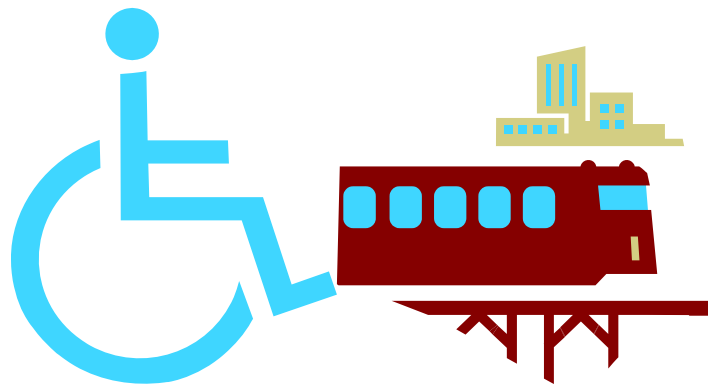


Permanent Citizens Advisory Committee
to the MTA

Welcome Aboard



Accessibility at the MTA

October 2008

**PERMANENT CITIZENS ADVISORY COMMITTEE TO THE MTA
347 MADISON AVENUE, NEW YORK, NY 10017
WWW.PCAC.ORG**

Executive Summary

Introduction

The Permanent Citizens Advisory Committee (PCAC) to the Metropolitan Transportation Authority (MTA) was authorized by the New York State Legislature in 1981 to represent the interests of the riders of the nation's largest public transportation system. PCAC is comprised of three rider Councils: the Long Island Rail Road Commuter's Council (LIRRCC); the Metro-North Railroad Commuter Council (MNRCC); and, the New York City Transit Riders Council (NYCTRC). The members of these Councils are recommended by local officials for appointment by the Governor of New York. They represent a variety of geographic areas, walks of life, age, ethnicity, gender as well as persons with disabilities who have frequently expressed their concerns about accessibility throughout the MTA network. PCAC undertook a review of the MTA and its operating agencies' compliance with the federal Americans with Disabilities Act of 1990 (ADA).

This investigation looked at how each agency — Long Island Rail Road (LIRR), Metro-North Railroad (MNR) and New York City Transit (NYCT) — handles ADA issues and the level of compliance achieved since the enactment of the 1990 legislation. It is clear from this study that the complex nature of these regulations, along with physical and financial constraints, has been a significant challenge to implementation. Most severely tested has been NYC Transit with its 100-year old subway system and its nearly 5,000 buses.

By way of background it is helpful to know that in New York City the struggle by persons with disabilities for "reasonable accommodation" in using the MTA network began to be litigated in earnest in 1979. It took several lawsuits before a settlement was finally reached in 1984. This compromise between the MTA, Eastern Paralyzed Veterans Association (now United Spinal), and Disabled in Action of Metropolitan New York (DIA) amended the transportation law, the public buildings law, the tax law and the administrative code of New York City and MTA/NYCT agreed to make 54 "key" stations and all buses accessible. In addition, a committee appointed by the Governor and NYC Mayor was set up to establish a paratransit system for New York City, now known as Access-A-Ride.

Therefore, by the time that the ADA was passed in 1990, MTA/NYCT was already immersed in the challenges of providing accessibility on buses and subways. In 1992, MTA/NYCT increased its number of key stations to 100 with a timetable for making 67 fully accessible by 2010 and the remaining 33 by 2020. In addition, with the passage of the ADA, LIRR and MNR had to implement their own key station programs.

Through interviews, field inspections and government audit reports, the PCAC has documented the progress made since 1990 and the current state of accessibility at the MTA. Due to the current study being done by the New York Metropolitan Transportation Council (NYMTC) on paratransit needs in the region, PCAC did not include Access-A-Ride in its investigation; however, travel training, which is a component of the Access-A-Ride program, is highlighted.

Findings

MTA Headquarters

- From 1989 to the mid-1990s MTA staff worked on implementation of the legislation; today their function is one of coordination, while compliance is left to the individual agencies.
- The MTA website contains *Guide to Accessible Transit* which covers all of the agencies and paratransit services.

Long Island Rail Road

- LIRR, out of 124 stations, has 20 fully accessible stations of which 18 are key stations and two additional stations.
- LIRR trains employees on how to assist passengers with disabilities including: using bridge plates for customers in wheelchairs; assistance on boarding and detraining; emergency evacuation; and, “disability etiquette” issues.
- The LIRR does not provide professional “travel training” for individuals with disabilities, but does offer to work with travel trainers retained by individuals to assist with any questions about accessibility and the LIRR transportation system. In addition, a passenger with a disability can call the LIRR Travel Information Center (TIC) or the Public Affairs Department to discuss any special needs.
- In a recent audit, the FTA found that on older cars that do not have an automated announcement system, the LIRR continues to fail to make consistent stop announcements. To address this reported deficiency, the LIRR has focused its attention on improving the performance of the train crews who make the announcements on the older cars.

Metro-North Railroad

- MNR, out of 84 stations in New York State, has 13 designated key stations and another 18 that are also fully accessible. An additional 24 stations are wheelchair accessible.

- MNR's Training Department provides training for train crews and front line employees including providing assistance to persons with disabilities, emergency evacuation procedures, instruction on bridge plate use and boarding procedures, and operating rules (for train crews) that affect customers with disabilities such as rules for service animals, priority seating, reduced fares, etc.
- MNR does not have a formal rider travel training program but offers assistance to travel trainers who request information about accessibility at MNR stations.
- While MNR does not have a formal advisory committee on disability issues, MNR does maintain ongoing relationships with several groups that represent individuals with disabilities.
- Metro-North's Customer Service Department is responsible for providing customer assistance. All customer service personnel are trained in accessibility matters and in providing assistance to persons with disabilities.

Overall, LIRR and MNR have few issues with respect to accessibility. They have met their key station plans, provide service and amenities for customers with disabilities, and continue to upgrade and improve station amenities for them.

New York City Transit

- NYCT maintains an Office of ADA Compliance. This Office is housed in the Capital Program Management (CPM) section under Program Services.
- NYCT, out of 468 stations, has 67 key subway stations which have been made accessible. Another 33 must be made accessible by 2020. There are an additional 16 non-key stations that are wheelchair accessible, five of which are fully ADA accessible.
- The entire fleet of MTA/NYCT buses is lift-equipped, has kneeling features, wheelchair securement devices, public address systems, and seating spaces reserved for persons with disabilities. The 2007 reduced-fare ridership was approximately 3% of subway trips and over 10% of total bus trips.
- The conditions of public address systems vary across the subway system, and there are still some stations that have no public address capabilities. There is an ongoing effort to install Customer Information Screens (CIS), but the transformation will take many years. In the interim, announcements are often difficult to hear or understand as many stations have very old systems.

- Outages of elevators and escalators at subway stations have been a chronic problem. However, new procedures are being implemented to help with more timely maintenance and replacement. Current Information listing stations with outages can be found on the MTA website and on the Elevator and Escalator Hotline.
- Despite a great deal of effort that has been expended to persuade bus operators to make required announcements of major stops and transfer points, compliance with this requirement remains low.
- NYCT's Department of Buses is not responsible for establishing and maintaining bus stops, but instead works through the Operations Planning Division to coordinate with the NYCDOT to ensure that the stops and their associated signs, Guide-A-Ride schedules and maps, and bus shelters are kept in good order. Nonetheless, there are issues with bus stops. Some wheelchair and scooter users find the design of the CEMUSA shelters problematic, and some customers find that signs, Guide-A-Rides, and shelters are sometimes inconveniently positioned within the stop.
- Traffic law enforcement is another major issue impacting the quality of service. When a bus stop is blocked by an illegally parked or standing vehicle, buses cannot approach the curb and access is more difficult. The only solution to this problem appears to be aggressive enforcement of the traffic law, but this action seldom occurs.
- Since 1999, MTA/NYCT has operated a travel training program as part of the MTA's effort to encourage the use of accessible, fixed-route service by customers with disabilities. Travel training is a short-term, comprehensive, intensive instruction designed to teach individuals with disabilities how to travel safely and independently on public transportation.

Recommendations

There is no question that the ADA has transformed the face of the MTA transportation network by making it accessible to people with disabilities, but at the same time the MTA must continue its efforts to make the network more accessible and user friendly for all its customers. The initiatives, amenities, and services that have been developed and implemented in response to the ADA are beneficial, not only to persons with disabilities, but to all who travel the subways, buses, and commuter railroads operated by the MTA. The following are recommendations PCAC is suggesting to further improve the rider experience:

MTA Headquarters

- Add "Elevator/Escalator Outages" as a separate tab on the top of the MTA website homepage along with "Schedules", "Maps" and "Service Advisories".

Elevator/escalator information must be front and center, easy to access, and include those elevators/escalators maintained by other parties than MTA/NYCT. Further, this outage information should be linked throughout the website: accessibility information pages, station pages, etc.

- Create a single webpage of elevator and escalator disruptions across the entire system — subway, commuter rail, bus, ferry — in a simple grid format. This presentation is used very effectively on the Massachusetts Bay Transportation Authority's (MBTA) website.
- Create website pages for all NYCT subway stations (similar to those for LIRR and MNR stations) with development priority given to all ADA accessible stations. Any information related to accessibility at a specific station should be included on that page, including the location of elevators and escalators within the station.
- Designate ADA and non-ADA elevators on the website elevator/escalator status report, as well as on the Elevator/Escalator Hotline. Currently, the information does not distinguish between elevators in ADA compliant stations and those which are not. The phone message and webpage lead many to believe that those elevators listed go to subway platforms. In the case of the 181st Street station on the A line, the elevator goes from the street level at Overlook Terrace (the lower mezzanine) to Ft Washington Ave. (the street). Similarly, information provided about the 1 line elevator at 168th Street leads people to believe that there is an elevator to the platform rather than only to the mezzanine.
- Provide adequate staff for the MTA Website Department. The MTA must substantially increase its website department. The website is a critical communication tool and information needs to be clear, timely and intuitive to reach on the site. Currently, there is a staff of two people assigned to maintain the website for the largest transportation agency in the country. PCAC has repeatedly asked the MTA to redesign its website to better coordinate the huge amount of information that must be easily accessible.
- Incorporate elevator and escalator information in the forthcoming MTA service diversion alert system. This service could be similar to WMATA's Electronic Elevator Notification (ELLEN) system, where an online form allows a customer to create a list of notification preferences, including elevator status and route disruptions.
- Develop an accessibility courtesy campaign for the entire MTA system. People with disabilities, especially wheelchair users, are frequently disrespected by the riding public (failure to allow them priority access to elevators and AutoGate exits; failure to give them maneuvering space on

subway cars and platforms; failure to give up priority seating on buses; and, lack of patience during lift usage and tie downs on buses, etc.). To be truly effective, accessibility amenities and protocol have to be valued by all passengers; otherwise, the riding experience for persons with disabilities can be less than satisfactory and may ultimately discourage them from taking advantage of public transportation. Passengers need to be reminded that they share the subways, buses and trains with thousands of other riders and should be courteous and considerate to all travelers, including people with disabilities.

All Operating Agencies

- Develop large print/Braille route maps for LIRR and MNR and revise the current NYCT large print/Braille route map.
- Install tactile warning strips along the edge of all LIRR, MNR, and NYCT station platforms.
- Investigate feasibility of installing hearing induction loops throughout the MTA network.
- Install wayfinding tactile strips in newly constructed or significantly renovated stations that lead visually impaired customers to Braille signs, ticket booths and other important locations.

Long Island Rail Road and Metro-North Railroad

- Formalize outreach to the disabled community in service areas through the creation of an ADA Taskforce or Advisory Committee. These groups should feature representation from all areas of disability: sight, mobility, hearing, etc.; should be involved in reviewing accessibility training procedures, literature, outreach programs and design features; and, should meet periodically on a regular basis.

New York City Transit — Subways

- Post floor plans in all key stations with the location of the elevators at that station. They should be placed at the entrance to the station near other maps or passenger information centers and on platforms.
- Paint yellow strips completely across all top and bottom stairs at all stations.
- Revise the Rules of Conduct to create noise regulations that are sensitive to context. Rather than a blanket regulation based on decibel level, noise regulation should reflect the disruption that musicians create during peak rush

hours for customers trying to maneuver through crowds and/or hear announcements.

- Ensure that vertical gaps between trains and platforms meet the 3 inch ADA standard at all points on the platform in all stations.
- Make gap awareness announcements on board subway trains. As a general safety feature, passengers need to be reminded to watch their step as they leave the train.
- Place the "Watch the Gap" decal on subway doors.
- Move the Compliance Coordinating Committee (CCC) to the Department of Government and Community Affairs and find ways to reach a wider audience. Since the CCC involves the public and since Government and Community Affairs already handles the Senior Citizens Advisory Committee which has similar issues, PCAC feels that Government and Community Affairs should be responsible for both and CCC meetings should meet monthly. Because many people in this audience have mobility problems, NYCT should find ways to reach more of the disabled community, i.e., by webcasting, posting summaries of proceedings on the MTA website, etc.
- Undertake an educational campaign to the disabled about the availability of AutoGate reduced fare cards.

New York City Transit — Buses

- Increase audits of bus announcements to improve operator compliance in making required announcements. Improve incentives for consistent compliance and sanctions for failure to make announcements as required.
- Accelerate implementation of technologies that provide automated audible and visible stop announcements to reduce the impact of operators failing to make announcements. All new buses should have this feature.
- Check the working condition of the bus public address equipment and lifts daily. Current inspections are too infrequent. Procedures must ensure that operators report faulty public address systems and lifts promptly.

New York City Transit — General

- Combine the Accessibility Travel Hotline number into the NYCT Travel Information telephone number and extend the hours of operations to 24/7. If the system is to be equally accessible, there is no reason why there is a special number for accessibility information; however, accessibility questions could be an option on the NYCT Travel Information number.

- Provide ADA training, including emergency evacuation training, to all personnel who have any contact with the riding public (dispatchers, platform conductors, checkpoint supervisors, etc.).
- Undertake an educational campaign about the MTA/New York City Transit Travel Training program.

New York City Police Department — Traffic Bureau

- Increase enforcement of traffic law violations involving bus lanes and bus stops. Illegal parking in bus lanes and at bus stops severely limits disabled riders' ability to safely board buses.

New York City Department of Transportation

- Coordinate more closely with New York City Transit on the bus shelter and bus stop program. It is imperative that NYCDOT and NYCT work cooperatively on shelter site selection and bus stop stanchions, shelter construction and design, and placement of bus route and customer information displays.

New York State

- Provide funding resources to the MTA for improvement in accessibility, particularly for elevator and escalator maintenance and rehabilitation.

Federal Transit Administration (FTA)

- Set standards for and incorporate the measurement of elevator outage time and occurrence into ADA audits. Currently, ADA audits do not consider elevator outage when assessing compliance. However, the actual accessibility at stations is greatly diminished when there is a high rate of elevators out of service.
- Refine requirements for the placement of Braille/Raised Print signage in transit facilities. This signage should occupy a location that is easiest to find and more predictable than the variety of locations where such signage is presently placed based on “decision points”.

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Introduction

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This investigation looked at how each agency — Long Island Rail Road (LIRR), Metro-North Railroad (MNR) and New York City Transit (NYCT) — handles ADA issues and the level of compliance achieved since the enactment of the 1990 legislation. It is clear from this study that the complex nature of these regulations, along with physical and financial constraints, has presented significant challenges to implementation. Most severely tested has been NYC Transit with its 100-year old subway system and its nearly 5,000 buses. Through interviews, field inspections and government audit reports, the PCAC has documented the current state of accessibility at the MTA.

Background

To appreciate the progress that has been made over the last 18 years, a brief historical review is necessary. The history of the ADA began decades ago when the U.S. Congress finally recognized “that the inferior social and economic status of people with disabilities was not a consequence of the disability itself, but instead was a result of societal barriers and prejudices.”¹ The first shift in public policy occurred with the passage of Section 504 of the Rehabilitation Act of 1973. Section 504, essentially a civil rights statement, forbade discrimination based on disability by those entities receiving federal funds. Hence, persons with disabilities became a “class” or “minority group”, deserving of basic civil rights protections.

While the legal standing of the disabled community was established in 1973, it took another four years to promulgate the regulations by which equality would be measured. It was these regulations which formed the basis of the ADA, mandating “affirmative conduct to remove architectural and communication

¹ See Mayerson for an insightful history of the passage of the 1990 ADA legislation. http://dredf.org/publications/ada_history.shtml

barriers and provide accommodations.”² In response to the Reagan administration’s attempt to dismantle these regulations as too expensive for businesses, advocates not only successfully fought back this onslaught, but demanded permanent protection. This struggle eventually led to the passage of the ADA in 1990. Title III of the ADA, covering Public Accommodations, and Title II of the ADA, covering State and Local Government, passed in January 1992, and employment provisions in Title I of the ADA became law in July 1992.

During the 1990s, one of the biggest transformations in the lives of the disabled involved transportation:

The ADA sets a functional standard that requires public transportation to be “readily accessible to and usable by” people as opposed to a financial standard that would allow transit authorities to spend varying real dollar amounts on accessibility improvements...ADA eliminated the whole idea of a cap, and said that we simply have to spend whatever it takes to provide the minimum level of service as defined by federal law for service for people with disabilities.³

Also, importantly, in the follow-up to this new legislation the U.S. Department of Transportation (USDOT) established five criteria to guide agencies in selecting key stations to be made fully ADA accessible:

- Passenger boardings 15% higher than average
- Transfer stations on a rail line or between rail lines
- Major interchange points with other transportation modes
- End stations
- Stations serving major activity centers such as employment or government centers, hospitals or places of higher education.

The ADA Saga at MTA

It is notable that here in New York City, the struggle began in earnest after a negative decision by the U.S. Supreme Court in 1979 (*Southeastern Community College v. Davis*)⁴ appeared to have ominous implications for Section 504 lawsuits. In response, the Eastern Paralyzed Veterans Association (EPVA)⁵ filed

² This success is owed to the wide civil rights coalition formed in the 1980s: minority and women constituencies coalesced to form a powerful voice directed to Congress.

³ Gaffney, John quoted by Yee and Golden, p. 4.

⁴ The ruling was against a deaf nurse who had been refused entrance to a professional training program based on physical requirements (Fleischer and Zames, p. 57).

⁵ EPVA is now known as United Spinal.

a New York City public transportation wheelchair-accessibility case (*EPVA v. MTA*) under two New York State statutes:

- 1) The Public Buildings Law which requires public facilities under construction or renovation be adapted to serve the “handicapped”
- 2) The Human Rights Law which prohibits, directly or indirectly, the denial of admission to a place of public accommodation merely because the person denied admission is disabled. The law defines places of public accommodation to include public transit vehicles and stations⁶

EPVA was successful under the first point and it is here that the concept of “key station” was introduced. However, under the second point the court held that inclusion of bus lifts was “affirmative action” and not required by law.⁷

In February 1980, in response to a suit filed by the American Public Transit Association which challenged the U.S. Transportation Department’s Section 504 Regulations, Federal District Judge Louis Oberdorfer ruled that the regulations were not outside the Department’s scope. The rules, which took effect in July 1979, required rapid rail systems in New York, Chicago, Boston, Philadelphia and Cleveland to make “key stations” accessible to people with disabilities within 12 years.⁸

In response, in September 1980, the MTA Board of Directors, voted not to comply with Federal laws that required all transit systems in the United States to provide special access for the “handicapped” in subways. At the time the agency was under the threat of losing Federal funding if a compliance plan was not submitted by January 1, 1981. MTA officials argued that this was an unfunded mandate⁹ and that the cost of installing elevators in as many as 230 stations would be prohibitive.¹⁰ They felt that better service could be provided with buses and small vans. Further, the delays in service due to placement of gap fillers and tie downs of wheelchairs would be untenable.¹¹ In reaction to this decision, in November 1980, demonstrators in wheelchairs stopped and blocked the elevators at MTA Headquarters on Madison Avenue for a day.¹² In January

⁶ Maitland, Leslie. Suit Asserts M.T.A. Fails to Provide for Disabled, *The New York Times*, 10/1/79, p. B3.

⁷ Fleischer and Zames, p. 58.

⁸ *The New York Times*, 2/8/1980, p. A11.

⁹ Holsendolph, Ernest. U.S. Transit Agency Cuts Plan to Aid Handicapped, *The New York Times*, 4/4/1979, p. D6.

¹⁰ It should be noted that this position was in the context of the times: transit agencies across the country, as well as cities, businesses, and tourist industries were grappling with the challenge to provide accessibility. See Andelman, David A., M.T.A. Asks a Delay on Disabled Riders, *The New York Times*, 10/19/80, p.33 and Meislin, Richard J., Outlay of Millions Required to Meet U.S. Standards, *The New York Times*, 1/28/1981, p. B1.

¹¹ Andelman, David A., M.T.A. Rejects Laws that Require Gear to Aid Handicapped, *The New York Times*, 9/20/1980, p. 1.

¹² *The New York Times*, 11/22/1980, p. 27.

1981, the MTA did submit a plan requesting a six-month delay to put together a new proposal which was granted.^{13, 14}

Meanwhile, during this period the disability community pressed on in court. In August 1980, another advocacy group, Disabled In Action of Metropolitan New York (DIA),¹⁵ filed a very important follow-up Section 504 lawsuit against city, state, and federal transportation agencies for violating the rights of wheelchair users by operating non-accessible buses. It was argued that under Section 504, “reasonable accommodations” had to be made to provide accessibility. DIA was seeking:

- 1) wheelchair-accessible multi-modal transit systems, including fully accessible buses
- 2) “key” wheelchair accessible subway stations
- 3) supplemental paratransit¹⁶ service in the form of door-to-door lift-equipped vans

This case was joined with two similar Section 504 class action challenges in the U.S. District Court (S.D.N.Y.), to be known as *Dopico v. Goldschmidt*.¹⁷

The plaintiffs lost in District Court,¹⁸ but the Second Circuit Court of Appeals found in 1982 that Section 504 does require some affirmative action, and, further, that \$6 million spent to accommodate the “handicapped” in public transportation (out of a federal subsidy to New York City of \$490 million) was inadequate. The *Dopico* decision mandated that only newly-purchased buses be lift-equipped. Importantly, this decision increased the acceptability of accessible buses in the courts and the use of these buses in NYC.¹⁹

However, efforts to attain accessibility on MTA buses were frustrated when a delivery of 637 buses in 1981 from the Grumman Corporation, of which 200 were

¹³ Meislin.

¹⁴ *The New York Times*, 1/9/1981, p. B3.

