

**City of Toronto Disability Issues Committee
Transportation Subcommittee
Comments and Recommendations
on the Taxicab Industry Review**

October, 2012

The City of Toronto is undertaking a review of Toronto's taxicab industry. The review includes consultation on accessible taxicabs, particularly with concerns about the availability accessible taxis for on-demand taxi service at regular meter rates.

The City of Toronto Disability Issues Committee (DIC) struck four subcommittees on May 29, 2012 in order to provide an opportunity for more in-depth consideration of specific issues, namely: transportation, housing, and outreach.

At the October 23, 2012 meeting of the Transportation Subcommittee, the committee members considered its advice regarding accessible taxicab service. The members include Tracy Odell, Archie Allison, Janet Macmaster, and Yin Brown. This advice will be tabled for the December 3 meeting of the DIC for their consideration and endorsement.

Questions concerning this advice or requests for clarification should be directed to Tracy Odell by e-mail at my-universe@rogers.com or by telephone at 416-289-2244.

Information considered:

- Three of the subcommittee members attended a consultation hosted by the City of Toronto's Licensing and Standards Committee
- The September 2012 Preliminary Report of the Licensing and Standards Committee
- The April 2, 2012 Wheelchair Accessible Transit's proposal for "On Demand Metered Accessible Taxicab Service for the City of Toronto"
- Personal and general knowledge and experience

General principles guiding our advice:

- Regard for Human Rights
- Equitable Access to Service
- Universal Accessible Design
- Sustainability
- Healthy Competition

Regard for human rights is the notion that the rights of persons with disabilities must be respected and reflected in policies, programs and procedures whether they relate to services operated directly by the city, by a city's agent, or by entities that are licensed or otherwise permitted to operate or provide goods or services to people in Toronto.

Equitable access to service is the notion that people with disabilities have the right to receive the same level of service that non-disabled people enjoy from the City of Toronto and its licensed agents. This would include hours, fees, and quality standards of taxicabs. In order for persons with disabilities to have equitable access to service, taxicabs will need to be designed in such a way as to enable persons with disabilities to enter, ride in, and exit the taxicabs. Equitable access to service also requires that taxicab drivers treat their customers with disabilities with the same respect and regard as other customers are treated.

Universal accessible design is the notion that it is preferable to have one accessible design that works for people with disabilities and nondisabled people alike as the first design principle. It is our belief that by incorporating universal accessible design into the design of taxicabs, less work needs to be done to retrofit cabs after the fact. It is our understanding that universal accessible design is less expensive than retrofits after the fact.

Sustainability is the notion that our recommendations, while challenging, should be achievable and manageable over the long term. Sustainability may be achieved, for example by phasing in accessibility requirements over time and/or dispersing the cost associated with accessible services or products over the broadest possible base of support.

Healthy competition is the notion that the public is better served when there is not a monopoly on services geared exclusively for persons with disabilities. Without competition, people with disabilities have no choice about which companies to hire, and companies have no incentive to offer better service than their competitors.

Our recommendations which follow are grounded on these principles. In addition, our recommendations support Part II 8 (2) of the City of Toronto Act which provides for:

5. Economic, social and environmental well-being of the City.
6. Health, safety and well-being of persons.
8. Protection of persons and property, including consumer protection.

Recommendations regarding Accessible On-Demand Taxicab Service for the City of Toronto

1. **The City of Toronto should plan for 100% accessible taxicab service for the City of Toronto, phased in over time.** By 2015, a significant proportion of taxicabs should be accessible. By 2025, **all** taxicabs in the city of Toronto should be accessible. **Rationale:** the 2015 timeline coincides with Toronto's hosting of the Pan-American games and will demonstrate that Toronto is a modern, world-class city to the international community. It would also have a likely ripple effect in attracting ongoing tourism based on the accessibility of our city. The 2025 timeline coincides with the timeline for the overall goal of the accessibility for Ontarians with Disabilities Act to have in accessible province. The phase-in approach allows for affordability and sustainability over time, provides the city with flexibility about specific percentage targets to have for accessible taxicabs at the 2015 and 2025 junctures. By 2025, every taxicab currently on the road will be in need of replacement due to wear and tear – as these taxicabs are replaced, the City should require that they be replaced with accessible taxicabs.
2. **All brokerages AND individual drivers/owners of non-accessible taxicabs should pay a surcharge to the city to subsidize the retrofit or purchase of accessible taxicabs for taxicab drivers who opt into providing accessible taxicab service.** The City, at its discretion, may wish to offset this surcharge by providing a reduced licensing fee during the transition to a 100% universally accessible taxicab fleet. **Rationale:** We heard that drivers who invest in purchasing accessible taxicabs believe that they are at a financial disadvantage when other taxicab drivers do not make the same investment. By asking all taxicab drivers of non-accessible vehicles to pay a surcharge, the cost of retrofitting or subsidizing the additional cost of a taxicab with accessible features is spread across the broadest possible base of the industry – all taxicab drivers. It may also increase the incentive of drivers to invest in accessible taxicabs in order to avoid the year over year surcharge until the goal of 100% accessible taxicabs is reached. This approach provides flexibility to the city to determine the appropriate surcharges and reduction of fees that support the goal of 100% accessibility in a sustainable manner.
3. **Encourage ALL taxicab companies to offer accessible taxi service; do not house all accessible taxis with one broker.** **Rationale:** having only one broker for accessible taxi service reduces

competition and diminishes the attention paid to feedback from persons with disabilities about the quality of their service. Taxicab owners/drivers would have no incentive to improve since they know they will not lose any customers. They literally have a "captive audience".

