

# Ride-hails say they're in compliance with TLC accessibility rules

But advocates argue much more needs to be done.

By ETHAN STARK-MILLER

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As Uber and other ride-hailing companies face pressure to better serve wheelchair users in New York City, there are early indications that the companies are moving in the right direction.

Specifically, the three major ride-hailing companies – Uber, Lyft and Via – said they're in compliance with the first benchmark of the New York City Taxi and Limousine Commission's new accessibility rule, which requires ride-hailing companies to deploy more accessible vehicles and holds them to specific wait-time standards for wheelchair-accessible vehicles.

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These three companies told City & State that they each met the June benchmark – that 60% of wheelchair users be picked up within 15 minutes, and 90% within 30 minutes – but the TLC has yet to release its report.

The wait-time rule established last fall is one of two options that the TLC gave ride-hailing companies to increase accessible service for wheelchair users. It requires ride-hailing companies to have 80% of their accessible trip requests met in 10 minutes or less and 90% met in 15 minutes or less by June 2021. It also requires them to hit incremental benchmarks for trips serviced each year – for example, by June 2020, 80% of requested trips must be serviced in 15 minutes or less and 90% in 30 minutes or less.

The other option, which was established in late 2017, is for ride-hailing companies to steadily increase the number of trips done by wheelchair-accessible vehicles, whether or not the passenger requested one. This rule required ride-hailing companies to make 25% of their trips in wheelchair-accessible vehicles by mid-2023. The ride-hailing companies sued the TLC over this rule, which forced the TLC to settle last year and establish the alternative wait-time option.

Former TLC Chairman Matthew Daus – currently a transportation consultant who works with Via and other clients – said he thinks the ride-hailing companies brought the lawsuit because they thought the TLC's original rule was unfair. "You're basically telling people that they need to be using wheelchair-accessible vehicles even if the person requesting a trip is not a wheelchair user," Daus told City & State.

Disability rights advocates argue that while it's good that ride-hailing companies are taking some steps toward accessibility, they are more supportive of other measures like the 25% rule that the ride-hailing companies opted out of and the cap on new for-

hire vehicle licenses in the city, which makes an exception for wheelchair-accessible cars.

“None of the proposals were perfect, but we thought that the 25% rule would get us closer to the possibility of reliable e-hail service,” said Joe Rappaport, the executive director of the Brooklyn Center for Independence of the Disabled and spokesman for the Taxis for All campaign. “We didn’t support the creation of what appears to be a separate and unequal system,” he added, referring to the wait-time rule.

Daus, on the other hand, thinks the wait-time rule could be a better way of increasing accessible service. “It’s definitely in theory a better system than just requiring people buy wheelchair vehicles, to have a certain percentage in their fleet,” Daus said.

Uber told City & State that it was exceeding the June benchmark, but still has more work to do. “We believe that Uber can improve mobility for people with disabilities, and by increasing the availability of (wheelchair-accessible vehicles) and improving reliability, we’ve already exceeded the city’s 2019 requirements,” Uber spokesman Harry Hartfield told City & State in an emailed statement. “But we recognize that we’re still at the beginning, not the end, of this journey.”

Via's Alex Lavoie told City & State that Via is happy the TLC decided switched to the wait-time rule and that he believes it completed the second-highest number of accessible trips in this first year. “We were able to hit the requirements in both categories. The one in 15 minutes and the one in 30 minutes,” Lavoie said. Lyft also told City & State through an emailed statement that they are in compliance with the benchmark for June 2019.

According to TLC spokesman Allan Fromberg, the process the agency uses for collecting and presenting the data is still incomplete and a full report won’t be published until roughly mid-September. “I have no reason to doubt what the companies themselves may have told you, but we cannot empirically confirm (that) until the process is complete,” Fromberg said.

Rappaport said he couldn't speak to whether the ride-hailing companies hit the June benchmark, but that it was very low in the first place. "I think we'd be less critical if I hadn't seen how these companies have fought accessibility over the years with every tool that they've got in the courts," he said.

In a July 23 hearing on extending the cap on new ride-hailing permits, the TLC said the temporary freeze on new licenses had had a positive impact. According to a TLC slideshow presented at the hearing, one year ago there were a little over 200 accessible for-hire vehicles in the city and now there are nearly 800. However, the TLC said there are more than 120,000 for-hire vehicles operating in the city, which means less than 1% of these vehicles are wheelchair-accessible.

Advocates said that while they strongly support the cap and are happy that the number of wheelchair-accessible vehicles is rising, they want to see more done. "While it's a small step in the right direction, the numbers that the TLC was talking about are still really low," Justin Wood, director of organizing and strategic research with New York Lawyers for the Public Interest, told City & State.

It won't be entirely clear how well the ride-hailing companies are meeting the TLC's accessibility standards until it releases its full report. "I think the key thing that the community is going to be concerned about is if the 15-minute requirement is being met or not," Daus said.

*Correction: An earlier version of this post incorrectly attributed a quote to Andy Ambrosius. In fact, the quote was from Via's Alex Lavoie.*



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