¹⁵ <http://www.disabledinaction.org/index.html>

¹⁶ Paratransit is defined as service comparable to fixed-route transit for use by people with disabilities who are unable to use the fixed-route system.

¹⁷ Fleischer and Zames, p. 58.

¹⁸ Lubasch, Arnold H., Lawsuits on Transit For City’s Disabled Dismissed by Judge, *The New York Times*, 7/25/1981, p. 27.

¹⁹ Unfortunately, existence of the buses did not mean access to the buses. Because of a dispute between the bus operators and MTA on the amount of training for lift operation, the driver did not have a key when a wheelchair rider tried to board a new lift-equipped bus on the M-104 line. The rider sat on the front steps of the bus and refused to move. After a seven-hour stand-off, a key was found and the incident was highly publicized in the press. See Dorothy J. Gaiter, Wheelchair Bus Service Gets off to a Rough Start, *The New York Times*, 10/2/1981, p. B3.

lift-equipped, proved to be not roadworthy.²⁰ In addition, subway renovations were being carried out without provisions for wheelchair accessibility. When an injunction was sought by the EPVA, in 1983 Justice Ernest H. Rosenberger in State Supreme Court ordered a halt to work to modernize 10 subway stations unless the plans were altered to include elevators. As a result, the MTA stopped work on all stations.²¹

Finally, in 1984 a compromise was reached between the MTA, EPVA, and the DIA with the signing of the New York State Handicapped Transportation Act.²²

An Act to amend the transportation law, the public buildings law, the tax law and the administrative code of the City of New York, in relation to establishing a New York City accessible transportation system and creating the New York City Transportation Disabled Committee and providing for its functions, powers and duties; and in relation to accessibility requirements for key rapid transit stations and buses.²³

The stage was now set for a fully accessible multi-modal transportation system: MTA agreed to a timetable to make “key” stations and all buses wheelchair accessible. In addition, a committee appointed by the Governor and Mayor was set up to establish a paratransit system for New York City, now known as Access-A-Ride. As a result, by the time the national ADA was passed in 1990, New York City and the MTA were already fully immersed in meeting the challenges of providing transportation accessibility.

The Current National Perspective

According to the National Council on Disability (NCD), today issues under the ADA have shifted from equipment design and provision to issues of maintenance, training of operators and users, and enforcement.²⁴ In 2004, President Bush issued Executive Order 13330: Human Service Transportation Coordination,²⁵ establishing the Interagency Transportation Coordinating Council on Access and Mobility (CCAM). In essence, this initiative supports states and local communities in developing coordinated human service delivery systems, generally focused around public transit:

²⁰ Montgomery, Paul L., Flexible Buses, Back a Month, Removed With a New Defect, *The New York Times*, 8/9/1981, p. 1.

²¹ Goldman, Ari L., Wheelchairs in City’s Subways and the Cost of Redoing Stations, *The New York Times*, 9/15/1983, p. B1.

²² Gargan, Edward A. New Accord reached to Provide Subway Access for the Disabled, *The New York Times*, 6/29/84, p. B1.

²³ State of New York. Joint Senate Bill 10133 and Assembly Bill 11981 (June 28, 1984, p. 1).

²⁴ NCD, 2008, p. 167.

²⁵ In 2003, the Government Accountability Office identified 62 federal funding streams that in some form supported transportation. Many of the agencies could not identify what percentage of their budget was spent on transportation.

Federally assisted community transportation services should be seamless, comprehensive, and accessible to those who rely on them for their lives and livelihoods. For persons with mobility limitations related to advanced age, persons with disabilities, and persons struggling for self-sufficiency, transportation within and between our communities should be as available and affordable as possible.²⁶

The United We Ride program²⁷ is the implementation of the 2004 Executive Order. It has three main goals:

- 1) More rides for target populations for the same or fewer assets
- 2) Simplify access
- 3) Increase customer satisfaction

In addition to coordination grants, United We Ride provides state and local agencies transportation-coordination and planning self-assessment tools, technical assistance, and other resources. Eleven federal agencies and one Presidential initiative comprise the United We Ride program. See Appendix A for a copy of the Executive Order, members of the CCAM, and the United We Ride Action Plan.

In addition to federal agencies, other important groups on the national scene working for accessibility are:

- Easter Seals Project ACTION — Originally commissioned by Congress in 1988, Easter Seals Project ACTION (Accessible Community Transportation in Our Nation) was a research and demonstration project to improve access to public transportation for people with disabilities. Today it offers numerous funding resources (through FTA), as well as training and technical assistance.²⁸
- The Disability Rights Education and Defense Fund (DREDF) — Founded in 1979, DREDF is a leading national civil rights law and policy center directed by individuals with disabilities and parents who have children with disabilities. Its activities include legal advocacy, public policy and legislation, training and education, and research.²⁹
- National Council on Disabilities (NCD) — NCD is an independent federal agency composed of members appointed by the President of the United States, by and with the advice and consent of the U.S.

²⁶ Paragraph E, Executive Order 13330.

²⁷ See <http://www.unitedweride.gov/>

²⁸ See http://projectaction.easterseals.com/site/PageServer?pagename=ESPA_homepage

²⁹ See <http://www.dredf.org/>

Senate. NCD provides advice to the President, Congress, and Executive Branch agencies to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities, regardless of the nature or severity of the disability and to empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.³⁰

- National Organization on Disability (NOD) — The National Organization on Disability, founded in 1982, works in partnership with businesses, government, national philanthropies and local organizations to promote the inclusion of people with disabilities in American society. This is accomplished through the creation of some of the Nation's most innovative and progressive programs that promote employment opportunities, raise awareness, and marshal resources for people with disabilities. NOD is particularly known for its joint survey work with the Harris Poll, which monitors the participation progress of disabled Americans in normal life activities.³¹

There are many other national, regional, state and local organizations that work with people with disabilities and provide needed transportation services and training. The Easter Seals Project Action maintains a National Accessible Travelers Database and a clearinghouse of multimedia products on their website.

The Federal Transit Administration (FTA) and the United States Department of Justice (DOJ) serve as the primary enforcement agencies. The FTA Office of Civil Rights is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services. Through audits this FTA division determines that requirements under the ADA are being met. Through lawsuits and settlement agreements, DOJ has achieved greater access for individuals with disabilities in hundreds of legal cases. Under general rules governing lawsuits brought by the federal government, the DOJ may not sue a party unless negotiations to settle the dispute have failed.

DOJ may file lawsuits in federal court to enforce the ADA, and courts may order compensatory damages and back pay to remedy discrimination if the Department prevails. Under Title III, the DOJ may also obtain civil penalties of up to \$55,000 for the first violation and \$110,000 for any subsequent violation.³²

Data on Transit Use by Riders with Disabilities

One of the most difficult tasks facing advocates is determining the actual magnitude of fixed-route public transit usage by the people with disabilities. Even capturing the actual number of persons with disabilities is somewhat

³⁰ See <http://www.ncd.gov/>

³¹ See <http://www.nod.org/index.cfm?fuseaction=Page.ViewPage&PageID=1580>

³² See <http://www.ada.gov/enforce.htm#anchor201570>

problematic. The definition of a disability varies and therefore the collection of disability statistics depends on the purpose for which it is being used and the survey collecting the information. The Census Bureau collects disability data from four surveys:

- The American Community Survey (ACS)
- The Decennial Census of Population and Housing (Summary File 3 from the long form)
- The Survey of Income and Program Participation (SIPP)
- The Current Population Survey (CPS)³³

Census 2000 included two questions with a total of six subparts with which to identify people with disabilities. The data on disability status were derived from answers to long-form questionnaire items 16 and 17. The questions were as follows:

16. Does this person have any of the following long-lasting conditions:
 - A. Blindness, deafness, or severe vision or hearing impairments?
 - B. A condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying?
17. Because of a physical, mental or emotional condition lasting 6 months or more, does this person have any difficulty in doing any of the following activities:
 - A. Learning, remembering, or concentrating?
 - B. Dressing, bathing, or getting around inside the home?
 - C. (ANSWER IF THIS PERSON IS 16 YEARS OLD OR OVER)
Going outside the home alone to shop or visit a doctor's office?
 - D. (ANSWER IF THIS PERSON IS 16 YEARS OLD OR OVER)
Working at a job or business?

As seen in Table 1 below, the national population of persons with disabilities five

³³ The CPS is primarily a labor force survey, conducted every month by the Census Bureau for the Bureau of Labor Statistics using Computer-Assisted Telephone Interviewing (CATI) and Computer-Assisted Personal Interviewing (CAPI). The Annual Social and Economic Supplement (ASEC) collected in March, April, and May includes several questions that can be used to determine if individuals have what is often called a “work disability.” These questions range from reasons why an individual is not in the labor force to participation in Medicare for persons under the age of 65. The questions in the CPS were not designed or tested with the intent of measuring disability. Rather, the intent is to determine the status of the labor force, for which disability then is one of a number of factors tested. One of the key questions used in the determination of work disability involves whether a person is limited in his/her ability to work or unable to work. See <http://www.census.gov/hhes/www/disability/cps.html>

years or older (non-institutionalized) is reported by the U.S. Census to be approximately 50 million in 2000, or just over 19%.³⁴ This number will continue to grow due to a large aging baby boom population.³⁵

In 2000, New York City had 1.4 million individuals with disabilities (see Table 2 for a breakdown by county) and New York State had twice that number at 2.8 million. The MNR service area had 270,545 persons with disabilities while Nassau and Suffolk counties on Long Island showed almost 350,000 (see Table 3). The 2006 ACS reports a lower level than the decennial Census (1.04 million persons); but the Census Bureau cautions that the 2006 ACS disability questions are different from the Census 2000 disability questions, and thus comparisons cannot be made. In addition, there are a multitude of other agencies that also collect disability data.³⁶

The NCD has frequently pointed out in its progress reports that its “work as an advisory body for Congress and the White House depends directly on the quality and availability of federal agencies’ data collections.”³⁷ Because the decennial Census and its related ACS collect self-reported data,

NCD remains concerned with the inherent limitations of self-reported data, particularly on a question that is so inherently subjective to begin with as one bearing on ‘functional limitation.’...[T]he highly subjective nature of the information, the unanalyzed issues of respondent self-image that contribute to the answers, and the potential lack of respondent knowledge concerning the possible role of technology in overcoming functional limitations, all contribute to making these data far more equivocal than many other kinds of self-reported data traditionally collected by the Census.³⁸

The NCD also makes a cautionary note about national statistics:

From the standpoint of policy, our concern for determining the size of the overall population of people with disabilities to some degree may be misplaced. In the evaluation of specific programs, the size of the target population and the impact of the program on that target population are important. No single disability program applies to all of the more than 50 million people who are counted as having disabilities. Education programs, employment programs, health insurance, and income support all apply to different subgroups of the population.³⁹

³⁴ U.S. Census Bureau, Census 2000, Summary File 3. Note: the 1990 Census data on the disabled cannot be compared to that of 2000 due to a change in ages covered and question content.

³⁵ There is also an increase due to number of disabled veterans returning from the war in Iraq.

³⁶ See <http://www.census.gov/hhes/www/disability/datacollection.html>

³⁷ *National Disability Policy: A Progress Report*, NCD, 2008, p. 35.

³⁸ NCD, 2008, p. 37.

³⁹ NCD, 2008, pp. 37–38.

Table 1
Estimates of the Disabled Population

U.S.	American Community Survey¹	SIPP²	Decennial Census³
Tabulation Date	2006	2002	2000
Number of Disabled	41.3 million	51.2 million	49.7 million
% of Population Disabled	15.1%	18.1%	19.3%
New York State	American Community Survey	BRFSS⁴ (adults only)	Decennial Census
Tabulation Date	2006	2001-2003	2000
Number of Disabled	2.4 million	2.7 million	2.8 million
% of Population Disabled	13.9%	19.0%	16.2%
New York City	American Community Survey	BRFSS (adults only)⁵	Decennial Census
Tabulation Date	2006	2006	2000
Number of Disabled	1.04 million	(not given)	1.4 million
% of Population Disabled	13.7%	16.5%	17.7%

¹The American Community Survey is an interdecennial sampling program to provide more current demographic information. Full implementation began in 2005 for specific geographic areas with populations of 65,000 or more. Three-year period estimates will be available in 2008 for specific areas with populations of 20,000 or more, and five-year period estimates will be available in 2010 for areas down to the smallest block groups, census tracts, small towns, and rural areas. Beginning in 2010, and every year thereafter, the nation will have a five-year period estimate available as an alternative to the decennial census long-form sample, a community information resource that shows change over time, even for neighborhoods and rural areas.

²The Survey of Income and Program Participation is a survey carried out by the U.S. Census to collect source and amount of income, labor force information, program participation and eligibility data, and general demographic characteristics to measure the effectiveness of existing federal, state, and local programs; to estimate future costs and coverage for government programs, such as food stamps; and to provide improved statistics on the distribution of income and measures of economic well-being in the country. The survey design is a continuous series of national panels, with sample size ranging from approximately 14,000 to 36,700 interviewed households. The duration of each panel ranges from 2 ½ years to 4 years. The SIPP sample is a multistage-stratified sample of the U.S. civilian noninstitutionalized population.

³One important change for Census 2000 was the question on disability. In 1990, the question was “Does this person have a physical, mental or other health condition which has lasted for more than 6 months and that limits the amount of work this person can do at a job or prevents this person from working at a job?” In 2000, the question was revised to inquire about blindness, deafness, and the ability to perform physical and mental tasks. Also in 1990, the questions on disability were asked for those 15 years and older; in 2000, the data were collected for persons 5 years and over.

⁴BRFSS = Behavioral Risk Factor Surveillance System. Established in 1984 by the Centers for Disease Control and Prevention (CDC), the BRFSS is a state-based system of health surveys that collects information on health risk behaviors, preventive health practices, and health care access primarily related to chronic disease and injury. For many states, the BRFSS is the only available source of timely, accurate data on health-related behaviors. These numbers represent adults only. Currently, data are collected monthly in all 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and Guam. More than 350,000 adults are interviewed each year.

⁵Source: BRFSS Brief Number 0713.

Table 2
Disabled Population
New York City Counties
Census 2000

Bronx County	Kings County	New York County	Queens County	Richmond County	Total NYC
250,993	455,509	270,638	384,424	59,222	1,420,786

Source: Census 2000 Summary File 3 (Table P119)

Table 3
Percentage of Disabled Population
LIRR and MNR Service Regions
Census 2000

	Suffolk County New York	Nassau County New York	Total
LIRR			
Total Population	1,307,466	1,238,716	2,546,182
One or more disabilities	171,192	178,790	349,982
Percent Disabled	13.1%	14.4%	13.7%

	Dutchess County New York	Westchester County New York	Orange County New York	Putnam County New York	Rockland County New York	Total
MNR						
Total Population	253,352	846,105	304,495	88,697	261,757	1,754,406
One or more disabilities	37,501	134,079	48,381	12,971	37,613	270,545
Percent Disabled	14.8%	15.8%	15.9%	14.6%	14.4%	15.4%

Source: Census 2000 Summary File 3 (Table P119)

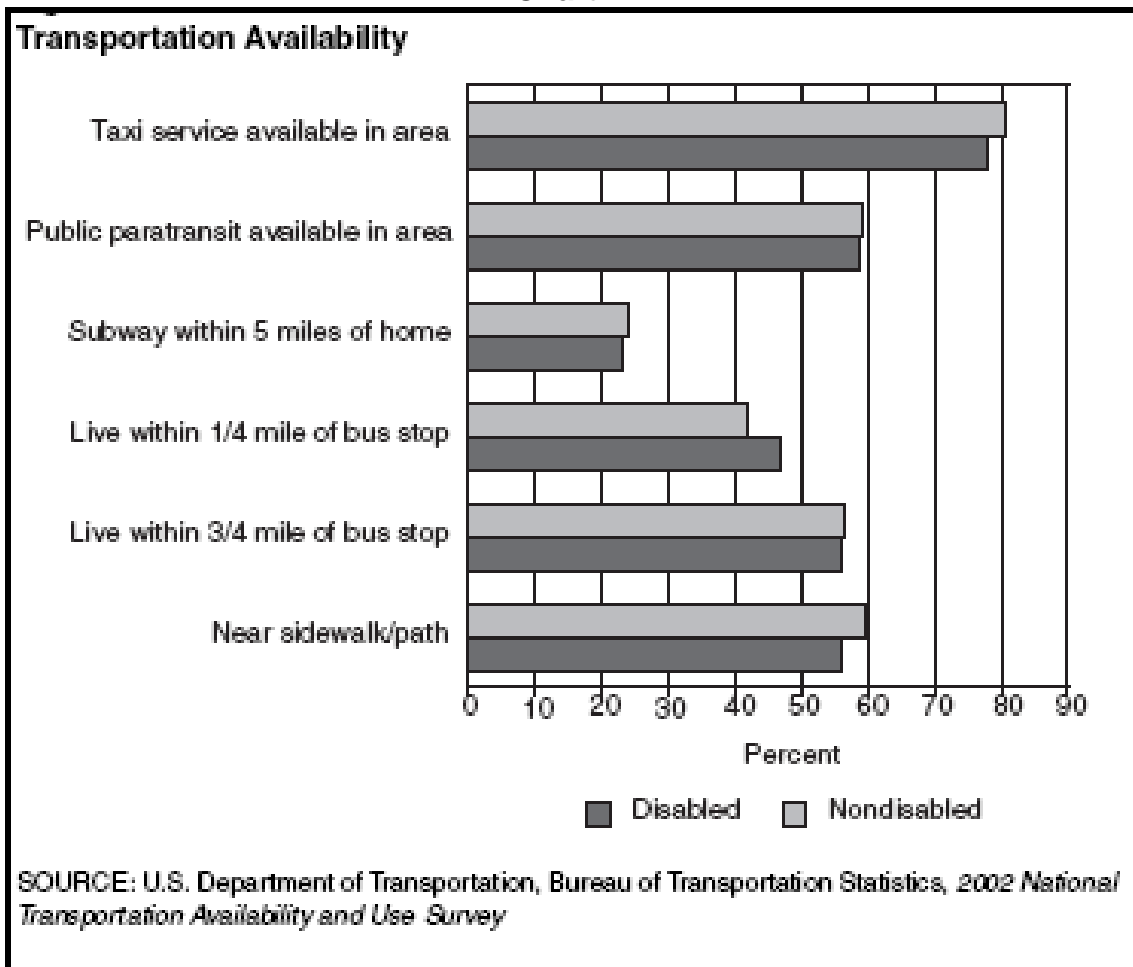
With respect to transportation, a seminal survey was done in 2002 by the Bureau of Transportation Statistics (BTS)⁴⁰ — the *2002 National Transportation Availability and Use Survey*. Prior to this, no national data were available that “allowed for analyses of the specific transportation habits and needs of people with disabilities, nor provided for contrasts to the non-disabled population.”⁴¹ The survey was designed to identify the impact of transportation on the work and social lives of people with disabilities. More than 5,000 people were interviewed; about half had disabilities. The survey results indicated that more than 3.5 million people in this country never leave their homes, of which 1.9 million are people with disabilities. Approximately a quarter of these persons (528,000) are home bound due to transportation barriers.

⁴⁰ This is an operating administration within the USDOT.

⁴¹ The information on the BTS survey and findings are found in the report *Freedom to Travel*, p. 1.

The report found that 23% of individuals with disabilities need some sort of specialized assistance or equipment to travel outside the home (cane, crutches, or walker, manual wheelchair, aide, and/or oxygen).⁴² In addition, these individuals tend to have less transportation availability (Chart 1) and use transit more frequently (Chart 2) and have more transportation problems (Chart 3).

Chart 1



⁴² BTS, p. 5.

Chart 2

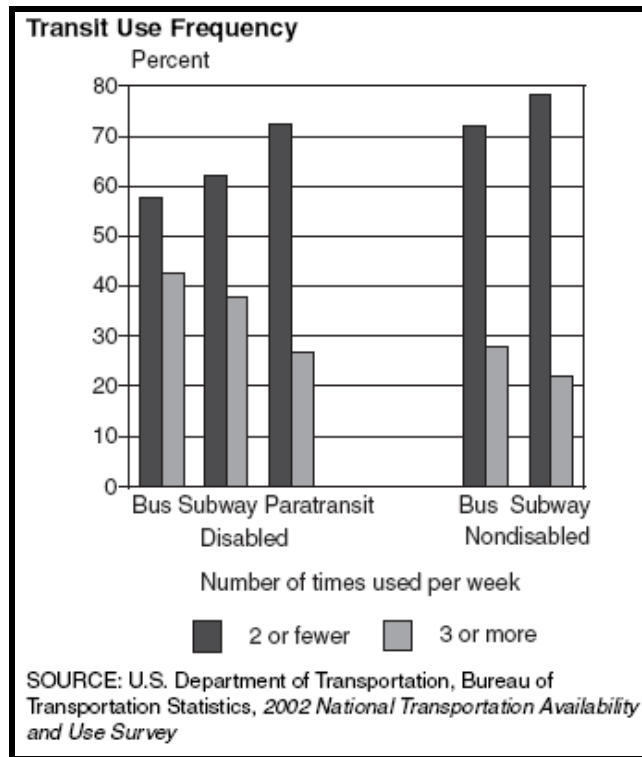
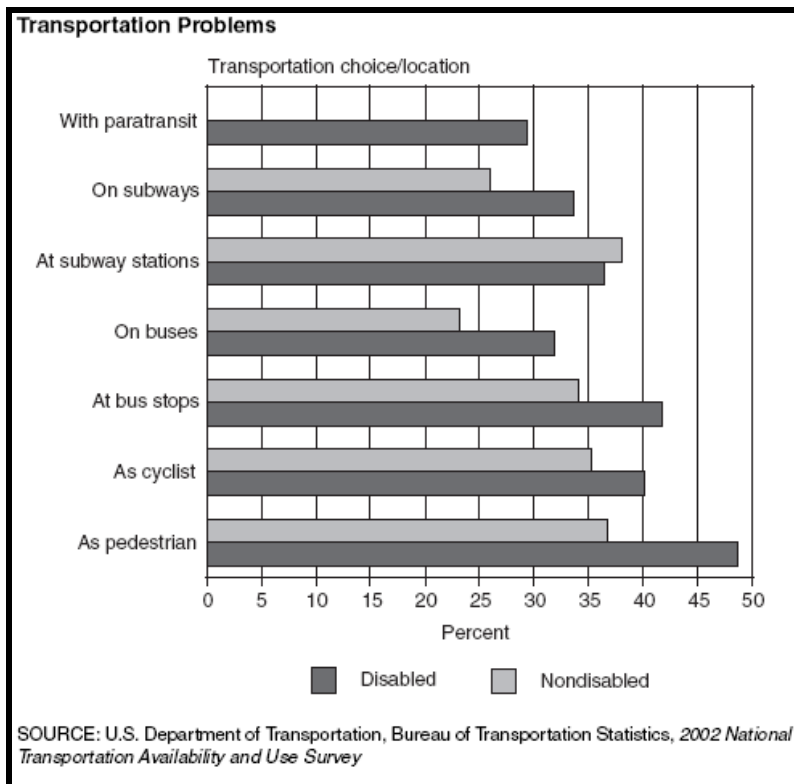


Chart 3



In 2005 the NCD published a study specifically directed at transportation options, *The Current State of Transportation for People with Disabilities in the United States*. In interviews with transit agencies across the country, they found what seem to be universal complaints with buses: failure to make stop announcements,⁴³ failure to maintain equipment on the bus (lift, ramp and kneeling feature), failure to stop for travelers using wheelchairs, and issues in wheelchair securement. With respect to subways, light rail and commuter rail, NCD highlighted the dilemma of old versus new systems:

A glance at government data on accessible rail stations quickly reveals a pattern that has stymied many travelers with disabilities, although this pattern could be perfectly legal under disability rights laws. In relatively new train systems, such as the Washington Metropolitan Area Transit Authority in Washington, D.C., and the Bay Area Rapid Transit (BART) in California, all stations are relatively accessible to people with mobility impairments. But some of the older subway systems, such as New York's Metropolitan Transportation Authority, the Southeastern Pennsylvania Transportation Authority, and the Greater Cleveland Regional Transit Authority, have only a minority of their stations accessible and, thus, very limited locations to which many people with disabilities may go, in comparison with the general public. This situation renders the system unusable for wheelchair riders and other individuals who need structural access at stations. At best, it can mean an individual must travel three or four stations out of his or her way, then board a bus to go back in the right direction, rendering any trip so lengthy as to be impractical (p. 37).

