

PUBLIC TRANSPORTATION AND ADA PARATRANSIT

Excerpts from the AARP Policy Book

Public transportation (buses, rail systems, paratransit, and other community-based transportation services) is an important resource for older people. More than 20 percent of people age 50 and older report using public transportation at least once a month. In the past decade public transportation in the US has witnessed a resurgence in ridership due to a combination of factors, including:

- local interest in creating and revitalizing transit station areas through good land-use policy and public and private investments;
- increasing traffic congestion in urban areas;
- increasing availability of service due to increased federal, state, and local investments;
- heightened concerns over global warming and air pollution; and
- rising gas prices.

In 2009 the American Public Transportation Association reported that 10.2 billion trips were taken on public transportation that year. A 2007 AARP-sponsored survey found that Americans are more supportive of public transportation investments than road building—a finding true among respondents of all ages. Moreover many low-income households do not own vehicles, despite the fact that there are more cars than licensed drivers in the US.

Despite steady use some public transportation systems present barriers to older people. Nearly one-third of people age 50 and older with physical limitations perceive as a large problem the failure of public transportation to go where they want to go. For those with physical limitations, getting to public transportation is a challenge. And as with many public transportation users, people age 50 and older often cite the limited frequency of available trips (i.e., headways) and the extended length of travel time as obstacles to transit use for local trips. Other factors may hinder transit ridership. For example service coverage may be limited or potential riders may live several blocks from the nearest stop. Also neighborhood traffic volumes and speeds, as well as sidewalk, streetlight, and security conditions, may make using public transportation unattractive.

There are a number of ways public transportation agencies can tailor their services to better meet the needs of older adults:

- **Increased service reliability**—Transit systems can improve their service reliability by taking advantage of global positioning systems technology, rewarding drivers for on-time

performance, properly maintaining vehicle fleets, and other means.

- **Accessible vehicles and stops**—Low-floor buses, secure bus stops with benches and shelters, and proper maintenance increase the usability, safety, and security of the system. Public transit agencies need to work with local and state transportation departments and property owners to provide bus stops and approaches that comply with the Americans with Disabilities Act (ADA). Neighborhood-based circulators or subscription routes that offer curb-to-curb service to grocery stores or malls can be offered in areas with a high concentration of older adults.
- **Accessible service information**—From the use of larger fonts on route maps and schedules to patient customer-service representatives, transit agencies can make service information more accessible. Older adults would also benefit from customer-oriented mobility management services that let them obtain all their travel options through a single call. Transit agencies must be active partners in the design and implementation of mobility management.
- **Driver and passenger training**—Many older adults may have little or no prior experience using public transportation and can benefit from one-on-one or small-group instruction on how to use the system. This personalized approach familiarizes customers with how to read bus and train schedules, put together an itinerary, buy and use fare cards, board and exit vehicles, and otherwise navigate the system. Also, numerous surveys indicate that older adults too often find their transit drivers insensitive. Driver training is one way to increase transit professionals' understanding of and empathy for the challenges older adults face in using public transportation, consequently leading to better customer service for all users.
- **Public transit funding**—All federally funded public transportation providers reduce fares in nonpeak periods for older riders, to encourage their use of transit services. According to the 2009 federal National Household Travel Survey, nondrivers age 65 to 74 make 5 percent of their daily trips by transit (bus, subway, or commuter rail); nondrivers age 75 and older make nearly 2 percent of their daily trips by transit. Transit options help older people maintain independence, stay connected to their community, and engage in social life.

Public transportation agencies in urban and rural areas receive funding from federal, state, and local governments, as well as from fare-box returns. The

Safe, Accountable, Flexible and Efficient Transportation Equity Act—A Legacy for Users (SAFETEA—LU) provided a total of \$52.6 billion in transit funding for fiscal years (FY) 2006 to 2009, an increase of 46 percent over transit allocations in the previous similar bill. Part of the law, Section 5307 Urbanized Area Formula Program, funds (for a total of \$22.2 billion) capital expenses (with requirements for a local match) for transit in urban areas. In addition the Section 5309 program pays to establish new rail or bus projects (\$22.7 billion), improve and maintain existing rail and other fixed “guideway” systems (transportation on rails such as light-rail and some trolleys), and upgrade bus systems. Section 5310 provides \$584 million over five years (FY 2005–2009) for capital expenses associated with transportation projects that serve the elderly and the disabled.

Under federal transportation law urban transit authorities may receive matching grants of up to 80 percent of the cost of purchasing vehicles or up to 90 percent of the incremental costs of purchasing equipment for compliance with the ADA. In addition SAFETEA—LU includes a competitive transportation grant program to fund projects and services for people with disabilities that exceed the minimum ADA requirements. The New Freedom Initiative provides \$339 million over a four-year period (FY 2006–2009), with 60 percent of the funds for regions with more than 200,000 people and 40 percent for smaller metro and rural areas.