4. **Do not require brokerages to "prioritize" taxis for customers with disabilities. Instead, the city should be as aggressive as possible in setting its targets for phasing in 100% accessible taxicabs. Rationale:** There will be backlash on persons with disabilities if taxicab drivers have to travel a distance to reach the customer with a disability. Over time, as more and more accessible taxicabs are phased in, the possibility of having an accessible taxicab available will increase.
5. **The TTC, in contracting taxicabs for Wheel-Trans service, should require that taxicab companies reserve a percentage of their fleet for accessible, on-demand taxi service.** In other words, brokerages with accessible taxicabs should not be permitted to use 100% of their fleet for wheel-trans service leaving no taxicabs available for the general public. **Rationale:** we heard concerns that the TTC was part of the problem leading to a lack of availability of accessible taxicabs because they were engaging all of the accessible taxicabs to provide Wheel-Trans service. We understand that the TTC intends to increase its reliance on accessible taxicabs in order to save costs for wheel-trans service. By requiring a "reserve" of accessible taxicabs, we anticipate that the TTC will not absorb every new accessible taxicab that comes into service, leaving some available for accessible, on-demand service.
6. **Develop a public awareness/education campaign informing the public that accessible taxicabs are for everyone, not just for persons with disabilities.** The campaign should also include information that the meter rates are the same whether an accessible taxi or conventional taxicab was being used. **Rationale:** we heard taxi drivers' concerns that the general public was not comfortable using accessible taxis, thinking they were only for people with disabilities or that they would be more expensive than a conventional taxicab.
7. **Collaborate with taxicab owners, drivers and brokerages to identify all the things they feel they can do to be more accessible and inclusive.** This would include ways they can provide more accessible customer service, demonstrate more respect and regard for customers with disabilities, educate and train their drivers, etc. **Rationale:** this approach will ensure better cooperation and buy-in from the taxicabs sector, as they would increase their understanding about the needs of persons with disabilities and some

of the simple, courteous things they can do to make the transactions more comfortable for everyone.

8. **Encourage the provision of more comprehensive training for taxicab drivers related to persons with disabilities.** This training should reinforce that accessibility supports a broad range of customers: those who use mobility devices such as wheelchairs and scooters, people who may be deaf or hard of hearing, people who may be blind or have low vision, seniors who do not consider themselves "disabled" but who, nonetheless, may have mobility, hearing and vision issues; people with developmental disabilities, autism, people with mental health disabilities. Organizations of persons with disabilities should be involved in planning and delivering this training. **Rationale:** we are aware that many people with disabilities have experienced rudeness or insensitivity from taxicab drivers. Whether these incidents are based on lack of experience or ignorance on the part of the taxicab driver, training would help to reduce the likelihood of poor interactions. Better customer service, in a competitive environment, would also give taxicab drivers a competitive edge.
9. **Create guidelines that support accessibility for people with vision disabilities.** For example, a requirement for a driver to produce a business card upon request so that someone with the vision impairment has information about who provided their service in the event they wish to provide feedback. **Rationale:** people with vision impairments may not be able to read posted information about the driver, their license number etc. Most blind people do not read braille. By having a dispatcher provide the driver's ID number when the order is placed and/or having a business card with the appropriate information, an individual has a means to follow up at a later time rather than negotiating with the driver on the spot to be provided with this information – an action which will be difficult, if not impossible, if the interaction was negative.
10. **Accessible taxicabs should not be allowed to charge more than the meter rate to anyone with a disability, including people who use mobility devices or who have service animals.** Reinforce the rule that the meter is not to be turned on until the individual is in the vehicle with all seatbelts and securement belts in place. The meter should be turned off upon arrival and prior to releasing seatbelts and securement belts to disembark the passenger. **Rationale:** This rule, while already in place, does not seem to be practiced consistently. To permit one group of individuals to be charged a higher rate than another, because they have a disability, is contrary to the Ontario Human Rights Code. The City must make every effort to discourage discriminatory practices and needs to be seen as a strong defender of human rights.

11. **Unlicensed accessible transportation providers who currently are permitted to charge "a flat rate" for transporting persons with disabilities should be brought into regulation consistent with fare structures that apply to taxicab owners and operators.** A flat rate should only apply if the passenger freely consents to it, even though there is the option to use the meter.
Rationale: as stated in the recommendation above, permitting one group of individuals to be charged a higher rate than another, because they have a disability, is contrary to the Ontario Human Rights Code. The City must make every effort to discourage discriminatory practices and needs to be seen as a strong defender of human rights.
12. **Phase out the "Ambassador" licenses and convert them to standard licenses to create accessible taxis.** **Rationale:** The September 2012 Preliminary Report of the Licensing and Standards Committee states that: "If the taxicab has an ambassador licence, it must be operated by the person who holds the ambassador licence. No other drivers are allowed to operate the vehicle and the vehicle cannot be on the road more than 12 hours a day." This would limit the availability of the accessible vehicle to 12 hours per day. The licensing should be changed so that the owner of the Taxicab can lease or otherwise make available his or her taxicab to another trained and licensed taxicab driver, thereby making the accessible vehicle available for more than 12 hours a day whenever possible. Phasing out ambassador licenses may also make it possible to convert ambassador licenses to standard licenses, with the requirement that any new standard licenses are granted for accessible vehicles, and will support the goal of having a greater proportion of taxicabs being accessible by 2015 and 100% of taxicabs being accessible by 2025.

The Transportation Subcommittee respectfully submits these 12 recommendations for accessible, on-demand taxicab service to the Disability Issues Committee for consideration and approval.

Tracy Odell, Chair
Transportation Subcommittee
Disability Issues Committee
December 3, 2012