Most buses are accessible, but sidewalks, many subway stations and bus stops are not.

People in underserved, low-income suburban or rural areas may lack access altogether. A 2012 report cited transportation as the biggest barrier to employment for people with disabilities. Many people with disabilities remain entirely isolated because they lack access.

Gene: And today we want to focus on something that's relatively new in the transportation area: ride-hailing services or what is commonly referred to as TNCs, Transportation Network Companies, Uber and Lyft perhaps being the most prominent in the field.

These services have certainly been well received by the general public and have resulted in lower ride fares; however, you say it's actually made it harder to get access to transportation for people with disabilities. Explain to us what has happened.

Carol: Sure. TNCs are making it harder to access transportation for people with disabilities in a handful of ways. First, TNCs have impacted public transit ridership, which leads to decreased revenue for transportation disabled transit riders that we rely on. Second, TNCs provide very limited wheelchair-accessible service, and that's the biggest issue here.

TNCs are being used by some public transit agencies to provide rides to transit stations; it's called "first mile/last mile" service. During emergencies or shutdowns and when TNCs aren't providing WAVE options, this leaves wheelchair users stranded, it widens the equity gap and it increases segregation of the community.

And finally, third, TNC operations have led to a decrease in the number of wheelchair-accessible taxis available overall in many cities. TNCs are often much more lightly regulated than taxis and sometimes they're cheaper depending on search pricing. The reduced demand for taxi service means taxi drivers are unable to make a living the way they used to and are less interested in driving taxis including wheelchair-accessible taxis.

For example, in Chicago they had an ordinance that provided for an increasing percentage of the taxi fleet to be wheelchair-accessible. Because of the TNC impact, Chicago rewrote the ordinance to remove the timeline for increasing the percentage and left it up to the Commissioner. Under the old ordinance Chicago was supposed to go from 5% accessibility to 10% for this year, but that isn't happening.

And then in San Francisco, every taxi company is required to provide wheelchair-accessible service and participate in their paratransit program. Still, between 2013 and 2014, there was a 49% decline in wheelchair-accessible taxi pickups. The Transit Agency is looking to additional policies to incentivize wheelchair-accessible service as best they can.

Gene: So you cited a couple examples there of things that cities have done. Have you noticed any change in the approach that the TNCs are actually doing to address the concerns of the disability community?

Carol: Yeah. They have adopted antidiscrimination policies prohibiting discrimination against people with disabilities including travelers with service animals. And a few of the companies include a wheelchair-accessible ride option on their apps or button, though they are often partnering with wheelchair-accessible taxis or simply recommending paratransit or existing taxis. And service is not reliable because accessible taxi service availability has gone way down.

Now one company is currently offering a promo code for an accessible ride request, but when I tried it earlier this week, the code wasn't recognized, so we'll see.

Gene: What are some things that state governments can do or have already done to ensure that people with disabilities have equal access to these TNC services?

Carol: There are a number of things that state governments can do. They can work with the transit agencies and their taxi or TNC regulators in their states and their state DOTs. They can support increased accessibility requirements.

In December, the New York City Taxi and Limousine Commission passed a rule requiring every company to dispatch 25% of its trips in wheelchair-accessible vehicles by July, 2023. The transportation network companies are currently fighting that rule, but hopefully it will get through.

State governments can support subsidized programs for accessible on-demand or service that's like transportation network company service or that is being provided by transportation network companies. In Boston, the Transit Agency is subsidizing TNC service for people with disabilities, and in the Washington, D.C. area, the Transit Agency is subsidizing accessible taxis for paratransit eligible riders.

State governments should read the USDOT Shared User Mobility Guidelines for the ADA and Title 6 compliance requirements, which require access and equity in TNC and public agency partnerships, and state governments could adopt performance measures and equity principles to ensure that any partnerships that the state is entering into with these companies is providing service to everybody.

There are popular and accessibility or TNC surcharges that many states and cities have adopted. Those surcharge funds go towards accessible services like training for drivers, buying wheelchair-accessible vehicles or providing incentives for taxi drivers, or those surcharges are even going to transit funds as well.