Across the board the biggest complaint by far with rail service relates to elevator maintenance and information on outages; a second major issue is the “gap” — both vertical and horizontal — between the car and the platform. The report also notes the shortcomings of mini-high platforms used at commuter rail stations and inconsistency of stop announcements.

In March 2008, Easter Seals Project ACTION released “Status Report on the Use of Wheelchairs and Other Mobility Devices on Public and Private Transportation”. This study summarizes the current issues and promising practices regarding the use of wheelchairs, describing the improvements made to design and the increased transit boardings by wheelchair users. However, often these new designs are at odds with improvements in transit vehicles and securement equipment:

Many, if not most, new power wheelchairs and scooters do not provide adequate securement points to ensure they can be safely accommodated on public transit. Standards that were developed to include attachment

⁴³ The ADA requires that stops be announced at transfer points, major intersections and destinations, and at intervals along a route sufficient to permit individuals with disabilities to be oriented to their location; and, any requested stop must be announced.

points on mobility devices (“WC19”)⁴⁴ are not well known by consumers and their support services, and the new designs are available on only a fraction of wheelchair models.⁴⁵

Other challenges include transit equipment design, transit operations and training, and regulatory and policy issues. See Appendix B for a summary of the issues and recommendations.

In general these findings reflect the outstanding ADA issues at MTA. The conditions and procedures specific to MTA and its agencies are described in the following pages, concluded by recommendations to improve the system and provide better enforcement.

Findings

MTA Headquarters

The role of MTA Headquarters has diminished over the years since ADA was enacted. From 1989 to the mid-1990s MTA staff worked on implementation of the legislation; today their function is one of coordination, while compliance is the responsibility of the individual agencies.⁴⁶ Meetings with representatives of the MTA agencies are held periodically on an as-needed basis. These conferences make sure that everyone is “on the same page” with respect to changes in regulatory/FTA guidelines and specific issues such as the gap problem at platforms, ticket vending machines, temporary elevators, decals, etc. MTA does not keep any data related to ADA complaints or usage and its role in emergency evacuation is limited to working with New York City’s Office of Emergency Management on city-wide disasters such as a hurricane occurrence. In sum, there is limited activity at Headquarters with respect to ADA oversight activities. However, the MTA website contains a “Guide to Accessible Transit”⁴⁷ which covers all of the agencies and paratransit services.

All Operating Agencies

Interviews with staff at LIRR, MNR, and NYCT revealed distinctive challenges in providing ADA amenities and services, as well as very different personnel structures and programs for implementation. However, there are some common elements that impact all three entities:

⁴⁴ See Appendix B for specifications for WC19.

⁴⁵ NCD, 2005, p. 4.

⁴⁶ Per meeting with the Assistant Director, Operations Support, 5/1/2008.

⁴⁷ See www.mta.info/mta/ada/rail.htm. This website is kept current by the MTA with information received from the three MTA agencies. See the Recommendations section for PCAC’s call for more staff support and redundancy on the website.

Key Station Requirement

The ADA required each agency to designate certain “key stations,” which are to be readily accessible to and usable by individuals with disabilities,⁴⁸ featuring:

- Accessible routes to public areas of the station, including to train platforms via ramps and/or elevators
- Tactile warning strips along platform edges and cane detection, where required
- Audio-visual information systems (AVIS), or equivalent
- Signage meeting ADA requirements, including raised lettering and Braille
- Accessible public pay telephones (for wheelchair users and telecommunications devices for the deaf (TDD/TYY) equipped with volume control)
- Accessible ticket windows and accessible restrooms where station buildings exist
- Access to parking, not only allowing disabled persons to move from their vehicles to the platform at the start of their trip, but also to reach their vehicles from the opposite side of the station upon their return

Both MNR (13 key stations) and LIRR (18 key stations) have made all of their key stations fully ADA accessible. NYC Transit has 100 designated key stations, of which 67 at this writing have been made fully accessible (outlined in more detail in the NYCT section).

New Construction and Major Alterations

Under the ADA all newly constructed transportation facilities must be readily accessible to, and be usable by, individuals with disabilities. In addition, if alterations are made to existing transportation facilities, those alterations are required to be readily accessible to the maximum extent feasible.⁴⁹ When planning major station rehabilitations agencies may utilize the “20% rule”. In projects where a primary function area (e.g. ticket purchase and collection area, passenger waiting area, platform) is being altered, the ADA requires compliance with the accessibility requirements for the altered element or area **and** the provision of a “path of travel” to the altered primary function area. However, USDOT regulations allow that alterations made to provide an accessible path of travel will be deemed disproportionate to the overall alteration when the cost

⁴⁸ 42 U.S.C. §§12147(b), 12162(e)(2)(A).

⁴⁹ 42 U.S.C. §§12147(a), 12162(e)(2)(B).

exceeds 20% of the cost of the alteration to the primary function area.⁵⁰ When the cost of the path of travel improvements exceeds 20% of the cost of the alteration, certain more expensive elements, such as elevators, may be eliminated from the scope. However, other path of travel improvements, such as signage, LED signs, curb cuts, ramps, etc., up to the 20% threshold, must still be provided to the maximum extent feasible.

Transportation Vehicles

The ADA requires that any new bus or rail car purchased or leased (after July 26, 1990) by an agency must be readily accessible to and usable by individuals with disabilities.⁵¹ Buses and rail cars are considered readily accessible to and usable by individuals with disabilities if they meet the standards set forth in 49 C.F.R. Part 38 (“Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles”).

FTA Audits

All three agencies are subject to FTA audits. These are periodic reviews of selected key stations focused on station and station area compliance with ADA guidelines. A detailed report with pictures of violations is sent to the agency when the inspection is completed. The agency has a period of time to respond, addressing violations as necessary.

Pay Phones

Verizon has a contract to install and maintain pay phones for all agencies. These pay phones have a self-reporting diagnostic feature for such problems as stuck coin and phone off the hook, but do not detect a malfunction of the TDD feature. Because of the growth in the use of cell phones, the need for pay phones has dramatically decreased. Their function now is mainly for support in the case of an emergency. MTA employs an outside contractor to do random inspections on phones, primarily in the subways due to the high rate of vandalism.⁵²

ADA Usage Data

None of the MTA agencies have specific statistics/data as to disabled usage. Special reduced-fare cards do not distinguish between senior status and those reflecting a disability (to be discussed in more detail within each agency section); and, data on lift usage on buses does not capture sight, hearing and cognitive

⁵⁰ To ensure consistency in the accessibility designs and modifications, the USDOT adopted the U.S. Architectural and Transportation Barriers Compliance Board’s ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) as the primary standards, 49 C.F.R. §37.9; 49 C.F.R. Part 37 App. A (ADAAG).

⁵¹ 42 U.S.C. §§12142(a), 12162(b)(2).

⁵² Per 8/21/08 phone conversation with MTA Real Estate. It was indicated that Verizon is happy to get rid of pay phones as they are expensive (maintenance cost, vandalism and low usage). There has been a systematic pay phone removal program over the last few years (17% reduction). Currently, there are approximately 5,300 pay phones across MTA agencies, of which 4,300 are in NYCT facilities. The contract with Verizon expires 1/4/09 and it is possible that further removal of pay phones will be necessary to maintain Verizon’s involvement.

disabilities. Further, on commuter lines reduced fare passes are not available for monthly tickets, so knowledge about disabled commuters is only anecdotal from conversations with conductors or other train personnel.⁵³

PCAC staff made a number of field trips to stations and rode a selection of buses to confirm the issues faced by each agency in ADA compliance. The following descriptions highlight the status of accessibility in the MTA operating agencies.

Long Island Rail Road

Staffing

The Long Island Rail Road does not have a dedicated employee whose responsibility is ADA compliance. The responsibilities for ADA compliance fall under the domain of the LIRR's Legal and Engineering Departments. A LIRR attorney works with the relevant departments to investigate customer complaints. Other responsibilities include coordinating periodic facility inspections, responding to FTA audits, and implementing new regulations. The LIRR Engineering Department is responsible for reviewing construction plans, addressing ADA issues such as ramp design, landings, handrails, elevators and other improvements that enhance the accessibility of LIRR facilities.

Key Stations

Of the 124 LIRR stations, 18 were designated key stations in 1992 (see Exhibit 1). The 18 stations were chosen because they fulfilled three or more of the USDOT key station criteria, as described in the Background section. Under the ADA the LIRR was obligated to develop plans for compliance by the FTA deadline of July 1992, and stations were expected to be in compliance with the ADA by July 26, 1993 unless requests for extensions were included with the plans. The LIRR filed extension requests to complete ADA accessibility work on the Woodside station by December 1998 and on the Patchogue station by July 1995. The other 16 stations met the deadline. The Woodside and Patchogue stations were made accessible within the extension periods requested by the LIRR (see Exhibit 1 for LIRR's accessible stations).

It is worth noting that 102 of the 124 LIRR stations are wheelchair accessible by way of elevators or ramps. The number will soon be 103 with the installation of an elevator at the Seaford station in 2009. In 2008, the LIRR also amended its Capital Program to include the installation of elevators at the Flushing⁵⁴ and

⁵³ MNR is introducing a question about disabled riders on its fall 2008 customer satisfaction survey.

⁵⁴ Flushing ridership has grown dramatically as the Asian immigrant population in that area has surged. In the 1998, Flushing - Main St was a Level 4 station (less than 1,000 passenger trips per day). In the 2006 it was a Level 2 station (between 2,000 and 5,999 passenger trips per day), per LIRR staff.

Queens Village stations. The LIRR must now obtain approval of these changes from the Capital Program Review Board.

LIRR ADA Grant Application

The LIRR has submitted a grant application to the New York Metropolitan Transportation Council (NYMTC) for \$2.95 million in New Freedom Funds (with a 20% LIRR match of \$737,653) in order to make additional accessibility improvements to LIRR stations. If this funding is received, the LIRR will be able to install detectable (tactile) warnings on platform edges, as well as ADA-compliant handrails, curb cuts and signage at 11 LIRR stations (Bellmore, Bethpage, Farmingdale, Flushing, Freeport, Merrick, Queens Village, Valley Stream, Westbury and Wyandanch). The stations were selected solely on the basis of ridership numbers. The New Freedom Funds are available to public transportation providers to make accessibility improvements only at stations where accessibility is not required by the ADA. The projects are funded on an 80/20 split with the federal government contributing 80% and the operating agency providing the remaining 20%.

ADA Amenities and Services

Station and On-Board Announcements

Station and on-board announcements are an important component of ADA compliance. In 2007, the FTA performed an audit of the LIRR's compliance with ADA route identification and stop announcement requirements. In the FTA draft report the consultants found that the new M7 cars with Automatic Station Identification (ASI) systems have been extremely helpful in advancing the effort to ensure that stop announcements are made. However, on those older cars that do not have the system, the LIRR continues to fail to make consistent stop announcements. To address this reported deficiency, the LIRR has focused its attention on improving the performance of the train crews who make the announcements on the older cars.

In December 2007, the LIRR Transportation Department partnered with the United Transportation Union (UTU) and the Brotherhood of Locomotive Engineers and Trainmen (BLE&T), the unions representing train service employees and engineers, to host the workshop entitled "The Americans with Disabilities Act as It Relates to Train and Engine Service". The five-hour workshop included an overview of the ADA and a review of announcements required by the ADA as well as practical applications of the ADA and concluded with a training video.

Exhibit 1: LIRR Accessible Stations

Key Stations

Babylon	Jamaica	Penn Station
Flatbush Avenue	Long Beach	Port Jefferson
Great Neck	Lynbrook	Port Washington
Hicksville	Mineola	Rockville Centre
Hempstead	Northport	Ronkonkoma
Huntington	Patchogue	Woodside

Other Stations Providing ADA Accessibility

Bayside
Manhasset

Stations Providing Wheelchair Access

Albertson	Farmingdale	Lawrence	Roslyn
Amagansett	Far Rockaway	Little Neck	Sayville
Auburndale	Forest Hills	Locust Valley	Sea Cliff
Baldwin	Freeport	Long Island City	Smithtown
Bay Shore	Garden City	Malverne	Southampton
Bellmore	Gibson	Massapequa	Southold
Bellport	Glen Cove	Mastic-Shirley	Speonk
Bethpage	Glen Head	Mattituck	St. James
Brentwood	Glen Street	Medford	Stewart Manor
Bridgehampton	Great River	Merillon Avenue	Stony Brook
Broadway	Greenlawn	Merrick	Syosset
Carle Place	Greenport	Montauk	Valley Stream
Cedarhurst	Greenvale	Nassau Blvd	Westbury
Central Islip	Hampton Bays	New Hyde Park	Westhampton
Centre Av	Hempstead Grdns	Oakdale	West Hempstead
Country Life Press	Hewlett	Oceanside	Westwood
Deer Park	Inwood	Oyster Bay	Woodmere
Douglaston	Island Park	Pinelawn	Wyandanch
East Hampton	Islip	Plandome	Yaphank
East Rockaway	Kings Park	Riverhead	
East Williston	Lakeview	Rosedale	

<u>Future Access</u>	<u>Anticipated Completion</u>	<u>Planned Access Improvements</u>
Seaford	2009	Elevator

Source: LIRR

The FTA consultants also expressed concerns to the LIRR regarding various “speech accents” of some LIRR ushers, who are responsible for making station platform announcements at Penn Station, Jamaica and Flatbush Avenue. The report noted the accents sometimes made announcements difficult to understand. While the LIRR is sensitive to its ethnically diverse workforce, they addressed these concerns by providing professional speech training for the ushers.

The LIRR is in the process of developing a new covert train ride program with the MTA Audit Services Department. MTA Audit Services staff will oversee covert rides on LIRR trains and deliver a monthly audit report to the LIRR detailing the crews’ performance in making announcements.

There is LCD (Liquid Crystal Display) or LED (Light Emitting Diodes) signage and platform announcements at all key stations.

Ticket Vending Machines (TVMs)

The audio component for the LIRR Ticket Vending Machines (TVMs) is inspected every three months as part of a maintenance program performed by an LIRR contractor. In addition, the LIRR Passenger Services Department tracks the performance of the TVMs to ensure that they are working properly. Passenger Services maintains an on-line computer system that provides real time status reports on all of the TVMs.

Elevators

The intercoms in system elevators communicate directly with emergency service operators. To ensure the intercoms are kept in working condition, the LIRR Communications Department performs monthly maintenance inspections of the intercom systems in its elevators. None of the elevators at LIRR stations have Lift-Net (an automatic system triggered when the elevator becomes non-operational).

Travel Training and Customer Assistance

The LIRR does not provide professional “travel training” for individuals with disabilities. However, the LIRR does offer to work with travel trainers retained by individuals to assist with any questions about accessibility and the LIRR transportation system.

A passenger with a disability can call the LIRR Travel Information Center (TIC) or the Public Affairs Department to discuss any special needs. A TIC or Public Affairs representative will contact the appropriate department to arrange special assistance to accommodate the passenger’s special needs. At the Syosset station a special “*Call Ahead*” program has been established due to the large gap between the platform and train at the station. The program allows a passenger using the station to call ahead and arrange for assistance navigating the gap.

The TIC is open 24 hours a day. If a customer has a disability-related inquiry, the TIC representative should be able to provide appropriate assistance. If not able to provide assistance, the TIC representative will contact the LIRR's Public Affairs Department for assistance. In addition to calling the 24-hour TIC, a customer with an inquiry, disability related or otherwise, can call the LIRR Public Affairs Department directly. A Public Affairs representative is available to speak to customers Monday through Friday from 9:00 am to 5:30 pm; after business hours, calls to Public Affairs are forwarded to the TIC for handling. If a TIC representative or supervisor cannot answer the inquiry, the supervisor can call an "overnight" Public Affairs representative, who is on-call to answer inquiries from 5:30 pm to 9:00 am.

The LIRR is currently developing a Penn Station "Orientation Guide" for customers that will provide accessibility information about Penn Station and contain maps of the concourse and platform levels.

Outreach to the Disabled Community

While the LIRR does not currently maintain a formal "outreach program" to members of the disability community, the LIRR does have ongoing relationships with several groups that represent individuals with disabilities, including the Nassau County Office for the Physically Challenged and the Suffolk County Office of Handicapped Services. The LIRR has also reached out to groups representing individuals with disabilities for assistance in testing and evaluating new equipment and accepts invitations to meet with disability rights groups to address transportation-related issues. LIRR has recently informed PCAC that it is in the process of creating a Task Force to advise and consult with LIRR on ADA issues.

Employee Training

In addition to the Stop Announcement effort, LIRR on-train personnel attend classroom and initial field sessions to ensure that they understand their customer service responsibilities, which include assisting passengers with disabilities. The portion of the training that involves working with disabled passengers includes using bridge plates to assist customers in wheelchairs and assisting disabled passengers with boarding and detraining, among other issues.

The Transportation Department also added a 90-minute training segment on the ADA and the importance of public announcements to its Passenger Train Emergency Preparedness (PTEP) training.

The LIRR will soon start training its staff on "disability etiquette" issues. The trainer session will emphasize sensitivity toward people with disabilities in providing customer service. As a part of this effort the LIRR will be including a "Disability Etiquette" section in the new customer service manual.

Emergency Evacuation Training

LIRR train crews receive the PTEP training with a refresher course every two years. The program was recently expanded from one to two days. The LIRR Book of Rules section titled “Train Evacuation Standard Operating Procedure” provides written instructions on evacuating passengers during emergencies. The section discussing a train-to-train evacuation where passengers are evacuated through side doors using rescue boards states that “[p]ersonnel will exercise special care in assisting the elderly, “handicapped” or people otherwise unsure of their footing.” If it is unsafe or impractical to evacuate at station platforms or with a rescue train, passengers may be evacuated onto the roadbed. The section dealing with train-to-train evacuations states: “[i]f any “handicapped” or disabled passengers are among those being evacuated, personnel must direct MTA and/or local Police and Fire Department personnel to them so they can be helped from the train using stretchers, blankets etc. as necessary.” If passengers with disabilities are among those who must then be moved from the roadbed to a station or to a public area, the train personnel are again instructed to direct MTA or local Police or Fire Department personnel to assist these passengers in being safely moved.

LIRR has announced that it will include evacuation of wheelchair passengers in live emergency evacuation drills.

Usage by Riders with Disabilities

LIRR indicated that they do not know how many riders with disabilities use the system. Seniors also qualify for reduced fare and their tickets do not distinguish the type of user. Further, those persons wishing to travel for a reduced fare based on a disability apply to NYCT and receive their authorization which can be used throughout the MTA system (this is discussed in more detail in the NYCT section).

In conclusion, it is clear that ADA accessibility is a priority at LIRR and a significant effort is being made to accommodate those riders needing ADA amenities and services. Since taking charge of LIRR in 2007, President Helena Williams has given great support to LIRR’s efforts to make the network accessible:

[A]ccess to public transportation is a key to independence and full community participation for people with disabilities. Inaccessible public transportation creates a barrier to employment. Lack of access to public transportation also prohibits individuals with disabilities from getting to school, seeing medical providers, obtaining job training, shopping, and taking advantage of health and social services... [w]hile the nation’s public transportation industry should be applauded for many advances in its services for people with disabilities, I recognize that barriers to transportation continue to exist...[and] I believe we can continue to

address and break down these barriers by communicating and working together.⁵⁵

In light of these well-advanced efforts for accessibility, PCAC congratulates LIRR on these initiatives.

Metro-North Railroad

Staffing

MNR has an Assistant Director charged with oversight of ADA compliance. This position is within MNR's Environmental Compliance and Services Department in MNR's Legal Division. This Department oversees regulatory matters pertaining to the environment, ADA and historic preservation.

The Assistant Director of ADA works with various departments within the Railroad to provide guidance and oversight related to accessibility to ensure MNR's facilities and services comply with the ADA. With respect to facilities, the Assistant Director of ADA is involved in capital projects and construction to provide guidance on ADA requirements during the planning, design and construction phases of capital projects. This includes a comprehensive review during all phases to ensure inclusion of ADAAG requirements such as an accessible path of travel, elevators, ramps, etc. The Assistant Director of ADA also periodically inspects existing facilities and key stations to ensure maintenance of accessible features and/or determine accessibility and coordinates with FTA on ADA Assessments, including implementation of recommendations. With respect to service provision, the Assistant Director of ADA provides guidance on vehicles, operating policies, and customer interaction on matters pertaining to accessibility and customers with disabilities.

