



Memorandum

TO: Legislation Committee

DATE: July 6, 2018

FR: Executive Director

RE: SB 1376 (Hill): Transportation Network Companies: Accessibility – Support

Background

Senate Bill 1376 (Hill) would direct the California Public Utilities Commission (CPUC) to adopt regulations by January 1, 2020 requiring that transportation network company (TNC) services be fully accessible to persons with disabilities, including wheelchair users, and that TNCs unable to meet this accessibility standard be subject to a fee assessed by the CPUC. Fee revenues would be administered by CPUC on a competitive basis to fund on-demand accessible transportation programs or partnerships to serve persons with disabilities, including users who need a wheelchair accessible vehicle (WAV). Revenues would be required to be used in the counties in which the fees were generated. The bill would also require that CPUC conduct workshops and consult with stakeholders, including disability rights organizations, TNCs, local governments and transportation providers in developing the regulations.

TNCs have provided new mobility options for Californians with a range of disabilities, including persons who are deaf, blind, hard-of-hearing or low-vision individuals. However, according to Disability Rights California other persons with disabilities, especially those who rely on WAVs, have largely been excluded from the benefits of TNCs.

Existing state law and the Americans with Disabilities Act (ADA) provide that individuals with disabilities are entitled to full and equal access to transportation services, whether public, private or otherwise provided. CPUC verifies ADA compliance for most commission-regulated transportation services during the licensing process. However, accessibility requirements for TNCs – which are still a relatively new industry under CPUC’s jurisdiction – are unclear. Since 2013, disability access has been on a list of issues for CPUC to consider through their multi-phase proceeding on TNCs but it has not been addressed thus far. In the meantime, TNCs continue to provide transportation services in California in a manner that may be inaccessible for certain individuals with disabilities.

Recommendation: Support

Discussion

Over the last decade, TNCs have improved mobility for a wide range of Bay Area residents. However, it is widely recognized that TNCs today are largely inaccessible for individuals who require a WAV. SB 1376 would elevate this issue by setting a deadline for CPUC to adopt regulations requiring that TNC services be accessible to persons with disabilities, including

wheelchair users. We are encouraged by this sense of urgency, given reports from San Francisco and around the country of recent declines in wheelchair accessible ramp taxi services – an important mobility option for wheelchair users – as taxi companies struggle to compete with TNCs.

We also support the bill's balanced approach of directing the CPUC to give TNCs the option to either provide accessible service directly or pay a fee that would fund alternative on-demand wheelchair accessible services. Though it may be challenging to ensure that WAVs are accessible through a TNC platform (since TNC rides are provided by drivers using their own personal vehicles), the fee option would support accessible on-demand programs and partnerships, with the end result of equal access.

For the reasons listed above, staff recommends a support position on SB 1376.

Known Positions

Support

Association of Regional Center Agencies
Center for Independent Living
California Transit Association
City and County of San Francisco
Disability Rights California
Disability Rights Education & Defense Fund
Independent Living Center of Southern California
Independent Living Resource Center San Francisco
Marin Transit
Placer Independent Resources Services
San Francisco Municipal Transportation Agency
San Francisco Mayor's Office of Disability
San Francisco Paratransit Coordinating Council
San Mateo County Transit District
Senior and Disability Action
The Arc California
United Cerebral Palsy California Collaboration

Opposition

None on file



Steve Heminger

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