There is a bill working its way through the California legislature right now... it's called SB1376, or Disability Access and TNCs. The bill would assess a fee to fund accessible service, create stakeholder workshops and reporting requirements for companies requesting funds.

Gene: Carol, how can people find out more about your organization's efforts in this field?

Carol: They can go to our website. It's www.dredf.org, find the transportation there and you'll find press and information on what we've had to say about TNCs.

Gene: Our guest has been Carol Tyson, who is the Government Affairs Liaison at the Disability Rights Education and Defense Fund. Carol, thank you for sharing your perspective on "Our American States."

Carol: Thank you so much, Gene.

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Gene: We are talking with Jana Lynott, who is Senior Strategic Policy Advisor with AARP's Public Policy Institute's Livable Communities Team. Jana, welcome to the program.

Jana: Thanks Gene. Happy to join you.

Gene: In what ways have older Americans benefitted from the advent of companies like Lyft and Uber, otherwise known as Transportation Network Companies or TNCs?

Jana: Great question. So I think first off, it's probably good to put these services in context. If talking about their general services available to anyone, we know that older adults are less likely to use the services than younger professionals and other younger individuals. I think it's somewhat because many older adults either don't have the technology or are not completely familiar with the technology, or they've been driving many years, they're still able to drive, and so they don't really see a need to rely on the services.

But that, of course, could change over time as folks become more comfortable with these new types of technologies and services and as more people are looking for other transportation options to get them around.

Gene: Can you give us some examples of TNC services that would benefit older adults?

Jana: Sure. I think in general any time we introduce new transportation options into our communities, that's a positive thing. And certainly older adults, as younger adults, can take advantage of these types of services.

I would say what we've seen to date as probably the largest benefits for older adults is through medical transportation. There are a number of initiatives that are being offered by these companies, often in combination with third-party platforms, to help connect older adults to transportation to get to doctors' appointments and other medical types of appointments.

So, for instance, Lyft has a partnership with Split and Split has essentially started off as a carpooling app very similar to a TNC like Uber and Lyft, but they have with their partnership with Lyft, Lyft provides the drivers, whereas Split provides the platform to connect riders to Lyft services without having to have a smartphone or a Lyft account directly.

So they do all the scheduling, they handle insurance reimbursement, Medicare qualifications, reporting to healthcare systems, and it allows the riders to schedule rides either through their website, through text or by phone. So it gives people a lot more options than you get just through the typical Lyft app.

Another example is with Uber and MedStar Health using Uber Health for their customers who would otherwise miss an appointment due to lack of transportation. MedStar, their incentive was really to try to lower the cost of missed appointments, which can be very costly to health providers.

These are both, I think, fairly new examples. I've heard of Lyft partnership with Blue Cross/Blue Shield. And I think we're waiting to see what the outcome of this is in terms of benefits for riders and benefits to medical practitioners in terms of reduced costs.

Another service that was really put into place; this is a TNC service specifically designed for older adults; it's available in the San Francisco Bay area and it's called Silver Ride. It provides door-through-door assistance, which basically means the driver will get out of her car, assist an older adult in and out of the vehicle, in and out of the foam. You could even sign up for concierge-like service where the driver would accompany you inside into the doctor's office and really offer an additional support.

Gene: Talk to us about what the needs are of older Americans when it comes to using TNCs? What can the industry do to improve this experience?

Jana: I think the primary way that TNCs can improve the experience for older riders is through driver training. We have heard anecdotal reports through some of the work that we've done that many older riders don't always feel that they are getting the level of respect from either taxi drivers, TNC drivers, transit drivers, and that drivers would really benefit from understanding their clientele a little bit better, and from having that level of sensitivity training.

Another aspect of the training that, for instance, Silver Ride provides its drivers that I don't believe Lyft and Uber do at this point in time, is more robust training on both how to help people in and out of the vehicle safely so that you don't injure the passenger and you don't injure yourself as a driver, because there are certain ways to assist that need to be taken into account; also recognizing some of the common limitations with aging that may pop up with their customers, so recognizing some of the common symptoms of dementias, of how to handle hearing loss, visual impairment and other typical medical needs.