Key Stations

MNR has 13 designated key stations in New York State (see Exhibit 2). The completion of a \$5 million capital improvement project in Grand Central Terminal (GCT) in 2003 marked the final effort needed to close out MNR's Key Station Agreement with the FTA. There are also another 18 stations that are fully accessible (see Exhibit 2), bringing the total ADA accessible stations to 31 out of a total of 84 stations. There are another 24 stations that are considered wheelchair accessible, providing elevators and/or ramps and an accessible route between platforms (see Exhibit 2). In addition, 54 of Metro-North stations have tactile warning strips and all Metro-North stations have tactile signage. As more stations are reconstructed and new stations are built, these will also be made accessible.

⁵⁵ From President Williams' keynote address at the National Disability Summit held at Hofstra University on June 5, 2008. The summit was organized by several disability advocacy groups, including the United Spinal Association.

New Haven Line Stations

Connecticut has its own key station plan for MNR stops on the New Haven line. Of those 35 stations, 10 are Key stations⁵⁶ According to Metro-North staff, the State of Connecticut is solely responsible for these key station improvements. MNR was not involved in ADA key station work for Connecticut except when it was required to install VMS signs that needed to tie into the MNR customer communications system.



Braille Signage in Grand Central Terminal

⁵⁶ Connecticut DOT is responsible for the implementation of ADA improvements at Connecticut stations. Key stations within CT include: Greenwich, Stamford, Darien, South Norwalk, Westport, Fairfield, Bridgeport, New Haven, New Canaan, Danbury and Waterbury.

Exhibit 2: MNR Accessible Stations

Key Stations (within New York State)

Harlem -125 th Street	Grand Central	Rye
Brewster	Terminal	Tarrytown
Croton-Harmon	New Rochelle	White Plains
Fordham	Poughkeepsie	Yonkers
Harriman	Nanuet	

Other Stations Providing ADA Accessibility

Ardsey-on- Hudson	Greystone	Patterson
Botanical Garden	Hastings-on-Hudson	Pawling
Cortlandt	HV-Wingdale	Riverdale
Dobbs Ferry	Larchmont	Ten Mile River
Dover Plains	Morris Heights	University Heights
Glenwood	Mount Vernon East	Wassaic

Stations Providing Wheelchair Access⁵⁷

Beacon	Garrison	North White Plains
Bedford Hills	Golden's Bridge	Peekskill
Campbell Hall	Harrison	Pleasantville
Chappaqua	Hawthorne	Purdys
Cold Spring	Katonah	Salisbury Mills/Cornwall
Crestwood	Mt. Kisco	Spring Valley
Croton Falls	Middletown	Southeast
Fleetwood	Mount Vernon West	Valhalla

Future Access

<u>Station</u>	<u>Anticipated Completion</u>	<u>Planned Access Improvements</u>
Ossining	2010	Elevators/Detectable Warnings
Scarborough	2010	Elevators/Detectable Warnings
Philipse Manor	2010	Detectable Warning
Yankee Stadium Station	2009	New Station

Source: MNR Briefing Book

⁵⁷ It is important to note that some ramps predate the ADA and slopes may not fully comply with current requirements.

ADA Amenities and Services

PCAC staff toured Grand Central Terminal and the Hudson line Riverdale Station with the Director of ADA Compliance to learn about the various components of accessibility and how they are incorporated into a rail station.

Station and On-Board Announcements

All stations have exception announcements (late trains, etc.) announced through a public address system. Key stations and new and fully rehabilitated stations have variable LCD/LED message signs that are controlled from the main Operations Center at Grand Central Terminal. The public address system and signage is maintained by Metro-North's Communications and Signals Department and is inspected periodically at stations by the Service Quality Group. A system-wide effort to revamp station signage was completed in 2007. As a result all MNR stations have new accessible route and tactile signage.

On-board train announcements are made by train crews by an automated system installed on the M7 cars. On-board service quality inspectors frequently inspect train crew performance and report failures to make announcements.

Ticket Vending Machines (TVMs)

The TVM Group inspects TVMs during routine revenue runs, which range from three times per week at high volume stations to once every two weeks at a lower volume station. The TVM group also performs scheduled preventive maintenance once every three months. During the three-month preventive maintenance the ADA audio feature is tested.

Elevators

At stations with elevators, the Service Quality Inspection Group monitors elevator conditions, reports any occurrences of non-working elevators, and also tests the auto dialers (emergency communication from within the elevator) during their monthly inspections. All reports of outages are handled immediately with the dispatch of a maintenance crew. The Track and Structures Group performs cyclical maintenance on a monthly basis and the Communications Group also tests the auto dialers. Additionally, customer service ticket sellers working at stations with elevators check them daily. MNR has elevators equipped with remote sensing for outage at two stations, University Heights and Morris Heights. These stations have low usage and a history of vandalism.

Signage, Stairways and Handrails

The Service Quality Inspection Group performs random inspections at 65 stations per month. As part of the monthly station inspection program, safety defects observed during an inspection, including those involving tactile signage, stairways and handrails, are noted and reported. Repairs are performed by MNR's Track and Structures Group.

Mini-High Level Platforms.

There are 11 Metro-North stations located west of the Hudson River, all of which have low-level platforms. In order to provide access to many of these stations, mini-high platforms with ramps have been constructed to provide level boarding to wheelchair riders (see the pictures below). Mini-high level platforms are currently the only means of providing accessible level boarding on the Port Jervis Line due to the presence of oversized freight and the need to maintain clearances required by Norfolk Southern, the owner of the Right-of-Way. At all newer stations, Metro-North has provided the same level of amenities and services for mini-high platforms as provided at the rest of the station including benches and full length canopies over the mini-high and access ramp. Train crews are instructed on spotting customers needing assistance so that boarding is easily performed from the mini-high platform.⁵⁸



Mini-high Platform at Harrison station

⁵⁸ While the use of these platforms is discouraged by national ADA organizations because they are often open to the elements and some distance from the station waiting area, MNR clearly needs to use mini-high platforms at certain stations. PCAC does not feel this is an issue as MNR conscientiously maintains these facilities and has no complaints about problems with usage. For a further discussion of mini-high platforms see *The Current State of Transportation for People with Disabilities in the United States*, National Council on Disability, 2005, p. 45.

Travel Training and Customer Assistance

MNR does not have a formal rider travel training program but offers assistance to travel trainers who request information about accessibility at MNR stations. There are independent groups, such as Guiding Eyes, that perform training at MNR stations. A customer retaining a travel trainer can call MNR to discuss any special needs.

Metro-North's Customer Service Department is responsible for providing customer assistance. All customer service personnel are trained in accessibility matters and in providing assistance to persons with disabilities.

The telephone information center, reached by calling 800-METRO-INFO is staffed 24 hours a day with Customer Service personnel to provide information relating to train service, accessible stations, schedules, fares, directions, etc. During business hours, customer service representatives are also available over the phone and at the walk-in office adjacent to Grand Central Terminal to address more detailed customer requests and complaints.

Special requests related to accessibility, including questions regarding specific train equipment, assistance within Grand Central Terminal, or group travel arrangements are coordinated by Customer Service with the various operating departments (GCT, Operations, Transportation, etc.). For example, in Grand Central Terminal, the Station Master's Office will dispatch Customer Service personnel to provide wheelchair assistance upon request. A customer on-board can also take advantage of this service by requesting the train crew to radio ahead as a train enters Grand Central Terminal.

All complaints are routed to the relevant departments for handling and tracked in a database for follow-up. According to Metro-North, the most frequent type of complaint received is concerning non-working elevators. These complaints are forwarded to the Track and Structures Group responsible for elevator maintenance. Metro-North's Assistant Director of ADA is informed of all complaints related to accessibility and ADA.

Outreach to the Disabled Community

While MNR does not have a formal advisory committee on disability issues, Metro-North does maintain ongoing relationships with several groups that represent individuals with disabilities. MNR reaches out to groups representing individuals with disabilities to attend focus groups and provide feedback on new efforts such as TVM testing and new equipment reviews. Metro-North also participates and offers assistance in educational and outreach efforts related to transportation accessibility coordinated by groups such as the MS Society, Westchester Council for the Blind, Rockland County, and local colleges. Metro-North distributes literature on accessible services to over 70 advocacy groups and agencies representing customers with disabilities in the service area.

Employee Training

Train Crews and Frontline (operating) Employees

MNR's Training Department provides comprehensive training for train crews and frontline employees. In addition to numerous job related duties, these employees are given instruction on:

- Providing assistance to persons with disabilities
- Instruction on bridge plate use and boarding procedures
- Operating rules (for train crews) that affect customers with disabilities such as rules for service animals, priority seating, reduced fares, etc.
- Accessible stations (elevators, ramps, etc.)

Training for GCT Personnel

MNR's Training Department has also developed a training module specifically for Grand Central Terminal personnel. This comprehensive customer service training includes provision of assistance to persons with disabilities.

Training for Customer Service Personnel

New employees entering the Customer Service Department (CSD) go through a comprehensive 14-day training program that includes a discussion of ADA related issues, role play exercises, and tours of equipment and designated "key stations."

All frontline personnel, including CSD representatives, ticket sellers and commissary staff, receive instruction in assisting customers with disabilities. This is situation-based training drawn from real-life scenarios and complaints MNR has received over the years. Strategies for handling difficult situations are discussed at length with all employees and reinforced with regular supervisory oversight, including field visits and one-on-one reinstruction as necessary.

Other items covered at length during customer service training included:

- Elevator status monitoring at outlying stations
- TVM use for customers with disabilities
- Discussions regarding priority seating, service animals, personal care attendants and safe boarding procedures for individuals with special mobility needs
- Revenue and ticket sales as they relate to senior/disabled customers
- Use of TDDs for hearing impaired customers

- PA system orientation and LED/LCD/Video display boards
- Distribution of MTA's *Guide to Accessible Services*

Capital Project Management Training

As part of capital project management training sessions, project managers involved in the planning, design and construction of facilities are provided an overview of ADA requirements.

Emergency Evacuation Training

Evacuation procedures, including the provision of assistance to disabled customers, are included in the training that is provided to crew members by the Training Department. In addition, MNR's Safety Department holds evacuation drills for emergency preparedness. These drills are designed to simulate real-life situations and the enactment of a simulated emergency evacuation. Various evacuation scenarios are practiced including the evacuation of injured customers, customers with disabilities and/or other special needs.

Usage by Riders with Disabilities

Reduced fare ticket sales data do not provide information on types of disability and do not capture regular commuters since the monthly ticket does not offer a disabled fare. However, a phone survey in 2000 by the MTA revealed that among 550 MNR customers 13% have difficulty climbing stairs or are unable to do so. In addition, the survey found that 7% of customers are visually impaired and 2.5% have a hearing impairment. Because some persons may have two or more of these disabilities, MNR estimates that approximately 15% – 20% of customers have a disability.

Since this information is out of date and based on a small sample, MNR is looking to update this data. The MNR Operations Planning and Analysis Department prepared the 2008 Customer Satisfaction survey for distribution in mid-September and a multi-part question regarding disabilities has been added to the questionnaire.

In summary, MNR has a responsive, professionally staffed ADA compliance program. Station rehabilitation for ADA accessibility has been active, widespread and is ongoing. Complaints are dealt with on a timely basis. A recent New York Times article⁵⁹ found high praise for Metro-North among disabled riders and advocates.

⁵⁹ Neroulis, Nicole, "Advocates for Disable Praise Metro-North", July 27, 2008.

New York City Transit — Subways

Staffing

Of the three MTA agencies, NYCT has, by far, the most daunting task in providing ADA accessibility at its subway stations. Retrofitting 100-year old infrastructure is not only a design challenge, but requires an extensive capital investment commitment. As a result, the ADA compliance structure at NYCT is larger than at the commuter railroads.

NYCT maintains an Office of ADA Compliance. This Office is housed in the Capital Program Management (CPM) section under Program Services. There is a Chief and Deputy Chief Officer who oversee a staff of 11 people. The Office is divided into two groups:

- 1) Technical Division, which focuses on two aspects: technical review in the design phase of capital projects; and field inspection of subways — both new construction and maintenance
- 2) Policy Management Division, which handles complaints, training and general policy questions

Legal counsel is provided out of the NYCT legal department. In addition, Janet Lanphier, Assistant to NYCT President Howard Roberts, oversees ADA activities for the President's office.

Key Stations

NYCT began addressing the system's decaying subway stations in its 1982–1991 Capital Program Plan. Consequent to the amendments to the NY State Buildings Law and Transportation Law (described previously), NYCT was required to make 54 subway stations⁶⁰ fully ADA compliant.⁶¹ The Agency made a commitment to spend \$5 million per year over eight years toward accessibility improvements.

With the passage of ADA in 1990, all transit systems were to submit a key station plan to the FTA by July 26, 1992. Stations were supposed to be made accessible by July 1993; however, systems were allowed to request that this deadline be extended by as many as 30 years. NYCT's Final Key Station Plan indicated that all 54 stations would be made accessible by 2010, in accordance with an FTA-approved extension. All except one of the 54 stations in NYCT's approved Key Station Plan met at least one of the USDOT criteria for key

⁶⁰ It should be noted that three of these stations were on the Staten Island Railway.

⁶¹ Thirty-eight of the 54 stations were specified in the legislation, while eight stations were chosen by the NYCT and another eight stations were chosen by the newly established New York City Transportation Disabled Committee (TDC). These additional 16 stations were to be selected based on ridership, access to other transportation, closeness to major activity centers, geographic distribution and access to other subway lines. See New York State Office of the State Comptroller, *Metropolitan Transportation Authority — New York City NYCT*, 2001, pp. 1–4.

stations, and the station that did not was replaced with another more suitable station.⁶²

In 1994, however, the New York Public Buildings Law and Transportation Law were amended (Chapter 620, L. 1994) to require NYCT to expand its Key Station Plan from 54 accessible stations by 2010 to 100 accessible stations by 2020 with 67 stations completed by 2010.⁶³ The purpose of this bill was to

...replace the existing ad hoc system of station accessibility, which is considered unlikely to achieve a usable network...By specifying the number and the stations to be made accessible and legislating a completion date, the Authority has a clear standard for accessibility construction, enabling it to incorporate the program into its long-term Capital Program planning. At the same time, the community can be assured that a rational, usable accessible rapid NYCT network will be completed by a date certain with progress made according to an aggressive schedule....This bill will permit resources for accessibility to be concentrated where they would have the greatest impact for system-wide rapid NYCT travel by people with disabilities while ensuring sufficient resources to properly maintain the entire system for the public as a whole. (MTA Summary Sheet, 2/22/1994).⁶⁴

From that point on, the new amendment exempted the transportation facilities of NYCT and the Staten Island Railway from the accessibility obligations that otherwise apply to public buildings under the Public Buildings Law, except for new subway construction.

Currently, out of 468 stations, there are 67 key stations⁶⁵ that have been made fully accessible (see Table 4 and 4A below), thereby meeting the mandated deadline. In addition, there are 16 stations that are not designated key stations but are wheelchair accessible with five of them fully ADA compliant (see Table 4B). There are eight stations in construction, nine are in design and 16 are in planning, all of which must be completed by 2020 (see Table 4 and 4C).

⁶² The one station that did not meet any of the suggested USDOT criteria is the Pleasant Plains station which, after public input, was replaced with the Dongan Hills station. See New York City NYCT Authority, *Americans with Disabilities Act Final Key Station Plan*, July 1992, pp.15–18.

⁶³ The revised plan listed 91 subway stations: the original 54 plus 37 that were selected according to FTA criteria and discussions at five public forums. The remaining nine were selected later in consultation with TDC and public advocates. The last station was designated in 2003.

⁶⁴ The MTA was concerned that the Public Building Law requiring that all public facilities be made accessible at the time of substantial change to the facility (construction, reconstruction, rehabilitation, alteration or improvement) was an open-ended obligation. NYCT had been exempted from this provision from 1984 to 1992, provided it spent \$5 million per year making at least eight stations fully accessible.

⁶⁵ The second quarter (June 30, 2008) shows 66 key stations completed. On July 28, 2008, NYCT announced the opening of three new ADA elevators at the Kew Gardens-Union Turnpike station, thus bringing the total of completed key stations to 67. See MTA Press Release #115 at <http://www.mta.info/mta/news/releases/?agency=nyct&en=080728-NYCT115>

Table 4

NYCT Key Stations Summary (2nd Quarterly Report to FTA - June 2008)				
	FTA 54 Key	NY State 46 Key	Accessible Non-Key	Total
Completed	45	21	16	82
In Construction	5	4		9
In Design	2	7		9
In Planning	2	14		16
Total by 2020	54	46	16	116

• Voluntary Compliance Agreement (VCA) requires 67 key stations to be accessible by the end of 2010.
Source: NYCT

ADA Amenities and Services
Station and On-board Announcements

The conditions of public address systems vary across the system and there are still some stations that have no public address capabilities. According to the Office of ADA compliance:

ADA requires that same or equivalent information must be provided in both visual (CIS) and audio (PA) forms. Public Address (PA) systems are provided in all stations. Message boards are provided in token booths and on mezzanines and platform areas for short and long term messages. An 800-Hotline number is updated for certain announcements such as elevator outages. NYCT also posts service notices throughout the system [and on the MTA website] announcing short-term changes in service at specific stations or lines. Long-term service changes are announced with service notices and in booklets available throughout the system.

However, there is an ongoing effort to install new technology:

Customer Information Screens (CIS) display visual messages. In order to satisfy this requirement, PA/CIS contracts are currently underway which will provide the functionality (master system, software etc.) necessary to link the CIS with PA system. PA/CIS contract for the L line has been recently completed. Two other contracts are currently in construction: PA/CIS contract for 156 stations on IRT lines and a PA/CIS contract for 43 on BMT and IND lines.

**Key Station Element Status Report
New York City Transit (100) - Region 2**

Unit	Station	Line	Mandate State Federal	TE Date	VCA Date	Accessible Routes Sect.	Entrances Sect.	Doors Sect.	Ramps Sect.	Elevators/ Ticketing/ AVM Sect.	Platform Gaps Sect.	PA System Sect.	Phones Sect.	Signs Sect.	Warning Strips Sect.	Phase
1	125 Street	4, 5, 6	Fed	COMP	COMP	4.3	4.14	4.13	4.8	4.10	10.3.2 (4)	10.3.1(14)	4.31	4.30	4.29	ACCESSIBLE
2	175 Street	A	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
3	42 Street	A, C, E	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
4	Peihann Bay Park	6	Fed	COMP	COMP	C	C	N/A	C	N/A	C	C	C	C	C	ACCESSIBLE
5	Great Kills	SIR	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
6	51 Street	6	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
7	Grand Central	4, 5, 6	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
8	World Trade Center	E	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
9	Simpson Street	2, 5	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
10	Sullivan Avenue	D, F, N, Q	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
11	34 Street *	N, Q, R, W	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
12	34 Street *	B, D, F, V	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
13	Brooklyn Bridge	4, 5, 6	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
14	149 Street, 3 Avenue	2, 5	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
15	Borough Hall	2, 3	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
16	Dongan Hills	SIR	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
17	Flatbush Avenue	2, 5	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
18	Church Avenue	2, 5	State	N/A	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
19	34 Street	1, 2, 3	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
20	61 Street Woodside	7	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
21	Main Street	7	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
22	Union Square	N, Q, R, W	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
23	Union Square	L	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
24	207 Street	A	State	N/A	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
25	66 Street	1	State	N/A	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
25	14 Street	A, C, E	State	N/A	COMP	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE

JUNE 2008

Legend:
 C = ADA COMPLIANT
 NA = NOT APPLICABLE AT THIS STATION
 NC = NOT COMPLIANT
 TE = TIME EXTENSION
 VCA = VOLUNTARY COMPLIANCE AGREEMENT

**Table 4A
NYCT Key Stations**

**Key Station Element Status Report
New York City Transit (100) - Region 2**

Count	Station	Line	Mandate State Federal	TE Date	VCA Date	Accessible Routes Sect.	Entrances		Doors		Ramps		Elevators		Ticketing/ AVM		Platform Gaps		PA System		Signs		Warning Strips		Phase
							Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	
26	8 Avenue	L	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
27	Franklin Avenue	C	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
28	Franklin Avenue	S	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
29	161 Street	4	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
30	161 Street	B, D	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
31	Grand Central	7	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
32	Grand Central	S	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
33	34 Street	A, C, E	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
34	Fushing Avenue	J, M	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
35	Prospect Park	B, Q, S	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
36	72 Street	1, 2, 3	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
37	Pacific Street	D, M, N, R	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
38	Atlantic Avenue	B, Q	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
39	Atlantic Avenue	2, 3, 4, 5	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
40	Howard Beach	A	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
41	Maroy Avenue	J, M, Z	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
42	Lexington Avenue	E, V	State	N/A	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
43	Ullica Avenue	3, 4	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
44	Dakalb Avenue	B, M, Q, R	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
45	West 4 Street	A, B, C, D, E, F, V	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
46	179 Street	F	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
47	Times Square	N, Q, R, W	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
48	74 Street	7	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
49	Roosevelt Avenue	E, F, G, R, V	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE
50	125 Street	A, B, C, D	Fed	COMP	COMP	C	C	C	C	C	N/A	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE

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JUNE 2008

Table 4A (Cont.)

**Key Station Element Status Report
New York City Transit (100) - Region 2**

Count	Station	Line	Mandate State Federal	TE Date	VCA Date	Accessible Routes		Entrances		Doors		Ramps		Elevators		Ticketing		Platform		PA System		Phones		Signs		Waiting Strips		Phase
						Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	
51	Eucld Avenue	A, C	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
52	Fordham Road	4	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
53	Queens Plaza	E, G, R, V	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
54	Times Square	1, 2, 3	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
55	Times Square	7	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
56	231 Street	1	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
57	Junction Boulevard	7	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
58	168 Street	A, C	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
59	Palham Parkway	2, 5	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
60	233 Street	2, 5	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
61	Bowling Green	4, 5	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
62	Myrtle Avenue	L	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
63	Wyckoff Avenue	M	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
64	135 Street	2, 3	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
65	Church Avenue	F	Fed	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
66	St. George	SIR	State	COMP	COMP	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	ACCESSIBLE	
67	Kings Highway *****	B, Q	State	N/A	Nov-07																						DESIGN	
68	86 Street *****	1, 2, 3	State	N/A	Nov-08																						IN CONSTRUCTION	
69	Times Square *****	S	State	N/A	Nov-08																						DESIGN	
70	Jay Street *****	A, C, F	Fed	Nov-02	Nov-08																						IN CONSTRUCTION	
71	59 Street	A, B, C, D	Fed	Nov-01	Nov-10																						IN CONSTRUCTION	
72	59 Street	1	Fed	Nov-01	Nov-10																						IN CONSTRUCTION	
73	Bay Parkway *****	D, M	State	N/A	Nov-10																						DESIGN	
74	Union Turnpike	E, F	Fed	Nov-05	Nov-10																						IN CONSTRUCTION	
75	50 Street Rock Center	B, D, F, V	State	N/A	Nov-10																						IN CONSTRUCTION	

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JUNE 2008

Table 4A (Cont.)

