Accessible Transportation
State Legislative Update

BY DOUGLAS SHINKLE

Getting to work and accessing necessary employment supports can be limited for people with disabilities. An estimated 25.5 million Americans experience a travel-limiting disability according to data from the 2017 National Household Travel Survey. Half of the survey population was age 18-64, but only about 20% were employed in full-time or part-time jobs. Moreover, people with disabilities experience significant disparities in vehicle ownership, trip frequency and socioeconomic status as compared to people without disabilities. A recent report from Transportation for America indicates 28 million Americans do not have a car, and individuals of low income and people of color are more likely to not have access to a car.

State legislatures continue to adopt laws and programs that assess accessibility practices and provide mobility options. In the past few years, legislatures have focused on policies related to state transportation accessibility offices, state coordinating councils and transportation network company accessibility, amongst other policy issues.

State Action

State Transportation Accessibility Offices

A few states have created offices or programs that concentrate or assist with policy, planning and funding for transportation accessibility efforts. One of the better-known examples is Florida’s Commission for the Transportation Disadvantaged, which was created by the legislature in 1989.

Recently, the program was given $10 million in funding via 2019 legislation (SB 7060) to award competitive grants to community transportation coordinators and transportation network companies (TNCs) such as Lyft and Uber. That funding, termed the Innovation and Service Development Grant program, must be used to provide cost-effective, door-to-door, on-demand and scheduled transportation services to increase a transportation disadvantaged person’s access to and departure from job training, employment, health care, etc. Grants have funded innovative mobility services to provide transportation for veterans, people with intellectual and developmental disabilities, wheelchair accessible transportation in the Tampa Bay area, trips to health care facilities and other services.

Pinellas County’s well-regarded efforts have included providing discounted rides with Uber and United Taxi for late-shift workers using a designated bus stop between 6 a.m. and 11 p.m. Reduced price passes for wheelchair accessible buses and door-to-door service are provided as well by the Pinellas Suncoast Transit Authority.

Other states are formalizing offices tasked with tackling transportation accessibility issues. The Tennessee legislature enacted the “Tennessee Ac-
cessible Transportation and Mobility Act of 2020” (SB 1612), which created the Office of Mobility and Accessible Transportation within the state department of transportation. This appears to be the first office of its kind in the U.S. The office’s first annual report and an initial strategic plan were issued in March 2021; the plan and report identify challenges, establish strategic goals and suggest the office could serve as “a clearinghouse for federal and state programs that fund transportation.” States have also taken steps to assess and coordinate appropriate policies and program. This includes conducting a public transportation needs assessment (Alabama SB 85, 2018), establishing a group to explore technological and transportation business solutions to increase transportation access (Colorado SB 11, 2017) and creating a task force to study transportation accessibility best practices (Connecticut HB 5245, 2018).

State Coordinating Councils

One of the common methods for states to try to effectively meet the transportation needs of older Americans, people with disabilities and low-income populations is the creation of State Coordinating Councils (SCCs). First created in 1976 by the state of Iowa, SCCs generally seek to ensure the effectiveness, efficiency of and accessibility of transportation services throughout a state. Most commonly, SCCs inventory existing transportation programs and resources, identify gaps in service, participate in coordinated planning efforts and work toward solutions that improve mobility for system users. At least 19 states and the Northern Mariana Islands have active coordinating councils or working groups that effectively serve as SCCs. In terms of legislation concerning SCCs, in 2017 the Rhode Island legislature (HB 5241a) directed the Rhode Island public transit authority to convene a coordinating council consisting of those state agencies responsible for meeting the needs of low-income seniors and persons with disabilities in order to develop and implement the federally-required Coordinated Public Transit Human Services Transportation Plan; the plan was published in 2018. The Human Services Transportation Coordinating Council is now active and convening throughout the year.

The New Jersey legislature enacted a bill in 2020, SB 2517, directing the New Jersey Transit Corporation (NJTC), along with the Department of Human Services, to develop and implement a paratransit best practices pilot program, with training opportunities for up to five paratransit providers. The bill also established six separate regional paratransit coordinating councils throughout the state, with the requirement they coordinate and report to the NJTC, as well as share best practices regarding scheduling and routing, driver training, fleet maintenance, customer communications, safety practices and improving the customer experience.

Transportation Network Company Accessibility

States are continuing to tackle accessibility issues by implementing strategies to ensure TNC services can provide rides for people with disabilities. California enacted the TNC Access for All Act (SB 1376) in 2018, directing the California Public Utilities Commission (CPUC) to establish a Wheelchair Accessible Vehicle (WAV) program for people with disabilities that use TNC services such as Uber and Lyft. The CPUC published a decision in June of 2019 that set the per-trip charge at 10 cents and designated each county in the state as a “geographic area,” meaning the charge will be applied throughout the state.

Revenues from the per-trip charge are deposited into the TNC Access for All Fund and will be used to increase both WAV service levels and the number of WAVs operating in the state by competitively awarding grants to TNC providers that meet the CPUC’s accessibility mandates. The CPUC announced over $11 million in awarded grants in June 2021. The Maryland General Assembly authorized counties and municipalities (SB 868, 2015) to impose a fee of 25 cents or less on for-hire transportation services, including TNC services. Based on that legislation, Maryland’s Montgomery County created a fee of 25 cents to fund the delivery of accessible taxi cab services and transportation options for senior citizens and persons of limited income. As awareness of the barriers people with disabilities face in accessing reliable and accessible transportation, particularly to access jobs and employment services, state legislatures will continue to debate how to improve transportation access using established strategies and new innovative partnerships and technologies.

Did You Know?

• Data from the 2017 National Household Travel Survey found 7 out of 10 survey respondents with disabilities reduce their day to day travel because of their disabilities.

• According to the American Journal of Public Health, around 5.8 million Americans annually delay medical care because of a lack of transportation.

• At least 22 state legislatures debated over 125 disability related transportation bills in 2020.

Additional Resources

• NCSL Disability Employment Database

• Work Matters: A Framework for States on Workforce Development for People with Disabilities

• NCSL LegisBrief: Crafting Inclusive Autonomous Vehicle Policies

• The Future of the Workforce report

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