

# “Take a Hike, Gimpy”

December 23, 2010

## **New York City plans to have *even more* inaccessible taxis**

With a knee problem and a walker, I have found more and more New York City cabs inaccessible. The new hybrids (good for anti-pollution) are high off the ground, with difficult sliding doors. Drivers are as helpful as they can be, but they pass me by, knowing that I can't safely climb in or out. So, as the taxi fleet moves more and more to hybrids, phasing out more accessible cabs, I have found it harder and harder to get a taxi that I can use. One of the glories of New York — mobility — is increasingly lost to me. (Subways, with only a sprinkling of elevators here and there, are pointless.)

Some City agency, presumably the Taxi and Limousine Commission (hereafter, ironically, TLC), has to have approved this design. (In other disability-related areas, I have found the NYC Commission on Human Rights useless.) This is unspeakable, and probably illegal under the Americans With Disabilities Act. In a city with cut-out curbs, ramps and kneeling buses (which show that hybrids can be designed to be accessible), this is a surprising anachronism, and it should be opposed. The City should bring to an immediate end the filling of our streets with a design that is hostile to the elderly and disabled. Better designs should be developed and scrutinized with accessibility as a criterion — something which the TLC clearly ignored with the current hybrids, and continues to ignore in the selection of future cabs (below).

I have been trying to organize a campaign along these lines and have finally found a fine ally. Disability Rights Advocates is a Berkeley-based non-profit "dedicated to securing the civil rights of people with disabilities . . . through high-impact litigation, as well as research and education." (They do not charge clients.) They are now opening a New York office. DRA is diligently gathering information about inaccessible taxis, preparatory to taking action. I have found them easy to talk with, knowledgeable, and respectful of confidentiality for those who want it.

It is urgent that critical voices be heard right now: the TLC is considering three new designs, from which, early in 2011, they will choose one to replace all current cabs. But only one of the three finalists is described as "fully accessible," so accessibility is clearly not a mandatory criterion. TLC, you obviously don't get it.

As I write this, they are openly throwing in the towel on wheelchair accessibility: "While I [TLC Commissioner David Yassky] want to reiterate the TLC's ongoing commitment to our longtime goal of full accessibility . . . the practical reality is that it does not make sense to have each car service company maintain its own wheelchair accessible fleet as our regulations now provide." So Yassky proposes a Rube Goldbergesque (and Orwellian) "Accessible Dispatch Program" — essentially, call for one of the 240 accessible cabs that presently serve this city of eight million, including an estimated 60,000 wheelchair users, not to mention an uncounted number of others, like myself, using walkers or other such contraptions. A pilot program indicated that cabs showed up an average of 34 minutes after being called, and the proposed program would absolutely insist that cabs show up in less than one hour. Meantime, they are suspending a rule requiring livery cab bases to provide accessible service. This shameful press release is co-signed by Matthew Sapolin, Commissioner of Mayor Bloomberg's Office for People with Disabilities.

(If you have first-hand experience of inaccessible cabs, I urge you to contact DRA: in New York City, 212-644-8644 mpuleo@dralegal.org or jpinover@dralegal.org; or, in Berkeley, 877-603-4577 kwerner@dralegal.org. I would appreciate cc's of emails that you send them.)

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