**Key Station Element Status Report
New York City Transit (100) - Region 2**

Count	Station	Line	Mandate State Federal	TE Date	VCA Date	Accessible Routes	Entrances		Doors		Ramps		Elevators		Ticketing/ AVM		Platform Gaps		PA System	Phones	Signs	Warning Strips	Phase
							Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.	Sec.					
76	Chambers Street	1, 2, 3	Fed	Nov-04	Nov-11		4.3	4.14	4.13	4.8	4.10	10.3.1(18)	10.3.2 (4)	10.3.1(4)	4.31	4.30	4.28						IN CONSTRUCTION
77	71 Avenue	E, F, G, R, V	Fed	Nov-04	Nov-13																		DESIGN
78	Hunts Point	6	Fed	Nov-09	Nov-13																		PLANNING
79	58 Street	6	State	N/A	Nov-13																		PLANNING
80	57 Street	N, Q, R, W	State	N/A	Nov-13																		PLANNING
81	23 Street	5	State	N/A	Nov-13																		PLANNING
82	Conduit Street	R, W	State	N/A	Nov-13																		PLANNING
83	Jilica Avenue	A, C	State	N/A	Nov-13																		PLANNING
84	Kingshighway Road	B, D	State	N/A	Nov-13																		PLANNING
85	Lefferts Boulevard	A	State	N/A	Nov-14																		IN CONSTRUCTION
86	56 Street	N, R	State	N/A	Nov-16																		PLANNING
87	66 Street***	R	Fed	Nov-19	Nov-20																		PLANNING
88	Chambers Street	5	State	N/A	Nov-20																		PLANNING
89	Greenpoint Avenue	J, M, Z	Fed	Nov-20	Nov-20																		DESIGN
90	Bedford Avenue	G	State	N/A	Nov-20																		PLANNING
91	Bedford Avenue	L	State	N/A	Nov-20																		PLANNING
92	Rockaway Parkway***	L	State	N/A	Nov-20																		PLANNING
93	Astoria Boulevard	N, W	State	N/A	Nov-20																		PLANNING
94	Bleecker Street	6	State	N/A	Nov-20																		PLANNING
95	Bowling Green	B, D, F, V	State	N/A	Nov-20																		DESIGN
96	Mott Avenue	A	State	N/A	Nov-20																		DESIGN
97	East 180 Street	2, 5	State	N/A	Nov-20																		DESIGN
98	South Ferry	1	State	N/A	Nov-20																		DESIGN
99	Brooklyn Museum	2, 3	State	N/A	Nov-20																		IN CONSTRUCTION
100	Bedford Park Blvd	B, D	State	N/A	Nov-20																		PLANNING

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JUNE 2008

Table 4A (Cont.)

Office of ADA Compliance
Non-Key Accessible Station Element Status Report

Count	Station	Accessible Route	Entrance	Doors	Ramps	Elevators	Ticketing/AVMs	Platforms Gaps	PA System	Phones	Signage	Warning Strips	Status
		Sect. 4.3	Sect. 4.14	Sect. 4.13	Sect. 4.6	Sect. 4.10	Sect. 10.3.1 (18)	Sect. 10.3.2 (4)	Sect. 10.3.1(14)	Sect. 4.31	Sect. 4.30	Sect. 4.29	
1	50th Street (C,E)	C	NC	NA	C	***	C	NA	NA	NA	C	NC	Downtown Only
2	Lexington Ave/63rd St (F)	C	NC	C	NA	C	C	NA	NA	NA	C	NC	
3	Roosevelt Island (F)	C	C	C	NA	C	C	NA	NA	NA	C	NC	
4	21st Street (F)	C	C	C	NA	C	C	NA	NA	NA	C	NC	
5	Jamaica/Van Wyck (E)	NC	C	C	NA	C	C	NA	NA	NA	C	NC	
6	Jamaica Center (E, J, Z)	C	C	C	NA	C	C	NA	NA	NA	C	NC	
7	Sutphin Blvd. (E, J, Z)	NC	C	C	NA	C	N/C	NA	NA	NA	C	C	
8	Metropolitan Avenue (M)	C	C	C	NA	NA	C	NA	NA	C	C	NC	
9	B116/Rockaway Park (A,S)	C	C	C	C	NA	C	C	NA	NA	C	C	
10	Park Place (S)	C	C	C	C	NA	C	NA	NA	NA	C	C	
11	Borough Hall (4,5)	C	C	NA	NA	NA	C	NA	NA	NA	C	NC	Uptown Only
12	Tottenville (SIR)	C	C	NA	C	NA	NA	C	NA	NA	C	NC	
13	Canal Street Station (6)	C	C	C	NA	C	C	C	NA	NA	C	C	
14	49th Street (N,R,W)	C	C	C	NA	C	C	NA	NA	NA	C	NC	
15	Rockaway Parkway (L)****	C	C	C	C	NA	C	NA	NA	NA	C	NC	Uptown Only
16	Gun Hill Road (2,5)	C	C	C	C	C	C	C	C	C	C	C	

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JUNE 2008

Table 4B
NYCT Non-Key Accessible Stations

NOTES:

Parking/Drop-Off: This ADA feature is applicable at only two NYCT Key Stations, Great Kills and Dongan Hills; therefore, we have eliminated it from the matrix. At both stations it is ADA accessible.

Curb Ramps: This ADA feature is applicable only at one NYCT Key Stations, Dongan Hills; therefore, we have eliminated it from the matrix. At Dongan Hills, the feature is ADA accessible.

Station Specific Features:

- * New York City Transit was granted a time extension to 2011 by the FTA for replacement of the edge warning strip at 34th Street on the B, D, F, N, Q, R, V and W lines.
- ** ADA component provided and maintained by non-NYC entity.
- *** 86th Street on R Line substitutes the 95th Street Key Station at the request of the NYC Transportation Disabled Committee.
- **** Rockaway Parkway on L Line is a partially accessible Key Station.
- ***** See Summary Table (below) of Revised Forecast Completion Dates for Key Stations.

Station	VCA Date	Forecast Date	Comments
Kings Highway (B, Q)	Nov. 2007	Nov. 2012	Final Design Documents for Seven Stations were completed in November 2006. Challenge from property owners forced redesign of station control area at Av "M" station and delaying the legal process of the project because of Avenue "J" easement issues. Additional delay is due to the lowest bidder withdrawal. The project is now split in two and projected to be awarded this year.
96 th Street (J, L, Z)	Nov. 2008	Nov. 2010	Coordination with other city agencies and Uniform Land Use Review Procedure (ULURP) required additional time.
Times Square (S)	Nov. 2008	Not in the Capital Program	Design was completed in 2006. Design consisted of major track re-alignment to eliminate the platform gaps and substantial other improvements to make the station ADA compliant in all other respects. Total project costs far exceeded the funding allocated for the project scope. Because funding at this level is not currently available the project has been delayed.
Jay Street (A, C, F)	Nov. 2008	Nov. 2011	ADA Accessibility and the station rehabilitation of Jay St. were combined with the construction of a new free and accessible transfer connection between Jay St and Lawrence St. Funding constraints and the need to repack the design documents had delayed the award of this project to 2007. The contract was awarded in March 2007 and is anticipated to be completed by 2011.
Bay Parkway (D, M)	Nov. 2010	Nov. 2013	ADA Accessibility at Bay Parkway Station is part of larger project that includes 12 stations and repairs of the line structure along 6 miles of tracks. This project is part of the proposed 08-13 Capital Program. Project is in design phase with construction award planned for 2009 and completion in 2013.

**Table 4C
NYCT Accessible Stations in Construction, Design and Planning**

General:
NYCT's ADA Compliance Program incorporates all ADA accessibility features in a station as one contract in the course of construction, frequently in conjunction with other station rehabilitation work. The projects are scheduled for design and construction contract award consistent with a scheduled completion date required to meet the dates approved in our Voluntary Compliance Agreement with FTA.

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Table 4C (Cont.)

While this move to improve technology is greatly welcomed, the transformation will take many years. In the interim, announcements are often difficult to hear or understand as many stations have very old systems. Thus, while key stations may be in compliance, every effort should be made to make sure PA systems are in good working order at all stations for the benefit not only of the disabled, but for all riders.

On-board announcements are either manual or automated and appear to be made consistently. Most of the problems are in understanding the announcement due to poor equipment or the speaking clarity of train personnel.

Signage

NYCT has installed Braille signage in a number of key stations at “decision points”, but people who would benefit from the signage say it is not effective because they do not know where it is located. The PCAC would like to see the floor plans of a station posted that show the locations of elevators and other amenities, such as Braille signage.

It must be noted that NYCT is now including travel information for wheelchair users on service diversion notices. The information indicates the alternative travel options while there is no service at that particular ADA station. This is a huge improvement and PCAC applauds NYCT for incorporating this information.

Informational Materials

NYCT, in conjunction with the MTA, has produced a number of materials promoting accessibility features in the subway system. The MTA oversees the production and publication of the *MTA Guide to Accessible Services* which is available in print and on the MTA website. MTA has also produced a large print subway system map that has been very well received. MTA is in the process of updating the map and hopes to issue it in late fall 2008. On the back of this map all bus connections are listed.

For the past 20 years, MTA has collaborated with Baruch College’s Computer Center for Visually Impaired People to publish large print and Braille subway maps, as well as individual route maps.

In addition, NYCT has issued *The Accessible Connections*, a book that details NYCT ADA-accessible subway stations and connecting bus services. This book is printed in both 12 pt. type and 18 pt. type twice a year.

MetroCard Vending Machines

MetroCard Vending Machines are installed at all subway stations. The machines accept credit cards, ATM/debit cards, or cash. Customers with visual impairments may use an audio feature that will prompt them through the use of the machine. They must use a personal headset, such as those used with tape players, to access the feature. Braille instructions for the use of the feature are

located below the screen. Preventive maintenance is performed on these machines every 45 days. This is the responsibility of the Automatic Fare Collection (AFC) division of Subways.

Elevators

Elevators are a basic component to accessibility in subways; and when they are out of service this is a major problem for riders with disabilities. It is also a serious factor for people pushing strollers with children or carrying large packages. The need for elevators to be functional is critical.⁶⁶

According to the General Superintendent, NYCT Elevator & Escalator Section, preventive maintenance is performed on every revenue machine (elevators used by paying riders) once per month. The scheduled maintenance includes an operational check of the intercom system; if the intercom system does not operate as designed it is reported to the Electronic Maintenance Division for repair. There are 173 revenue elevators, with 163 units currently connected to the Lift-Net remote monitoring system.⁶⁷ The remaining ten revenue elevators are in the process of being connected. The Elevator & Escalator division is responsible for posting temporary signage to notify customers when the machine is out of service for maintenance or repairs. Station Signage Division is responsible for the permanent signs that direct customers to the elevators. Riders can check the MTA website for elevator outages⁶⁸ or call the Elevator Hotline.⁶⁹ These information sources are updated at least three times daily⁷⁰ and riders can also call for help in planning their trip.⁷¹ The major criticism with this information is that it is found under Service Advisories and buried in the Accessibility Information section of the website under Useful Phone Numbers.

Unfortunately, outages of elevators and escalators have been a chronic problem. The *New York Times* recently did an in-depth investigation of NYCT's elevator and escalator installation and maintenance:

New York City Transit has spent close to \$1 billion to install more than 200 new elevators and escalators in the subway system since the early 1990s, and it plans to spend almost that much again for dozens more machines through the end of the next decade. It is an investment of historic

⁶⁶ The importance of operating elevators was highlighted recently in an article about an individual who got ill on a subway car. The paramedics could not bring down a stretcher because the elevator was broken. See Gerson, *The New York Times*, 9/21/2008, p. CY 3.

⁶⁷ The Lift-Net system is a relatively new remote sensing system that alerts the Electronic Maintenance Division of an outage.

⁶⁸ <http://advisory.mtanyct.info/ADAOutage/ADAoutage.html>

⁶⁹ 800-734-6772 or 718-596-8273 (TTY).

⁷⁰ According to the Elevators & Escalators Status webpage NYCT is working on additional enhancements including 24/7 reporting, reasons for equipment outages, expected time of return to service, and a future subscription program that will allow customers to receive an e-mail advisory notifying them of reported or planned outages for specific equipment in specific stations.

⁷¹ (718) 596-8585, 6 am to 11 pm, Monday through Friday, and 6 am to 10 pm on weekends and holidays.

dimensions, aimed at better serving millions of riders and opening more of the subway to the disabled.⁷²

In reviewing the NYCT outage records, the *Times* found that:

- One of every six elevators and escalators in the subway system was out of service for more than a month last year
- Two-thirds of the subway elevators — many of which travel all of 15 feet — had at least one breakdown last year in which passengers were trapped inside.

NYCT recognizes these problems and has been moving to improve the elevator repair process. According to the September 2008 Transit Committee Report, Elevator and Escalator (E&E) 2nd Quarter Report,⁷³ changes have been instituted to improve performance:

Maintenance & Repair Training Program

The agency recently opened a specialized training annex (Electro-Mechanical Learning) at its main training center in Brooklyn, focusing on the maintenance and repair of escalators, elevators and moving walkways. This new facility represents an important addition to training capabilities and offers extensive hands-on training for the workforce charged with maintaining the reliability of very complex machinery. According to NYCT, the maintenance of this type of equipment, which can contain upwards of 2,000 parts, is the most difficult mechanical task in the transit system, requiring a tremendous amount of skill and instruction. Prior to the opening of this new annex, all instruction was accomplished in the field. A hydraulic elevator is being purchased and will be installed at the annex and will be used as a "hands on" training tool (a training escalator is already in place). Instructors will be able to simulate defects with the training elevator. This is something that could not be done previously since it was not practical to tamper with functioning in-service machines or to inconvenience customers during training sessions.

Lift-net Monitoring System

Lift-net remote monitoring devices (mentioned previously) are being installed on all elevators and escalators throughout the system.

⁷² Neuman, William. \$1 Billion Later, New York's Subway Elevators Still Fail, *The New York Times* (5/19/2008).

⁷³ See *MTA/NYCT Committee Meeting, September 2008, Book 2*, pp. 230–249.

Scheduled Maintenance System (SMS)

The core of this program is the replacement of critical components prior to failure: 1-, 3-, 5-, or 10-year life cycle based on the component's expected life. The escalator SMS program also includes components that are to be replaced every 15 or 20 years.

Computerized Maintenance Management System (CMMS) and Handheld Devices

The CMMS includes an inventory of the assets, their preventive maintenance schedules, work order scheduling, and the history of work on each piece of equipment, including parts and labor. With handheld devices, it will be much easier for personnel to enter basic maintenance information into CMMS.

Elevator and Escalator Status Webpage (discussed previously)

Reorganization/Decentralization

E&E Operations is being reorganized into discrete zones with multiple work groups situated throughout the system. Each group will be responsible for the devices in its geographical area, performing all aspects of maintenance, including inspections and repair.

PCAC lauds these efforts to improve elevator and escalator performance and the revised format of the quarterly report is most welcome. The Passenger Availability charts (Appendix G) show much improvement since 3rd Quarter 2006. It is also helpful to see the listing of the stations with the most troublesome equipment with data on outage levels and entrapments. Still, for persons in wheelchairs there are the concomitant elevator issues to be addressed, such as location identification, lighting, alternative travel directions when an elevator goes out of service, etc. These are discussed in more detail below.

AutoGates

Another important component of ADA in the NYCT subway system is the AutoGate. AutoGate is an automatic entry/exit gate that allows customers who have ambulatory disabilities, are accompanied by a service animal, or use wheelchairs, to enter and exit the subway system. AutoGate units are available in all accessible subway stations. They are located at subway station booths and in station areas where no station agent is present. Riders using the AutoGate must have the specially encoded Reduced-Fare AutoGate MetroCard to open the gate.⁷⁴

⁷⁴ According to NYCTRC member Prentiss, AutoGates usually work, and if they don't, the station attendant can buzz the rider through. In an unattended area, a non-working AutoGate reader will preclude the rider from entering the paid area; however, the panic bar on the gate can be used to exit the paid area in any circumstance.

Wheelchair Tour

PCAC staff toured several subway stations with a NYCTRC member⁷⁵ who uses an electric wheelchair and regularly travels the subway system. She highlighted many of the problems in negotiating the system:

- Maneuvering a wheelchair in many of the elevators is difficult
- Control buttons are not consistent in placement and color contrast is poor (a problem for the visually impaired rider)
- Uneven floor surfaces
- Signage is placed too high to be easily read by a person in a wheelchair
- Finding elevators out of service and NYCT staff unable to suggest an alternative route, particularly a problem on weekends and at night
- Large vertical gaps exist even at designated boarding areas on the platform

A description of the noted problems from the tour with pictures can be found in Appendix C.

Outreach to the Disabled Community

NYCT has one formal venue for public input into ADA issues. The Office of ADA Compliance holds quarterly meetings of the Compliance Coordinating Committee (CCC). These meetings are led by the Chief Officer of the ADA Compliance Office and there is an invited guest list of attendees.⁷⁶ These meetings feature informational presentations followed by question and answer sessions. Notes are taken at the meeting but they are not distributed to the attendees or to the public. The CCC is considered to be a useful outreach tool, but PCAC feels that it could be improved to connect with a larger group of people, possibly by webcasting the meetings or by disseminating the proceedings of the meetings on the MTA website.

Informally, President Roberts has established a “kitchen cabinet” comprised of people with various types of disabilities. This group has met once and preparations are underway for a second session. Cabinet members have free access to the President and are persons with whom he can consult on specific issues related to use of the transit system by customers with disabilities. The concept for this group developed from a series of “ride-alongs” that President

⁷⁵ Ms. Edith Prentiss who represents the NYC Public Advocate’s Office. She is active in a number of political, civic, and aging, disability, and health care advocacy organizations.

⁷⁶ PCAC staff member Karyl Berger attends these meetings which are held at 2 Broadway, Manhattan.

Roberts took with individuals with disabilities in an effort to gain an enhanced sense of their travel experiences on the transit system.⁷⁷

There is also a Senior Citizens Advisory Committee to NYCT which meets monthly and is open to the public. These committee meetings are held under the auspices of the NYCT Department of Government and Community Affairs.

Emergency Evacuation Training

Transit reported that new customer-contact employees get two hours of sensitivity training in ADA procedures and in making “reasonable accommodation”. Every three years each train operator, station agent and conductor gets trained on emergency evacuation, and a review of ADA procedures is incorporated in this refresher training.

Usage by Riders with Disabilities

Riders with disabilities and seniors (65 years and older) are eligible for reduced fare cards. The Reduced-Fare MetroCards, a plastic photo-ID card, can be used to pay the fare on NYCT subways and local buses, MTA Bus, MTA Staten Island Railway, and MTA Long Island Bus. It can also be used as valid identification to pay reduced fare on the LIRR and MNR. When the card is used there is no way to tell if the rider is disabled or a senior,⁷⁸ but there are records of the applications of those wanting a reduced fare card. In reality, once a person reaches 65 years of age and develops a disability, they can get a reduced fare card based on age and needn't bother with applying for the disabled category. Therefore, trips by persons with disabilities cannot be isolated; but the number of applicants for reduced-fare under the age of 65 with disabilities can be identified.

NYC DOT first administered a reduced-fare program from 1975 to 1991, issuing paper photo identification cards. MTA took over the program in July 1991 and continued issuing paper photo IDs until January 1, 1995, when the first Reduced-Fare MetroCard was issued.⁷⁹ The Reduced-Fare Program was transferred from the MTA to NYCT in December 1996. At that time there were approximately 50,000 customers in the program.

During 1997, the NYCT Reduced-Fare Office added approximately 178,000 new customers, bringing the total reduced-fare population to 228,650 customers, of which 86% were senior citizens and 14% were people with disabilities.

From January 1998 to July 2008, the program continued to grow by approximately 50,000 customers each year or an average of 4,200 customers

⁷⁷ NYCTRC member Edith Prentiss was one of those persons who toured the subways with President Roberts and is a member of his “kitchen cabinet”.

⁷⁸ Some would argue that while older folks are not “disabled”, they may move more slowly, see less clearly and not hear as well, thus deserving of special sensitivity by operators and other MTA personnel.

⁷⁹ The history of the reduced fare cards has been provided by the Director, Reduced-Fare and Employee Passes, NYCT.

per month. Currently, the total number of active customers in the program is 630,503. Seniors are 81% of this number (513,165); persons with disabilities account for 19% (117,338). In June 2000, the eligibility criteria for the Reduced-Fare Program were expanded to include persons diagnosed with serious mental illness who receive Supplemental Security Income benefits. A total of 22,983 customers were enrolled in the program under this criterion. In Table 5 below is the active reduced-fare database population delineated by impairment codes as of July 31, 2008. It must be acknowledged that these numbers only represent rider classification. The actual use of the subway system by persons with disabilities is still not captured.

**Table 5
NYCT Reduced-Fare Impairment Codes
As of July 31, 2008**

Impairment	Amount	Percent Distribution
Blind	5,204	0.83%
Deaf	4,744	0.75%
Ambulatory	20,550	3.26%
Loss of both hands	86	0.01%
Mental retardation	14,378	2.28%
Other/Medicare Card	49,393	7.83%
Seniors	512,745	81.32%
L.I.B. - Age 60-64	420	0.07%
Serious mental illness	22,983	3.65%
Total	630,503	100.00%

Source: Reduced-Fare Office, NYCT

In summary, given the magnitude of the challenge in making a 100-year old subway system accessible, NYCT should be applauded for the strides that have been made. Reaching the goal of 67 ADA accessible stations well ahead of the 2010 deadline is to be commended. The needs of the rider with disabilities are considerably more recognized and better served than those dark days prior to the 1984 settlement. PCAC recognizes, too, the support for improving accessibility expressed by current NYCT President Howard Roberts, especially in tight fiscal times, and we hope that this backing will continue.

These achievements notwithstanding, there are a variety of issues that are of concern. Many areas, such as elevator operation, signage, communication (including website content), and vertical and horizontal gaps, still need

improvement. These items are addressed in the Recommendations section of the report.