And so it's really, when we're dealing with a much older population group and trying to provide service, it's having that understanding and sensitivity of what some of those special needs may be.

Gene: I hear this term “employment options for older Americans” and that the AARP has done some work in this area. Can you explain what that is?

Jana: Yeah. So one of the ways that AARP looks at these types of innovative services, you might say, TNCs and other shared services, the gig economy, is that it offers potential income to many folks who have... perhaps they’re at retirement age, but they’re not quite ready to give up employment full-time; it gives them the flexibility to drive part-time and pull in a little bit of additional income.

A few years ago we offered a partnership with Uber to incentivize people 50 plus to sign up as drivers with Uber and they would get a small stipend back in exchange as a way to encourage people to look at that option for raising their income.

The flip side of employment for older adults: we know many folks either choose to stay employed even after the typical retirement age, or they really have to because of financial reasons, and transportation can pose a barrier to get to employment. And I think these services, depending on a) are they offered in one’s community, and b) what their income level is, they may or may not be affordable, because they still are more expensive than typical public transportation service.

Gene: You talked a little bit about what’s happening in the private sector. From your perspective what have state and local governments done to adjust their approach to transportation for older Americans in response to the rise of TNCs?

Jana: A lot of states have taken a “wait and see” approach. I think there’s apprehension to get overly regulatory in this environment. Other states have taken a more progressive approach to try to make sure that flexibility exists for innovation.

It’s a real balancing act for state legislatures to both keep that flexibility there as well as protect the interests of the public. And one thing that is in some of the transportation network company laws that have been put on the books, one of the unintended consequences of that is that some insurance companies are interpreting volunteer drivers as falling under the ride-share, ride-source, TNC label and it’s jacking up their insurance costs.

We’ve heard anecdotally from folks in Florida, Virginia, Minnesota, they’ve had to give up their service as volunteer drivers. The fix is a relatively simple wording fix to just make sure within any TNC legislation that you exempt volunteer drivers from being categorized under ride-source or TNC.

Gene: So do you see any public/private partnerships emerging from this?

Jana: We’ve seen quite a number of public/private partnerships with public transportation operators and Lyft and Uber primarily for what’s called “first mile/last mile” transportation. So in larger urban areas where you might have a rail line that serves commuters in and out of the city or to major employment destinations, there’s also often that challenge of: How do I get from my home to that metro station? And Lyft and Uber have been working with public transit agencies to provide that service.

Gene: So what about the future, Jana? What do you think is going to happen here? Are there other services and concepts or things that AARP is promoting in order to address TNCs for older adults?

Jana: Well, I think the big picture, and I'll be releasing a series of papers in September, is the concept of what I'm calling "universal mobility as a service." And where you have a platform that encompasses a number of basically all of the ways you can get around your community and that the customer goes to a single platform and accesses services.

So the universal part of this included in that system is the specialized services: services for older adults, for people with disabilities. Included are concepts of universal design, so from the app itself to the ride, to the vehicle, it's designed for people with mobility limitations, so that anyone in the community can access transportation services.

My vision for where we need to go out into the future is we've got a lot of these innovations that are being labeled on top of the public transportation services we have today on top of demand response service. We need to bring all of that together and make sure that we are meeting the needs of everyone in the community through a comprehensive system.

Gene: Are there other resources? Where would you suggest people go to for more information on this?

Jana: We do have policy related to transportation network companies and I invite folks to go to our website aarp.org/policybook and chapter 9 includes all of our transportation policies including those on transportation network companies.

Gene: We've been talking with Jana Lynott, who is the Senior Strategic Policy Advisor with AARP's Public Policy Institute's Livable Communities Team. Jana, thank you for sharing your expertise with us today.

Jana: My pleasure.

Music and Gene VO:

And that concludes this edition of "Our American States." If you enjoy this program, we ask that you take a moment to give us a rating on your favorite podcast app and even leave a brief review. Those small actions help to raise the podcast's profile and make it easier for your colleagues across the nation to find us. For the National Conference of State Legislatures, this is Gene Rose. Thanks for listening.