New York City Transit — Buses

The New York City Department of Buses provides a valuable transportation resource for those customers with mobility impairments. While the subways and commuter railroads rely upon a limited set of accessible key stations to serve their customers with disabilities, the entire fleet of fully-accessible MTA/NYCT buses is lift-equipped, has kneeling features, wheelchair securement devices, public address systems, and seating spaces reserved for persons with disabilities. Buses also have more stop locations and better serve short-distance travel. The 2007 reduced-fare ridership was approximately 3% of subway trips; however, it accounted for over 10% of total bus trips.⁸⁰

In May 2008, the MTA announced that the NYCT Department of Buses, MTA Bus, and Long Island Bus will integrate operations and management. While these operations will maintain their separate corporate identities and funding structures, they will be managed as a unified system. As a result, best practices, standards, and procedures applicable to NYCT will be implemented across these three operations as the integration proceeds. In the case of training, the Zerega Training Center has been established and bus operators from NYCT, MTA Bus, and Long Island Bus will receive consistent training with regard to accessibility issues. This report focuses on the NYCT Department of Buses.

All buses in the NYCT system are designed to be accessible; therefore the responsibility for providing accessibility consistent with the ADA is distributed throughout the NYCT Department of Buses. Each bus operator facilitates the use of accessibility features as a normal part of the job and each depot maintains lifts and bus kneeling systems as part of its normal maintenance operation. Each Department of Buses employee has some share of the responsibility of operating an accessible bus system.

ADA Amenities and Services

Training

Bus operator training on ADA issues is incorporated into the general training curriculum. Because all buses are equipped with wheelchair lifts (see equipment discussion that follows), all newly hired bus operators are trained to operate each of the types of wheelchair lifts that are in use at the time of hire. A standard wheelchair and a three-wheel scooter are incorporated into the training to allow operators to be trained under real-world conditions. As well as lift operation, newly hired operators are trained in the securement of scooters and wheelchairs. The tie-down systems in NYCT buses allow scooters and wheelchairs to be secured, preventing injury or damage from movement while the bus is underway.

⁸⁰ Email Correspondence from Revenue and Budget, NYC Transit Office of Management and Budget, 8/13/08.

As new types of lift equipment are brought into individual bus depots, the operators in those depots are trained in the use of the new equipment. Recently, NYCT has enhanced the wheelchair lift-training requirements with respect to coach buses used in express service. All bus operators who typically operate either local service or express service can always request additional wheelchair training at the depot. Refresher training pertaining to lifts includes material on wheelchair protocol and is presented as a part of training given for operators to meet the requirements of Article 19A of the New York State Vehicle and Traffic Law.

Equipment on Buses

Persons with mobility impairments can be accommodated by either the kneeling feature that is a part of all NYCT buses or through wheelchair lifts. The kneeling feature allows the bus operator to lower the front-right corner of a bus in order to decrease the distance that passengers must climb on their first step onto the bus. Operators are required to kneel buses when they cannot be brought to the curb or upon request by a customer.

There are several types of wheelchair lifts within the NYCT Bus system. On articulated and low floor buses, a wheelchair lift at the front door of the bus is provided. This allows the passenger using this lift to board at the same point as other passengers. On older high floor buses, the wheelchair lift is part of the rear door assembly and lift-users board at the rear door. On MCI express coach buses, the wheelchair lift is located on the outside of the bus, slightly front of center. In these buses, customers are lifted to the central portion of the bus, where seats can slide aside to accommodate wheelchairs or scooters, if necessary. The composition of the NYCT bus fleet is shown in Table 6, below. According to 2006 figures supplied by NYCT, approximately 71,000 customers per month board by using wheelchair lifts.⁸¹

While we have referred to these devices as “wheelchair lifts,” it is important to note that any customer may request to use the lift to board or alight, even if he or she does not have a wheelchair, walker, cane, or other mobility instrument. It is the responsibility of the bus operator to carry keys required for access to wheelchair lift controls. However, a large number of regular bus riders who make use of lifts possess their own keys to the lift controls.

⁸¹ *The Bus Operator’s Guide to Customer Service*, NYCT, 2006, p. 9.

NYC Transit Bus Fleet - 2008	
<u>Bus Type</u>	<u>Number of Buses</u>
RTS High Floor	1581
Orion High Floor	758
Orion Low Floor	800
Articulated	628
MCI Over-the-Road Coach	595
New Flyer Low Floor	187
New Flyer Viking	3
<i>Source: NYCT</i>	

According to NYCT Department of Buses Customer Service staff,⁸² these keys are made available to the public at all customer outreach events or upon request by an organization or an individual. In addition, NYCT's Customer Services Division has keys available at its 3 Stone Street office which is open from 9 am to 5 pm, Monday through Friday. NYCT should include this offering in the next printing of the MTA Guide to Accessible Transit and include it in the web version as well.

In addition to the lifts, on each type of bus there are specific seats designed to move aside to provide space for wheelchairs and scooters. These priority seats will accommodate two customers using wheelchairs or scooters; passengers using these seats must vacate them if necessary. There are also priority seats in the first forward facing row of each bus that must be vacated if needed by a person with a disability who is not using a wheelchair or scooter.

Bus Stop Announcements

Announcements are made by an automated system on nine buses in a test phase as part of a pilot program in the 126th Street depot. The automated system has, for the most part, received good reviews for accuracy, audibility, and clarity. In most cases, however, the bus operator is responsible for making announcements of major stops and transfer points, as well as any stop a customer asks to have announced, as required by the ADA. Operators are given

⁸² Per NYCT Department of Buses Transportation Supervisor, August 22, 2008.

lists of major stops for which announcements are required as a part of their paddle reports, which provide the details of the runs to which operators are assigned.

When bus operators are responsible for making announcements, they may use any one of three methods to do so. The most common system involves use of the SpeakEasy system, which is a hands-free microphone system that is activated by a foot pedal. The advantage to this system is that it does not require operators to turn to speak into a microphone or to remove a hand from the steering wheel. Thus SpeakEasy can be safely used while the bus is in motion. The SpeakEasy system, however, can pick up street or vehicle noise in addition to the operator's voice, and this may make announcements difficult to understand for some passengers.

Bus operators may also make announcements using the public address capabilities that are built into the radio systems installed in each bus. The disadvantage to this method is that it requires speaking into a telephone-style handset. As a result, the radio system should be used only when the bus is stopped, which limits its usefulness for announcing upcoming major stops.

Finally, operators may make announcements with their voices alone. The ADA does not require that a public address system be used, but drivers who choose to do without this equipment should be capable of producing a clear and audible announcement without amplification.

Despite a great deal of effort that has been expended to persuade operators to make required announcements of major stops and transfer points, compliance with this requirement remains low. Several years ago, incentives were offered to depots which could demonstrate 60% compliance with the announcement requirement. Compliance has been edging upward, but it is still far from 100%. According to NYCT, an aggressive, unified disciplinary program has been implemented throughout NYCT for ADA violations found during observation rides. While an extensive survey of bus announcements was beyond the scope of this study, a staff member made a spot check of buses in Midtown Manhattan and found that of seven buses that he surveyed, proper announcements were made on only one bus.

Inspection and Maintenance

Wheelchair lifts receive inspection and maintenance every 3,000 to 6,000 miles, during which defects are identified and repaired before being returned to service. Wheelchair lifts are also inspected weekly to ensure that they are operating properly. During this weekly check, customer seatbelts and wheelchair restraining belts are also inspected. When a wheelchair lift breaks down during revenue service, that bus may remain in service until a replacement bus is available. Once that bus returns to its depot, however, it may not return to service until the repair is completed.

Audio equipment on the buses is checked as part of the regular bus inspection program. On-board radios are automatically tested daily, and bus operators are required to inspect radios daily before pulling out from the depot. In addition, radio and public address systems are inspected and serviced on a quarterly basis by the Bus Radio Maintenance unit.

Fare Collection Issues

The system of payment for individuals using bus wheelchair lifts depends upon the type of vehicle and lift that is used. On newer articulated and low floor buses with front door wheelchair lifts, customers using the lifts pay their fares, if they are able, in the same manner as any other customer, generally by MetroCard, coin, or bus transfer. However, for customers using rear door wheelchair lifts or, in the side-bus wheelchair lifts on MCI coach-style express buses, the process is different. Instead of making payment on the vehicle, NYCT policy provides for the customer to be provided with a fare payment envelope through which the passenger mails payment for the ride to NYCT. We could not confirm the proportion of rides for side- or rear- door lift users for which fares are paid in this manner, but in practice, the distribution of these envelopes is not a common occurrence. This has created a widespread public perception that passengers with disabilities are free riders on the system.

The fare payment envelope system has a number of problems. First, in those cases where payment is made in this manner, the system is exceedingly inefficient. NYCT pays not only return postage but also the cost of handling these payments. Second, we have seen nothing to indicate that any more than a minimal proportion of the fares for passengers boarding through the rear door or side wheelchair lifts are actually paid. Third, passengers boarding through rear door or side wheelchair lifts are denied the chance to pay fares in the same way as any other passenger. If a passenger is conscientious about payment, the process for payment when using rear door or side wheelchair lifts is much less convenient than for a passenger boarding the bus at the front door. This also forecloses the possibility of payment through other means such as time-based or bonus MetroCards.

One difference in payment applies regardless of bus type: when a customer possesses an Access-A-Ride identification card, he or she may designate a personal care attendant to accompany the customer on the trip. The personal care attendant rides without payment of a fare. Customers with disabilities may also be accompanied by a service animal that assists them in their daily activities. Bus operators are prohibited from requiring official documents establishing the animal's status, but operators are permitted to inquire what service an accompanying animal provides a customer in questionable cases.

Bus Stops

One of the major issues facing the NYCT Department of Buses is that it does not control its environment in the same sense as NYCT's Department of Subways.

Buses operate almost exclusively on public streets and share the road with a wide range of other vehicles. Thus, the Department of Buses is dependent upon an outside entity, generally the NYC DOT, for the maintenance of the environment in which it operates and the enforcement of rules that make efficient operation possible.

A prime example of this issue is found in bus stops. NYCT's Department of Buses is not responsible for establishing and maintaining bus stops, but instead works through the Operations Planning Division to coordinate with the NYC DOT to ensure that the stops and their associated signs, Guide-A-Ride schedules and maps, and bus shelters are kept in good order. Nonetheless, there are issues with bus stops. Some wheelchair and scooter users find the design of the CEMUSA shelters problematic, and some customers find that signs, Guide-A-Rides, and shelters are sometimes inconveniently positioned within the stop.

Traffic law enforcement is another major issue impacting the quality of service. When a bus stop is blocked by an illegally parked or standing vehicle, buses cannot approach the curb and access is more difficult. The only solution to this problem appears to be aggressive enforcement of the traffic law, but aggressive enforcement seldom occurs. The Department of Buses has a limited number of Road Operations personnel. These supervisory personnel have the power to issue parking citations, but with a primary responsibility to regulate bus service, their ability to issue parking citations is limited. In any case, it is doubtful that routine use of NYCT personnel for enforcement would be a productive use of resources.

Other NYC agencies impact the operation of bus stops, as when the Department of Buildings permits a construction project or sidewalk shed that affects a bus stop or when a street is closed for a street fair or other purpose. In these cases, the Department of Buses posts temporary signs and notices outlining changes in route or stops that have been made necessary. Major continuing route changes are posted on the MTA website.

Upon entering bus stops, operators are to pull to the head of the stop as close to the curb as possible under the circumstances. The general procedure is to enter a bus stop when a stop is requested on board or when an individual in the stop appears to want to board the bus. Operators are instructed to assume a customer will want to board, rather than bypassing a customer in error. For example, drivers are advised that, when a waiting individual at a bus stop appears to have a visual impairment, they should bring the bus into the stop and call out their route number. Still, many individuals with disabilities have experienced being bypassed by buses that they wanted to board while in a bus stop. There is a strong perception within the disability community that, in some cases, operators choose not to acknowledge those customers who require the use of the bus wheelchair ramp to board.

For late-night safety and convenience, NYCT provides a Request-A-Stop bus service which allows a rider to request to be let off at a location that is along the route, but is not a bus stop. It is available from 10 pm to 5 am, seven days a week. As long as the operator considers the requested stop safe, the request will be accommodated; otherwise, the bus driver will stop at the closest safe corner.⁸³

Customer Assistance

NYCT's Bus Customer Relations Center is primarily responsible for the administration of customer complaints, including complaints that are related to ADA issues. These problems account for a significant number of customer complaints, but are a fraction of the total number of verbal and written complaints handled by the Bus Customer Relations Center. In 2005, there were a total of 10,664 customer complaints about bus service. Of these, 410 were related to ADA issues. ADA-related complaints were the sixth largest category of bus service complaints received by NYCT.

When a complaint is made against an operator, it is logged and investigated. If investigation indicates that the complaint is warranted, depot management decides how to proceed based on the nature and seriousness of the complaint and the operator's record. Actions taken can include reinstruction, retraining, or discipline. Where operators are recently hired and in their probationary period, the probationary period can be extended. Depot management also routinely schedule follow-up observations of the operator to ensure that the issue raised in the complaint does not recur.

Emergency Evacuation Training

There are no specific bus emergency evacuation procedures for persons with disabilities. Operators receive fire and evacuation training, which includes coverage of passenger safety, in their initial training after being hired, but this information applies to the general population of bus customers. In fact, operators are counseled to avoid assisting with removing a wheelchair or scooter from a bus with a malfunctioning wheelchair lift, due to the possibility of damage to the wheelchair or scooter or of injury to its user. In these cases, operators are to contact supervision for assistance.

New York City Transit – Paratransit Services

MTA also operates paratransit services as a part of their bus operations. While researching this report, the authors made the decision to primarily focus on the public transportation aspect of the ADA, as the issues surrounding paratransit in the MTA region are complex and worthy of a full research effort in their own right. However, a discussion of ADA compliance at the MTA and its operating agencies would not be complete without acknowledging and briefly reviewing the status of the Access-A-Ride and Able-Ride programs that are operated by NYCT and

⁸³ See the MTA website at http://www.mta.info/nyct/bus/howto_bus.htm

Long Island Bus respectively. These paratransit programs “provide shared ride transportation for people who are unable to use the subways and buses for some or all of their trips and their personal care attendants (PCAs).”⁸⁴

NYCDOT established the Access-A-Ride program in 1989. However the ADA mandated that all public transit systems that provide fixed route bus and rail service also provide paratransit. Thus, the program was transferred to NYCT in 1992. Since that time, the ridership on these services has expanded rapidly. In 2007, the Access-A-Ride program provided 4.4 million rides, a 14.3% increase from 2006. The Able-Ride program is the continuation of the Nassau County paratransit service established in 1987 and is currently operated by Long Island Bus. Able-Ride provided just under 315,000 rides in 2007, which represented growth of .3% from 2006.

Paratransit services provide an important lifeline for persons who are unable to make use of the MTA’s fixed route services, but they are by no means without issues. Paratransit users regularly raise issues of quality of service; the paratransit operation struggles to keep up with rapid growth in utilization; and the substantial cost of the service puts increasing pressure on the MTA and its funding partners. A number of means of addressing these issues have been proposed, including the increasing use of vouchers to provide taxi or car service transportation for individuals not requiring a specially equipped vehicle. In addition, the federal government has mandated the development of coordinated public transportation and human service transportation plans. The objectives of these plans are to improve the quality of transportation available for older adults, persons with disabilities, and lower income individuals to improve efficiency, and to reduce service redundancies.

In May 2008, the New York Metropolitan Transportation Council (NYMTC), began a year-long planning effort titled “Connecting Communities Through Coordination: A Coordinated Public Transit-Human Services Transportation Plan for the NYMTC Region.” The three targeted areas include: New York City, Long Island (Nassau and Suffolk Counties) and the Lower Hudson Valley (Westchester, Rockland and Putnam Counties). We believe that this effort will be a valuable tool in defining and resolving issues surrounding paratransit in the MTA region.

The project “will involve identifying and inventorying community transportation services and programs, identifying trip patterns and travel needs of the three target population groups and comparing the two to determine unmet need. The next step will be to identify or develop prospective coordination strategies to address the unmet need, and then to narrow down and prioritize the strategies.” The report will be released as a unit although each of the subgroup’s findings will

⁸⁴ *MTA Guide to Accessible Transit*, 2004, p. 43.

be able to stand alone.⁸⁵ Further information about this study is available at www.nymtc.org

Travel Training Program

Travel training should be looked upon as part of the transportation continuum, putting it between fixed route services that are accessible and paratransit services.⁸⁶ Since 1999, MTA/NYCT has operated a travel training program as part of the MTA's effort to encourage the use of accessible, fixed-route service by customers with disabilities. Travel training is a short-term, comprehensive, intensive instruction designed to teach individuals with disabilities how to travel safely and independently on public transportation.⁸⁷

As public transportation systems have become accessible due to the enactment of the ADA, transit agencies, in concert with schools, social service and other related organizations, have begun to actively educate persons with disabilities that there are new travel options available to them. Learning how to travel independently often requires different skills depending on an individual's disability. For example, people with visual impairments learn to travel from orientation and mobility training instructors. Travel training offers someone who has never used public transportation the opportunity to learn to travel safely and independently.

Shortly after the passage of ADA, NYCT began to plan for implementation of a travel training program. According to NYCT staff, preparations included a survey of existing travel training resources, an investigation of the level of interest in travel training in the disability community, and a one-day travel training workshop for 60 professionals. Additionally, NYCT established two pilot programs that trained 46 customers from 1995 to 1999 and which demonstrated that with appropriate training, some paratransit customers would shift from paratransit to fixed-route transportation. Staff noted that based on information obtained from travel training programs offered at other agencies, a greater than \$2 return (in the form of paratransit cost avoidance) could be anticipated for every dollar spent on training.⁸⁸

NYCT's Travel Training program is under the auspices of the Department of Buses' paratransit program, Access-A-Ride. Registrants of Access-A-Ride are offered the opportunity to participate in travel training as a way to encourage the use of the various fixed route services when they apply to the Access-A-Ride program. Depending on the individual's needs and goals established jointly by

⁸⁵ NYMTC *Connecting Communities through Coordination* project description, July, 2008.

⁸⁶ *Transition Summary, Travel Training for Youth With Disabilities*, National Dissemination Center for Children With Disabilities, 1996.

⁸⁷ *MTA Guide to Accessible Services*, p.15.

⁸⁸ Email correspondence with NYCT Department of Buses – Chief Information Officer, Paratransit Division, September 5, 2000.

the trainee and trainer, travel training can be completed in no less than one week and no more than four months.⁸⁹

As a trainee learns to travel independently on one round-trip route in NYC's five boroughs, they must master the following skills:

- Traveling safely at all times
- Planning a trip (use of schedules, signs, telephone, information services and landmarks)
- Remembering and following directions
- Requesting information/help from appropriate sources if lost
- Identifying the correct bus stop, bus, subway station, or subway at the point of origin, transfer and destination
- Coping with service disruptions, delays and emergencies
- Correctly using mobility aids (such as wheelchairs and scooters) on accessible transportation vehicles⁹⁰

Upon completion of their individualized travel training program, the trainee receives a letter which identifies the exact route on which they are able to travel safely and competently.

From 1999 through 2005, NYCT contracted with The Kennedy Center rehabilitation agency (now of Trumbull, Connecticut) to conduct travel training. According to NYCT, 216 Access-A-Ride registrants completed travel training with the Kennedy Center, taking an estimated combined total of 25,000 trips during the first year following their training.⁹¹

In September 2006, NYCT contracted with Independence Care System (ICS) to continue the travel training program. ICS is a Medicaid-managed individualized long-term care program for adults with disabilities. The contract also authorizes a re-training component to ensure that customers experiencing post-training difficulties, such as change in location of home or destination, change in nature of disability, or trouble maintaining competence in a particular skill, could undergo further training. The ICS contract authorizes up to two re-trainings for any customer; these re-trainings could be on different routes if necessary. As of June

⁸⁹ *MTA Guide To Accessible Transit*, 2004, p.15.

⁹⁰ *MTA Guide To Accessible Transit*, 2004, p.15.

⁹¹ Email Correspondence with MTA/NYCT, Information Officer – Paratransit Division, Department of Buses, August, 2008.

30, 2008, 24 customers had completed travel training under the ICS contract. In total, 240 customers have been trained through NYCT's program.⁹²

According to NYCT staff, the Eligibility Determination Unit (EDU) seldom refers customers to the Travel Training program. While the EDU can recommend a customer for travel training, only an assessment by the Travel Training agency can indicate whether he/she is suitable for such training and it must be understood that there is no ADA provision through which a paratransit customer can be compelled to enroll in travel training.⁹³ It is understandable that there may be times when an enrollee needs to use Access-A-Ride, such as when their wheelchair/scooter is out of service or a location is reasonably inaccessible, but travel training should be the first consideration when determining a person's eligibility.

According to NYCT staff, over the years they have done outreach efforts to contact customers individually about travel training. However, the process was very labor-intensive and did not yield many suitable candidates for training. Based on the past several years of experience, recruiting efforts have been much more effective when candidates were referred by professionals and advocates in the disability community. Staff noted that the outreach group of the paratransit program conducts travel training workshops every one to two years for professionals and advocates. The group has introduced and promoted the benefits of independent fixed-route travel by customers with disabilities and has explained the basics of independent travel and highlighted travel training "success stories".⁹⁴ (See Appendix D.)

The NYC Board of Education⁹⁵ Travel Training program was implemented for the 1970–71 school year. According to Margaret Groce, Supervisor, the program grew out of the Board's Occupational Training Center (OTC) established in 1960 "to teach employment and social skills to students with moderate to severe developmental disabilities". Over the years, students with moderate to severe learning disabilities, deafness, multiple impairments, and emotional disabilities have also benefited from the travel training program.⁹⁶ By the end of 2008, the program will have travel trained over 11,000 students, about 300 students a year.⁹⁷ It should be noted that cognitive and developmental disabilities are covered under the ADA, but there are no specified guidelines/access requirements as there are for sensory and physical disabilities, e.g. elevators, Braille, detectable warning strips, entry gates, etc.

⁹² Email correspondence with NYCT, August, 2008.

⁹³ Email Correspondence with NYCT, September 5, 2008.

⁹⁴ Email correspondence with NYCT, August, 2008.

⁹⁵ The Board of Education became the Department of Education when NYC Mayor Michael Bloomberg took full control of the Board of Education.

⁹⁶ *Transition Summary, Travel Training Youth with Disabilities*, 1996, p. 14.

⁹⁷ Meeting with Margaret Groce, Supervisor, NYCDOE Travel Training program, April 8, 2008.

Most students enter the DOE Travel Training program between the ages of 15 and 21 and very often the travel training component is included in the student's Individualized Education Plan (IEP). The Travel Training program is administered by District 75, the citywide "special" school district providing special education services to students with severe disabilities.⁹⁸

Students identified as possible candidates for travel training undergo an assessment via personal interview to determine their functionality and behavior. In order to be accepted to the program, the student must have received approval from their family that the student will be allowed to travel independently. Students must have the ability to make decisions on their own and they must possess three basic skills:

- An awareness of personal space, meaning a clear understanding of where their personal space ends and that of others begins
- An awareness of their environment
- An ability to recognize and respond to danger⁹⁹

The travel training program typically takes three weeks to complete. Once a student has finished the program, they receive a special ID card that states their specific disability. The program combines classroom training along with extensive hands-on training, and the trainers are equipped to deal with students' various needs.

According to Ms. Groce, Supervisor of the Travel Training program, trainers work closely with New York City Transit staff at various bus depots (to familiarize the student with bus) and with staff from the Paratransit Division. However, it must be noted that the trainers have identified a number of issues that affect travel not only for these students, but for all travelers on NYCT subways and buses:

- The NYCT Customer Service Agent program does not work well for persons with cognitive disabilities as it is too difficult for them to move throughout a station to locate an agent if they are in need of assistance
- NYCT needs to have a list of schools with disabled students in order to contact the schools about major service changes that would affect routine travel patterns
- There is a lack of consistency in signage throughout the subway system

⁹⁸ *Transition Summary*, 1996, p. 14.

⁹⁹ *Transition Summary*, 1996, p. 15.

- The language in signs needs to be clearer; for example, a sign should read “Straight Ahead” instead of displaying an arrow because it can be misleading
- The absence of tactile warning strips endangers cognitively disabled as well as visually impaired riders
- Bus stop maps need to be larger
- Excessive noise in the subway system is a huge issue for cognitively disabled riders¹⁰⁰

On a related note, Ms. Groce made special mention of the heroic efforts put forth by NYCT workers on September 11, 2001 who worked tirelessly to get disabled students throughout the city to their destinations.

Conclusions

There is no question that the ADA has transformed the face of the MTA transportation network in terms of making it accessible to people with disabilities, but at the same time the MTA must continue its efforts to make the network more accessible and user friendly for all its customers. The initiatives, amenities, and services that have been developed and implemented in response to the ADA are beneficial, not only to disabled persons, but to all who travel the subways, buses, and commuter railroads operated by the MTA. The impact of these changes should not be underestimated.

Building an accessible bus network was a major advance in the accessibility of the system. Although the key station concept that underlies planning for accessibility in the subway and commuter rail systems does not assure accessibility throughout the MTA region, these systems have made great strides under the key station concept. NYCT is ahead of its schedule for providing 100 key stations throughout the subway system by 2020, and while future funding is not guaranteed, the goal of creating the key station network appears within reach. On LIRR and MNR, the key station networks have been created, and there is continuing progress in increasing the accessibility of the remaining stations.

Despite the advances that have been made to date, ensuring accessibility throughout the system is a long, costly, and continuing process. This process will require replacement or retrofitting of existing equipment and facilities before some elements of the system can be made accessible. In addition, the process is not finished once an accessibility improvement has been made; maintenance and normal replacement of equipment is critical in keeping the system

¹⁰⁰ Meeting with M. Groce, April 8, 2008.

accessible. For example, some elevators that have been installed to provide accessibility are currently near the end of their lifespan. These amenities will have to be replaced or rebuilt on a regular basis if accessibility is to be maintained.

In light of these findings, we are making the following recommendations to promote the continued improvement of accessibility for MTA riders.¹⁰¹

Recommendations

If persons with disabilities are to use the MTA services, it is imperative that they have confidence that the system will provide efficient, safe, and convenient transportation. The PCAC found that the greatest obstacles to establishing this confidence are a widespread fear of unreliable elevators and escalators and an inability to locate resources that inform users with disabilities of what they can expect to encounter in the system. This deficiency in information resources applies both prior to and during a trip. On buses, the unreliability of stop announcements is also a major problem for riders. Regrettably, these issues are compounded by the pervasive lack of consideration by the general public for the needs of individuals traveling with disabilities. The following recommendations address these concerns and suggest additional measures to improve the rider experience.

MTA Headquarters

- Add “Elevator/Escalator Outages” as a separate tab on the top of the MTA website homepage along with “Schedules”, “Maps” and “Service Advisories”. Elevator/escalator information must be front and center, easy to access, and include those elevators/escalators maintained by other parties than MTA/NYCT. Further, this outage information should be linked throughout the website: accessibility information pages, station pages, etc.
- Create a single webpage of elevator and escalator disruptions across the entire system — subway, commuter rail, bus, ferry — in a simple grid format. This presentation is used very effectively on the Massachusetts Bay Transportation Authority’s (MBTA) website.
- Create website pages for all NYCT subway stations (similar to those for LIRR and MNR stations) with development priority given to all ADA accessible stations. Any information related to accessibility at a specific station should

¹⁰¹ Many of these recommendations also have been made by other investigations. See: A Report by the New York State Office of the State Comptroller, *Metropolitan Transportation Authority — New York City Transit: Rapid Transit Services for Persons with Disabilities*, 2001-S-69; Manhattan Borough President Scott M. Stringer, *The State of Repairs: An Examination of Elevator and Escalator Maintenance and Repairs in New York City’s Subway System*, August 2006; and, The Council of the City of New York, *On the Right Track: A Roadmap to Improving Transportation for New York City’s Disabled Population*, 2008.

be included on that page, including the location of elevators and escalators within the station.

- Designate ADA and non-ADA elevators on the website elevator/escalator status report, as well as on the Elevator/Escalator Hotline. Currently, the information does not distinguish between elevators in ADA compliant stations and those which are not. The phone message and webpage lead many to believe that those elevators listed go to subway platforms. In the case of the 181st Street station on the A line, the elevator goes from the street level at Overlook Terrace (the lower mezzanine) to Ft Washington Ave. (the street). Similarly, information provided about the 1 line elevator at 168th Street leads people to believe that there is an elevator to the platform rather than only to the mezzanine.
- Provide adequate staff for the MTA Website Department. The MTA must substantially increase its website department. The website is a critical communication tool and information needs to be clear, timely and intuitive to reach on the site. Currently, there is a staff of two people assigned to maintain the website for the largest transportation agency in the country. PCAC has repeatedly asked the MTA to redesign its website to better coordinate the huge amount of information that must be easily accessible.
- Incorporate elevator and escalator information in the forthcoming MTA service diversion alert system. This service could be similar to WMATA's Electronic Elevator Notification (ELLEN) system, where an online form allows a customer to create a list of notification preferences, including elevator status and route disruptions.
- Develop an accessibility courtesy campaign for the entire MTA system. People with disabilities, especially wheelchair users, are frequently disrespected by the riding public (failure to allow them priority access to elevators and AutoGate exits; failure to give them maneuvering space on subway cars and platforms; failure to give up priority seating on buses; and, lack of patience during lift usage and tie downs on buses, etc.). To be truly effective, accessibility amenities and protocol have to be valued by all passengers; otherwise, the riding experience for persons with disabilities can be less than satisfactory and may ultimately discourage them from taking advantage of public transportation. Passengers need to be reminded that they share the subways, buses and trains with thousands of other riders and should be courteous and considerate to all travelers, including people with disabilities.

All Operating Agencies

- Develop large print/Braille route maps for LIRR and MNR and revise the current NYCT large print/Braille route map.
- Install tactile warning strips along the edge of all LIRR, MNR, and NYCT station platforms.
- Investigate feasibility of installing hearing induction throughout the MTA network.
- Install wayfinding tactile strips in newly constructed or significantly renovated stations that lead visually impaired customers to Braille signs, ticket booths and other important locations.

Long Island Rail Road and Metro-North Railroad

- Formalize outreach to the disabled community in service areas through the creation of an ADA Taskforce or Advisory Committee. These groups should feature representation from all areas of disability: sight, mobility, hearing, etc.; should be involved in reviewing accessibility training procedures, literature, outreach programs and design features; and, should meet periodically on a regular basis.

New York City Transit — Subways

- Post floor plans in all key stations with the location of the elevators at that station. They should be placed at the entrance to the station near other maps or passenger information centers and on platforms.
- Paint yellow strips completely across all top and bottom stairs at all stations.
- Revise the Rules of Conduct to create noise regulations that are sensitive to context. Rather than a blanket regulation based on decibel level, noise regulation should reflect the disruption that musicians create during peak rush hours for customers trying to maneuver through crowds and/or hear announcements.
- Ensure that vertical gaps between trains and platforms meet the 3 inch ADA standard at all points on the platform in all stations.
- Make gap awareness announcements on board subway trains. As a general safety feature, passengers need to be reminded to watch their step as they leave the train.
- Place the "Watch the Gap" decal on subway doors.

- Move the Compliance Coordinating Committee (CCC) to the Department of Government and Community Affairs and find ways to reach a wider audience. Since the CCC involves the public and since Government and Community Affairs already handles the Senior Citizens Advisory Committee which has similar issues, PCAC feels that Government and Community Affairs should be responsible for both and CCC meetings should meet monthly. Because many people in this audience have mobility problems, NYCT should find ways to reach more of the disabled community, i.e., by webcasting, posting summaries of proceedings on the MTA website, etc.
- Undertake an educational campaign to the disabled about the availability of AutoGate reduced fare cards.

New York City Transit — Buses

- Increase audits of bus announcements to improve operator compliance in making required announcements. Improve incentives for consistent compliance and sanctions for failure to make announcements as required.
- Accelerate implementation of technologies that provide automated audible and visible stop announcements to reduce the impact of operators failing to make announcements. All new buses should have this feature.
- Check the working condition of the bus public address equipment and lifts daily. Current inspections are too infrequent. Procedures must ensure that operators report faulty public address systems and lifts promptly.

New York City Transit — General

- Combine the Accessibility Travel Hotline number into the NYCT Travel Information telephone number and extend the hours of operations to 24/7. If the system is to be equally accessible, there is no reason why there is a special number for accessibility information; however, accessibility questions could be an option on the NYCT Travel Information number.
- Provide ADA training, including emergency evacuation training, to all personnel who have any contact with the riding public (dispatchers, platform conductors, checkpoint supervisors, etc.).
- Undertake an educational campaign about the MTA/New York City Transit Travel Training program.

New York City Police Department — Traffic Bureau

- Increase enforcement of traffic law violations involving bus lanes and bus stops. Illegal parking in bus lanes and at bus stops severely limits disabled riders' ability to safely board buses.

New York City Department of Transportation

- Coordinate more closely with New York City Transit on the bus shelter and bus stop program. It is imperative that NYCDOT and NYCT work cooperatively on shelter site selection and bus stop stanchions, shelter construction and design, and placement of bus route and customer information displays.

New York State

- Provide funding resources to the MTA for improvement in accessibility, particularly for elevator and escalator maintenance and rehabilitation.

Federal Transit Administration (FTA)

- Set standards for and incorporate the measurement of elevator outage time and occurrence into ADA audits. Currently, ADA audits do not consider elevator outage when assessing compliance. However, the actual accessibility at stations is greatly diminished when there is a high rate of elevators out of service.
- Refine requirements for the placement of Braille/Raised Print signage in transit facilities. This signage should occupy a location that is easiest to find and more predictable than the variety of locations where such signage is presently placed based on "decision points".

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Appendix A

United We Ride Action Plan 2007 – 2010
CCAM Council Members
Executive Order 13330

United We Ride Action Plan

United We Ride Action Plan 2007-2010 Implementing the Executive Order on Human Service Transportation

Goal 1: More Rides for target populations for the same or fewer assets.

1. Track the implementation of the 'Coordination Planning Policy' and 'Vehicle Sharing Policy' adopted by the CCAM.
2. Develop, adopt, and implement cost sharing principles.
3. Assist communities with full education and inclusion from all stakeholders during the development and implementation of local and state coordination transportation plans.
4. Analyze Federal impediments to transportation coordination.

Goal 2: Simplify access.

1. Implement Phase I and Phase II of the United We Ride/Mobility Service for All (MSAA) Demonstration Grant Program.
2. Develop and disseminate information on how to use Intelligent Transportation Systems (ITS) for enhancing simplified points of access.
3. Provide technical assistance and training for communities.
4. Collaborate with Federal partners on addressing specific transportation needs emergency preparedness planning, response, and recovery.

Goal 3: Increase customer satisfaction

1. Develop and disseminate customer focused information, tools and fact sheets.
2. Share mechanisms and strategies regarding customer satisfaction.
3. Conduct a National Leadership Award.

CCAM Members

Federal Interagency Coordinating Council on Access and Mobility Members

Secretary Mary Peters

Chairperson

Department of Transportation

Secretary Michael O. Leavitt

Department of Health and Human Services

Secretary Elaine Chao

Department of Labor

Secretary Margaret Spellings

Department of Education

Secretary Dirk Kempthorne

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Attorney General Alberto Gonzales

Department of Justice

Secretary Alphonso R. Jackson

Department of Housing and Urban Development

Secretary Mike Johanns

Department of Agriculture

Commissioner Jo Anne Barnhart

Social Security Administration

Chairperson John R. Vaughn

National Council on Disability



Executive Order: Human Service Transportation Coordination

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enhance access to transportation to improve mobility, employment opportunities, and access to community services for persons who are transportation-disadvantaged, it is hereby ordered as follows:

Section 1. This order is issued consistent with the following findings and principles:

(a) A strong America depends on citizens who are productive and who actively participate in the life of their communities.

(b) Transportation plays a critical role in providing access to employment, medical and health care, education, and other community services and amenities. The importance of this role is underscored by the variety of transportation programs that have been created in conjunction with health and human service programs, and by the significant Federal investment in accessible public transportation systems throughout the Nation.

(c) These transportation resources, however, are often difficult for citizens to understand and access, and are more costly than necessary due to inconsistent and unnecessary Federal and State program rules and restrictions.

(d) A broad range of Federal program funding allows for the purchase or provision of transportation services and resources for persons who are transportation-disadvantaged. Yet, in too many communities, these services and resources are fragmented, unused, or altogether unavailable.

(e) Federally assisted community transportation services should be seamless, comprehensive, and accessible to those who rely on them for their lives and livelihoods. For persons with mobility limitations related to advanced age, persons with disabilities, and persons struggling for self-sufficiency, transportation within and between our communities should be as available and affordable as possible.

(f) The development, implementation, and maintenance of responsive, comprehensive, coordinated community transportation systems is essential for persons with disabilities, persons with low incomes, and older adults who rely on such transportation to fully participate in their communities.

Sec. 2. Definitions.

(a) As used in this order, the term "agency" means an executive department or agency of the Federal Government.

(b) For the purposes of this order, persons who are transportation-disadvantaged are persons who qualify for Federally conducted or Federally assisted transportation-related programs or services due to disability, income, or advanced age.

Sec. 3. Establishment of the Interagency Transportation Coordinating Council on Access and Mobility.

(a) There is hereby established, within the Department of Transportation for administrative purposes, the "Interagency Transportation Coordinating Council on Access and Mobility" ("Interagency Transportation Coordinating Council" or "Council"). The membership of the Interagency Transportation Coordinating Council shall consist of:

(i) the Secretaries of Transportation, Health and Human Services, Education, Labor, Veterans Affairs, Agriculture, Housing and Urban Development, and the Interior, the Attorney General, and the Commissioner of Social Security; and

(ii) such other Federal officials as the Chairperson of the Council may designate.

(b) The Secretary of Transportation, or the Secretary's designee, shall serve as the Chairperson of the Council. The Chairperson shall convene and preside at meetings of the Council, determine its agenda, direct its work, and, as appropriate to particular subject matters, establish and direct subgroups of the Council, which shall consist exclusively of the Council's members.

(c) A member of the Council may designate any person who is part of the member's agency and who is an officer appointed by the President or a full-time employee serving in a position with pay equal to or greater than the minimum rate payable for GS-15 of the General Schedule to perform functions of the Council or its subgroups on the member's behalf.

Sec 4. Functions of the Interagency Transportation Coordinating Council. The Interagency Transportation Coordinating Council shall:

(a) promote interagency cooperation and the establishment of appropriate mechanisms to minimize duplication and overlap of Federal programs and services so that transportation-disadvantaged persons have access to more transportation services;

(b) facilitate access to the most appropriate, cost-effective transportation services within existing resources;

(c) encourage enhanced customer access to the variety of transportation and resources available;

(d) formulate and implement administrative, policy, and procedural mechanisms that enhance transportation services at all levels; and

(e) develop and implement a method for monitoring progress on achieving the goals of this order.

Sec. 5. Report. In performing its functions, the Interagency Transportation Coordinating Council shall present to me a report not later than 1 calendar year from the date of this order. The report shall:

(a) Identify those Federal, State, Tribal and local laws, regulations, procedures, and actions that have proven to be most useful and appropriate in coordinating transportation services for the targeted populations;

(b) Identify substantive and procedural requirements of transportation-related Federal laws and regulations that are duplicative or restrict the laws' and regulations' most efficient operation;

(c) Describe the results achieved, on an agency and program basis, in:

(i) simplifying access to transportation services for persons with disabilities, persons with low income, and older adults;

(ii) providing the most appropriate, cost-effective transportation services within existing resources; and

(iii) reducing duplication to make funds available for more services to more such persons;

(d) Provide recommendations to simplify and coordinate applicable substantive, procedural, and administrative requirements; and

(e) Provide any other recommendations that would, in the judgment of the Council, advance the principles set forth in section 1 of this order.

Sec. 6. General.

(a) Agencies shall assist the Interagency Transportation Coordinating Council and provide information to the Council consistent with applicable law as may be necessary to carry out its functions. To the extent permitted by law, and as permitted by available agency resources, the Department of Transportation shall provide funding and administrative support for the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(c) This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

GEORGE W. BUSH
THE WHITE HOUSE,
February 24, 2004.

Appendix B

Status Report on the Use of Wheelchairs And WC-19 Wheelchair Standards

Status Report on the Use of Wheelchairs and Other Mobility Devices on Public and Private Transportation

Issue area

Transit Vehicle and Equipment Design

Issues

Space and maneuvering on board vehicles—constrained spaces

Lift and ramp boarding—steep angles and reliability

Recommendations

For manufacturers and mobility related industries:

- Develop industry standards or guidelines for wheelchair space layouts, aisle clearances, placement of securement equipment, etc.; to be used by both vehicle purchasers and manufacturers/designers
- Increase development and “real-world” (in transit service environment) demonstration of new technologies

For transit providers:

- Encourage standardized wheelchair securement equipment by retrofitting older vehicles with updated equipment, and increase or improve maintenance programs for older wheelchair lifts
- Routinely involve advisory committee members and drivers in the selection of new and replacement vehicles

Issue area

Wheelchair Design, Purchasing, Usage and Prescription

Issues

Oversized wheelchairs—increasing number of chairs that don’t fit into minimum ADA vehicle standards

Non-wheelchair mobility aids— segways, strollers

Other items carried with mobility devices—oxygen, large backpacks

Recommendations

For wheelchair users:

- Learn about the dimensions established for wheelchair space aboard transit vehicles

For vendors and prescribers:

- Be cognizant of the dimensions established for wheelchair space aboard transit vehicles, clearly including this aspect in dealings with wheelchair users

For wheelchair manufacturers

- Develop guidelines for manufacturers to use in making information about “transit friendliness” of mobility devices accessible and available to prospective purchasers

(Cont.)

Status Report on the Use of Wheelchairs and Other Mobility Devices on Public and Private Transportation (Cont.)

Issue area

Transit Operations and Training

Issues

Securement issues— customer preferences, variety of devices, securement policies, ergonomics, time

Transit personnel proficiency and awareness—sensitivity, securement skills

Recommendations

For the industry:

- Development of a “template” type of document that can be used by transit systems to educate customers of accessibility features and more
- Development and dissemination of model training program elements
- Development of “best-practice” policies and guidelines for accommodating Segways and other non-traditional mobility devices
- Development of guidelines on how to implement wheelchair marking and tether strap program
- Dissemination of best practices or guidelines for monitoring transit system performance regarding mobility aid accommodations

Issue area

Regulation and Policy

Issues

Progress in making WC19-compliant wheelchairs available – limited outreach to users

Education and dissemination of available resources – limited and inconsistent

Recommendations

For the industry:

Additional research

- Examination of barriers to making WC19-compliant mobility devices available to transit users

Activities:

- Development of guidelines for transit providers on how/why to choose “mandatory” vs. “optional” rider choice policy for securement
- Increased coordination of various regulations that affect mobility device accessibility and design

Source: Easter Seals Project ACTION. *Status Report on the Use of Wheelchairs and Other Mobility Devices on Public and Private Transportation*. (Washington, DC: May, 2008). Electronic format: www.projectaction.org

WC-19: A Voluntary Standard For Wheelchairs Used as Seats in Motor Vehicles

- ANSI/RESNA WC-19 is a voluntary industry standard for mobility aid manufacturers that addresses wheelchairs used as seating in a motor vehicle, such as a bus or van, including wheelchair securement attachment points. It was approved and issued in April 2000.
- Wheelchair manufacturers are slowly incorporating WC-19 in their product lines. As of March 2006, the Rehabilitation Engineering Research Center (RERC) at the University of Pittsburgh lists 84 mobility aids as WC-19 compliant.
- The best source for information on WC-19:

<http://www.rercwts.pitt.edu/WC19.html>

WC-19 Information

Because there are no Federal Motor Vehicle Safety Standards for wheelchairs used as seating in a motor vehicle, the Subcommittee on Wheelchairs and Transportation (SOWHAT), under the auspices of ANSI*/RESNA* and ISO*, developed a voluntary industry standard. That industry standard is commonly known as "WC/19"*. WC/19 addresses issues of wheelchair design and performance related to its use as seating in a motor vehicle, such as a bus or van. WC/19's purpose is to improve the safety and security of wheelchair-seated occupants of motor vehicles during normal transportation, but especially in the event of a vehicle crash. Therefore, WC/19-compliant wheelchairs, or "transit" wheelchairs, are equipped with an array of features, such as anchor points for securing the wheelchair to the frame of the bus or van and an attachment point for occupant restraints to protect the safety of the wheelchair occupant. Labeling and documentation are also an important part of the WC/19 standard.

* Glossary of Abbreviations

SOWHAT -- Subcommittee on Wheelchairs and Transportation □

ANSI -- American National Standards Institute □

RESNA -- Rehabilitation Engineering and Assistive Technology Society of North □ America □

ISO -- International Standardization Organization □

WC/19 -- Section 19 of ANSI/RESNA WC/Volume 1: Wheelchairs for Use in Motor Vehicles

From: http://www.convaid.com/aa_wc19info.shtml (undated)

The Importance of Purchasing an ANSI/RESNA WC-19 Transit Wheelchair

Gina Bertocci, PhD, PE □ Associate Professor and Endowed Chair of Biomechanics □ University of Louisville □ Dept. of Mechanical Engineering

Many wheelchair users prefer to remain in their wheelchairs during motor vehicle travel rather than transferring to the vehicle's factory standard seats. Until recently, however, wheelchairs were not designed to function as motor vehicle seats, and remaining in a wheelchair during motor vehicle travel was not the safest travel option for wheelchair users.

In 2000, in response to consumer demand, the American National Standards Institute & the Rehabilitation Engineering and Assistive Technology Society of North America (ANSI/RESNA) adopted a voluntary industry standard focused on improving the crashworthiness of wheelchairs used as motor vehicle seats. This standard, *ANSI/RESNA WC-19 – Wheelchairs Used as Seats in Motor Vehicles*, requires wheelchairs to meet key design requirements and be subjected to rigorous testing to evaluate their safety as transport seating.

Factory standard motor vehicle seats are designed with inherent safety mechanisms, such as the three-point or four-point seat belt system. WC-19 wheelchairs must also be equipped with four accessible points of securement. This securing method must also be easily repeatable so it is relatively quick and easy to secure the wheelchair in the vehicle by the wheelchair user or their caregiver.

The WC-19 standard also requires specific crashworthiness testing. Wheelchairs must undergo 20 g/30 mph frontal impact testing to measure their crashworthiness. This dynamic test is integral to ensuring safe performance under crash conditions.

At present, approximately forty-six different models of wheelchairs complying with WC-19 are available. WC-19 has substantially advanced the safety of wheelchair users preferring vehicular travel in their wheelchairs. Increasing consumer demand will further encourage manufacturers to bring

additional WC-19 transit wheelchairs to the market, providing consumers with a wider choice of products.

From: <http://wheellife.catea.org/features.php> (undated)

Appendix C

Subway Field Trip

Trip through the NYCT Subways in a Wheelchair

NYCTRC member Edith Prentiss, who uses an electric wheelchair, led PCAC staff members Karyl Berger, Ellyn Shannon and Jan Wells on a tour of selected subway stations on May 7, 2008, to highlight the challenges in using the system.

Penn Station — NYCT (1/2/3 lines)

- Southbound 1 line platform — Poor ADA wayfinding signage, elevator sign is mounted on the wall not over path of travel.



- Elevator signage should be clearer: It should say “Elevator to Penn Station and Mezzanine” instead of “Elevator to Mezzanine”.

- Signage posted on the elevator should have better contrast, such as white letters on black background.



- There are no platform markings for safe boarding for wheelchair users.
- Turnstile exit had good signage: “Elevator to Street”.
- Signage that details service changes that affect the elevators should be mounted in or next to the elevators. (For example, when the 1 is running on the express track and the 2/3 lines are running on the local track, it is important that the information is right at the elevator so a wheelchair user does not go to the wrong platform.)
- The elevators are dimly lit, making it hard to see the button labels.

Penn Station — LIRR

- At the elevator on 34th Street the sign indicates only that the elevator goes to LIRR and does not mention that there is access to the 1, 2 and 3 lines.
- There should be a kiosk on the 34th Street sidewalk with a plan of Penn Station identifying the locations of elevators and escalators.

- The “talking kiosk” within Penn Station chirps but does not indicate how it is to be used. The keyboard seems to be active, but it’s not clear what number to dial to get assistance. According to Ms. Prentiss, pushing “0” repeatedly activates the machine. According to MTA staff a new system is slated to be installed.



72nd Street station (1/2/3 lines)



- There needs to be information at other stations up and down these lines indicating that if you are going to the 72nd Street station, you need to be in a certain car; otherwise a wheelchair rider might find that a staircase blocks getting off the train.

- On selected stations throughout the subway system, portions of platforms have been raised in an attempt to reduce the vertical gap, but if the train does not line up with the raised sections, the gap remains.



- On the southbound 72nd Street platform, there is a new yellow tiled area marking the waiting zone for disabled riders.



- Signage is placed too high for someone in a wheelchair to read.



- Entrance doors to the station are heavy and do not have automatic openers. It is VERY difficult for a person in a wheelchair to open these doors.



- The AutoGate has wire mesh on it, making it difficult for the station booth attendant to see a person in a wheelchair who is trying to exit.
- The AutoGate location signage placement is inconsistent. If this is a first visit to the station for someone in a wheelchair, the AutoGate is difficult to find.
- There is tremendous frustration for a person in a wheelchair to exit the AutoGate during rush hour as commuters use it with impunity. Also the card machines should be distinctively marked so that customers with regular MetroCards don't try to exit the AutoGate by using their cards.

42nd Street station (1/2/3 lines)

- The 1/2/3 southbound platform has poor elevator wayfinding signage to the conductor location which is the safest place for wheelchairs to board.
- The 1/2/3 platform elevator buttons have no color contrast which makes them difficult to see.



- Frequently, drain plates on corridor floors are often dislodged creating hazardous conditions.

Times Square Station — (A/C/E lines)

- At the Port Authority end of the Times Square station there is no signage indicating the location of the ramps to the A, C, E platforms.
- There is no light over some signs (opposite the station booth in Port Authority concourse).



- There is one platform at 42nd Street that has yellow waiting area signage



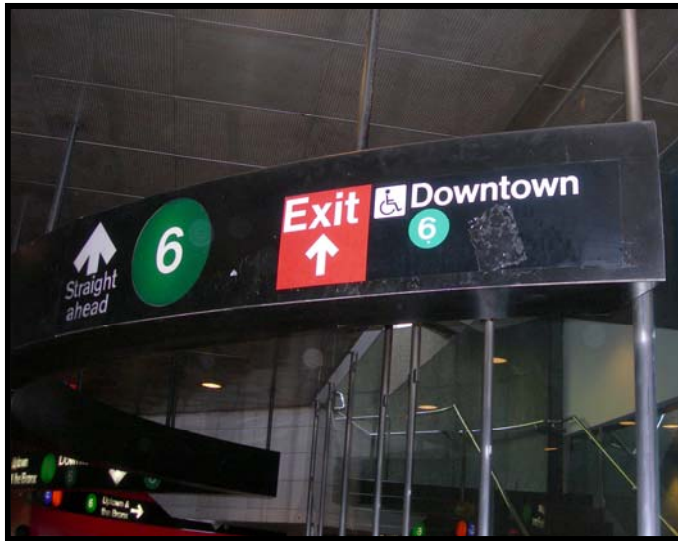
- Good signage — large font

51st St./Lexington Av. (6 line) and 53rd St./Lexington Av. (E,V lines)



- Large vertical gaps when older trains are running.

- The downtown elevator was not working, yet there was no signage indicating that the elevator was out of service, nor an alternate way to exit the station. This elevator is not included on the elevator hotline or the MTA webpage because it is maintained by the developer. Therefore riders who need or require using an elevator do not know it is in or out of service.



- The Uptown 6 signs don't indicate if the platforms are accessible. Although the downtown signage shows a wheelchair, further down the corridor a sign is found that says uptown and downtown accessible. This is confusing.

125th Street Station (6 line)

- Clear wayfinding signage to the elevators.
- Inside the elevator the buttons indicate “upper” and “lower” platform. They should indicate the direction of the train as well by indicating “downtown” or “uptown”.
- When the elevator is out of service, there is no alternative except to go on to the next station; and, there is no information posted on how to return.

Grand Central Terminal — 42nd Street (6/7 lines)

- The elevator should say where to go when the elevator is not working.
- The 7 line platform has a sign that says “Metro-North” but does not say “to street”.

Appendix D

Travel Training Success Stories

Travel Training Can Expand Your World



Michael Levy, director of Travel Training



Avril Dillon takes the bus to shop in downtown Brooklyn.

Avril Dillon describes herself as somebody who "won't let my disability hold me down." In 2003, though she was a little anxious, she enrolled in the MTA New York City Transit Travel Training Program.

Ms. Dillon worked one-on-one with Sean Bardoo of the Kennedy Center, the agency contracted by NYC Transit to provide travel training. Avril mastered the use of the bus lift, and learned to take a two-bus trip from her home to downtown Brooklyn's Fulton Mall, a popular shopping area. Buses come and go frequently, so she can decide at the last minute to stay longer and do an extra errand.



Michael Bini is another of the more than 150 AAR customers who graduated from NYC Transit's Travel Training Program. In 2002, he trained to travel by bus and subway to a weekly recreation program at Manhattan's 92nd Street Y, where he enjoys movies and sharing pizza with friends.

Mr. Bini learned to read maps and use landmarks along his route to insure that he makes the correct transfer from bus to subway and disembarks at the stop nearest his destination. He stays near the bus operator or in the conductor car in case he needs help during his trip. His mother, Kate Bini, commented that travel training has made him a

more independent adult.

Any customer who is eligible for AAR may apply for travel training. For more information, contact **Michael Levy** at 646-252-2760. A new convenient means of travel may be in your future.



Michael Bini uses the bus and subway to travel to his recreation program.

Appendix E

MBTA Electronic/Escalator Website Grid

Service Updates

MBTA Services are constantly updated through our operations center. Please check here regularly for up-to-the-minute updates on every transit service as well as elevators and escalators.

Click on any Transit mode below to read more about any active transit alert or advisory.

- [Subway/Bus](#)
- [Commuter Rail](#)
- [Elevators, Escalators, Lifts](#)
- [Boats](#)

Subway/Bus Service Updates

✓ All Lines/Routes (view route)	Normal	No advisories
! Blue Line (view route)	1 alert (details)	2 advisories
✓ Red Line (view route)	Normal	2 advisories
✓ Red Line - Mattapan Line (view route)	Normal	No advisories
✓ Orange Line (view route)	Normal	No advisories
✓ Green Line (view route)	Normal	No advisories
! Silver Line (view route)	1 alert (details)	No advisories
! Bus (view all routes)	1 alert (details)	8 advisories

Commuter Rail Service Updates

✓ All Lines/Routes	Normal	No advisories
✓ Fairmount (view route)	Normal	No advisories
✓ Fitchburg/South Acton (view route)	Normal	1 advisory
✓ Framingham/Worcester (view route)	Normal	No advisories
✓ Franklin/Forge Park (view route)	Normal	No advisories
✓ Greenbush (view route)	Normal	No advisories
✓ Haverhill (view route)	Normal	No advisories
✓ Lowell (view route)	Normal	No advisories
✓ Middleborough/Lakeville (view route)	Normal	No advisories
✓ Needham (view route)	Normal	No advisories
✓ Newburyport/Rockport (view route)	Normal	No advisories
✓ Kingston/Plymouth (view route)	Normal	No advisories
✓ Providence/Stoughton (view route)	Normal	No advisories

Elevator, Escalator, and Lift Service Updates

✓ Elevator	Normal	No advisories
! Escalator	1 alert (details)	No advisories
✓ Lift	Normal	No advisories

Appendix F

WMATA Electronic Elevator Notification System (ELLEN)

Registered
users please

login

Electronic Elevator Notification (ELLEN)

[Subscribe to elevator status notification](#)

Metro now offers a free e-mail subscription service to notify you of elevator service disruptions at the Metrorail stations of your choice. To receive such email notices, you will be asked to [complete an online form](#) indicating your notification preferences:

- which stations' elevators you wish to monitor;
- which days of the week and times of day you wish to monitor; and
- which device you prefer to use for receiving the message (computer, pager, cell phone, etc.).

In addition, you may also want to subscribe to [Metro's eAlert service](#) notifying you of Metrorail service disruptions on the rail lines and at the times you specify.

Depending on your Internet service provider or pager/cellular carrier, you may be charged a per message fee by your provider. This is NOT a Metro fee.

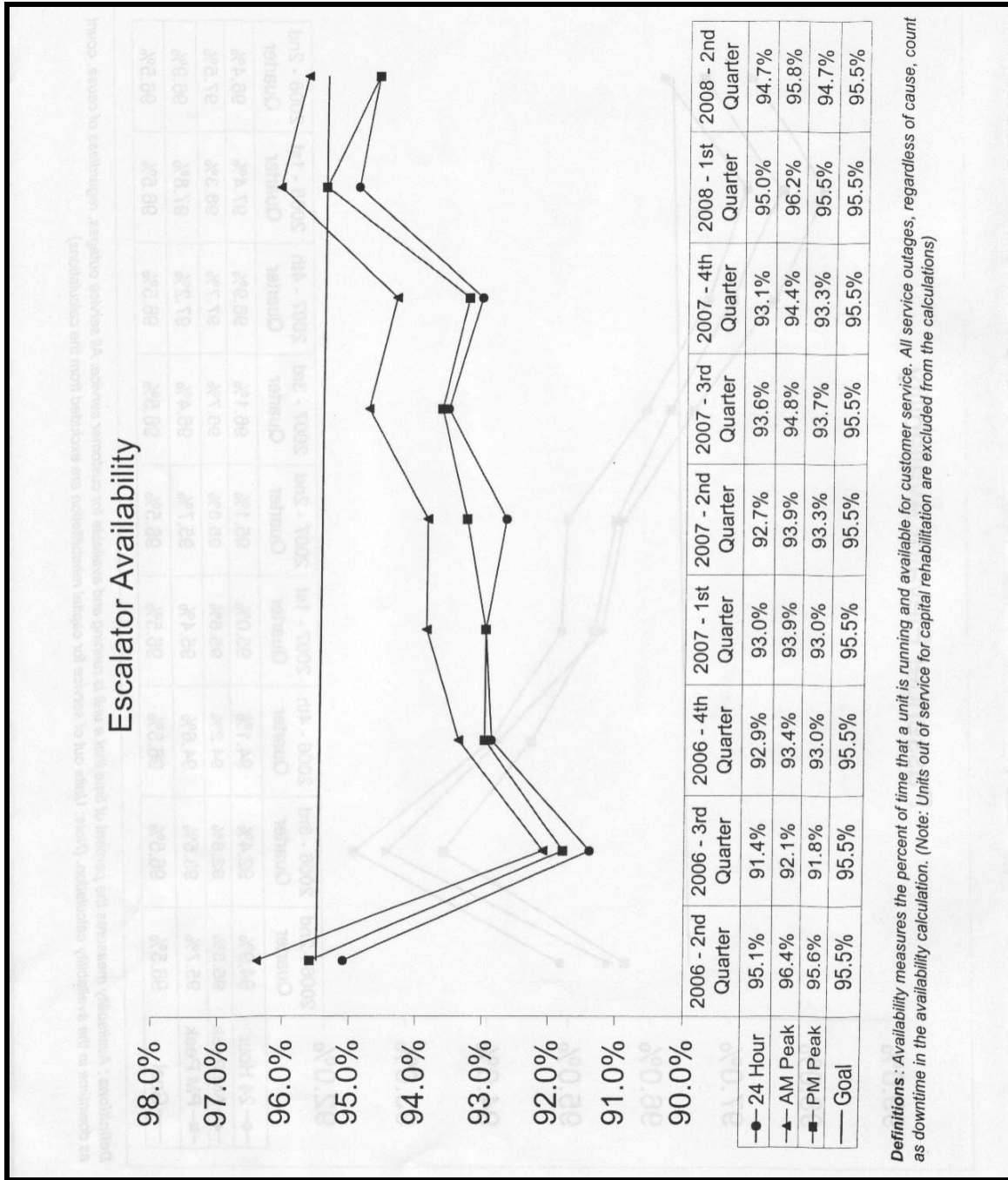
Notices can be sent to e-mail-capable desktop computers, cellular phones, pagers or personal digital assistants. See the [help page](#) for details.

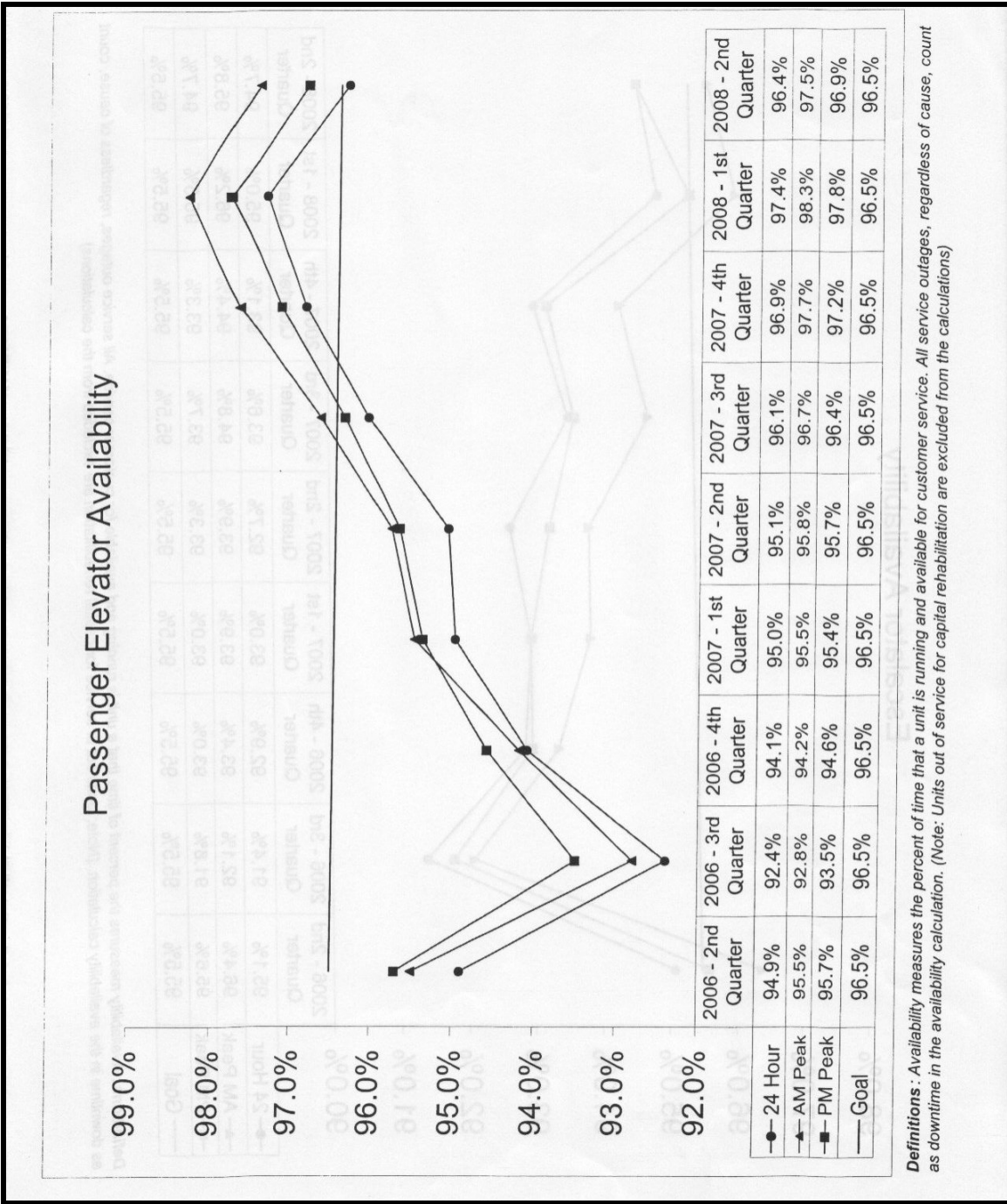
Please also read [ELLEN's disclaimer notice](#). Specifically, note that 1) Metro does not guarantee the accuracy of this information and 2) that receipt of ELLEN messages may cost customers' fees charged by their Internet service provider or pager/cellular phone carrier.

Please direct any comments, requests or suggestions concerning this project to ellen@wmata.com

Appendix G

NYCT Passenger Elevator and Escalator Availability Charts 2006 – 2008





Glossary of Terms

ACS—American Community Survey

ADA Act—Americans With Disabilities Act of 1991

A-A-R—Access-A-Ride (NYCT paratransit program)

ASI—Automatic Station Identification (LIRR M7 cars)

AVIS—Audio Visual Information Systems (MNR)

BART—Bay Area Rapid Transit (San Francisco)

BLE&T—Brotherhood of Locomotive Engineers and Trainmen (LIRR)

BMT—Brooklyn-Manhattan Transit Corporation

BRFSS—Behavioral Risk Factor Surveillance Syndrome

BTS—Bureau of Transportation Statistics (U./S. Census Bureau)

CAPI—Computer-Assisted Personal Interviewing (U.S. Census Bureau)

CATI—Computer-Assisted Telephone Interviewing (U.S. Census Bureau)

CCAM—Interagency Transportation Coordinating Committee on Access and Mobility (Federal Agency).

CCC--Compliance Coordinating Committee (NYCT)

CDC—Centers for Disease Control and Prevention

CDOT—Connecticut Department of Transportation

CMMS—Computerized Maintenance Monitoring System (Elevators/NYCT)

CPM—Capital Program Management (NYCT)

CPRB—Capital Program Review Board (NYS)

CPS—Current Population Survey (U. S. Census Bureau)

CSD—Customer Service Department (MNR)
CTO—Chief Transportation Officer (LIRR)
DIA—Disabled In Action of Metropolitan New York
DOJ—U.S. Department of Justice
DREDF—Disability Rights Educational and Defense fund
EDU—Eligibility Determination Unit (NYCT/A-A-R)
EPVA—Eastern Paralyzed Veterans Association
ELLEN—Electronic Elevator Notification (WMATA)
GCT—Grand Central Terminal
IND—Independent Subway Lines (NYCT)
IRT—Interboro Rapid Transit (NYCT)
LCD Signs—Liquid Crystal Display
LED Signs—Light Emitting Diodes
MTA—Metropolitan Transportation Authority
MTA/LIRR—Long Island Rail Road
MTA/MNR—Metro-North Railroad
MTA/NYCT—New York City Transit
MVM—MetroCard Vending Machine (NYCT)
NCD—National Council on Disability
NYCDOT—New York City Department of Transportation
NYS—New York State
PA/CIS—Public Address/Customer Information Screen (NYCT)
PTEP—Passenger Train Emergency Preparedness

SIPP—Survey of Income and Program Participation

TDD—Telecommunication Device for the Deaf

TIC—Travel Information Center (LIRR)

TVM—Ticket Vending Machine (LIRR/MNR)

USDOT—United States Department of Transportation

USDOT/FTA—United States Department of Transportation/Federal Transit Administration

UTU—United Transportation Union (LIRR)

WMATA—Washington Metropolitan Area Transit Authority

WC19—a wheelchair that has four crash-tested securement points where tie-down straps and hooks can be easily attached so the chair can be effectively secured to the vehicle.