SAFETEA—LU also authorizes \$6.6 billion in New Starts funding through FY 2009 and \$600 million for Small Starts or major transit capital projects costing less than \$250 million and requiring less than \$75 million in Small Starts resources. The New Starts/Small Starts program is the federal government’s primary financial resource for supporting locally planned, implemented, and operated capital investments in guideway systems. Unfortunately, requests for this money far outweigh funding. As a consequence, the federal match ratio for capital investment in public transportation (about 60 percent) has been much lower than for highways (80 percent or 90 percent).

Under the 2009 American Recovery and Reinvestment Act (ARRA), the Federal Transit Administration awarded 1,072 grants for a total of \$8.8 billion. Grants of \$6 billion were awarded for transit capital assistance for urban areas, \$743 million for new construction, \$743 million for fixed-guideway infrastructure improvement, \$746 million for transit capital assistance in nonurban areas, and \$17 million for the Tribal Transit program. This also includes \$100 million from the Transit Investments

for Greenhouse Gas and Energy Reduction (TIGGER) program (not to be confused with the discretionary TIGER grants). Finally, an additional \$443 million in Federal Highway Administration Surface Transportation Program dollars were transferred to transit projects at the request of local officials.

Despite this federal infusion of cash for capital projects, the recession has hit transit systems hard in recent months. Two-thirds of transit funding comes from state and local governments, many of which have had to cut expenses. Fare increases and service cuts have had a devastating impact on students, working adults, and retired riders. Beyond the impact to the traveling public, more than 3,500 transit industry employees were laid off in from 2009 to 2010, with more layoffs projected. Transit systems serving an area of more than 200,000 people are barred from using federal funds for operating costs. As a result, some systems have lacked sufficient operating dollars to fund service using buses purchased through the ARRA. Many transit agencies have asked Congress for more flexibility to use a portion of their federal funds to cover operating costs during these tough economic times.

Intercity passenger rail—Passenger rail is another mobility option for midlife and older people who travel both within congested regional corridors and between cities separated by long distances. The 2001 National Household Travel Survey found that people age 65 and older make more than 1.5 million long-distance trips (50 miles or longer) by train each year. Amtrak estimates that almost half of its national ridership (12.8 million in FY 2009) is age 55 and older, and that on its long-distance routes, two-thirds of riders are age 55 and older. Congress has required Amtrak to make all stations ADA accessible by 2010. In addition passenger rail provides essential service to many rural communities, and many states perceive rail as an important contributor to economic development. With increased frequencies and lower travel times, high-speed rail provides a competitive alternative to both auto and air for intercity travel between metropolitan areas within 500 miles of one another.

ADA paratransit services—Under the ADA, fixed-route public transportation—buses and trains, stations and stops—must be accessible to people with disabilities. The act also requires public transportation providers, even those with wheelchair-accessible vehicles, to offer paratransit services within three-quarters of a mile of all fixed routes to people who cannot use fixed-route transit. They cannot charge more than twice the price for what the trip would cost on the fixed-route system. There are

many types of disabilities other than those requiring wheelchair accessibility, each with its own needs.

ADA paratransit service consists of origin-to-destination transportation (either curb-to-curb or door-to-door) on specialized vehicles that are procured by transit authorities and operated directly or through contractors. The paratransit option must be comparable to the transit system’s fixed-route service in terms of coverage area and days and hours of service; the total fare cannot be more than twice the base fare for the fixed-route service, which is generally insufficient to cover the cost of the trip. In 2008 an average of \$2.26 was collected for each unlinked paratransit trip, while the cost of furnishing the service averaged \$29.95. Providers generally require these trips to be scheduled by the close of business on the day before the trip. In addition the rider may be accompanied by a friend or family escort (who must pay the same fare as the rider) or by a personal care attendant (who does not pay a fare). The rider must be certified as needing a personal care attendant.

Only qualified individuals may use ADA paratransit services, and providers must determine who is sufficiently disabled to be eligible. However, transportation providers may find eligibility

determinations difficult to render. Particularly at risk of being denied eligibility are individuals with “hidden” disabilities, such as cognitive impairment.

The Federal Transit Administration (FTA) provides transit officials with ADA guidance and is responsible for enforcing ADA implementation in public transportation. The funding need for specialized paratransit for people with disabilities is increasing with their growing integration with mainstream employment and community activities. Public transportation providers report that demand for ADA paratransit is also rising rapidly because human services agencies are no longer offering transportation for clients eligible for complementary paratransit trips. In addition many paratransit providers have difficulty with no-shows for scheduled trips, which diminishes the resources available for other people seeking services. At the same time, riders in some areas complain that existing paratransit services are expensive and undependable. The federal New Freedom Initiative, while it has served to kick-start local innovations that supplement ADA paratransit service, represents only a small additional source of funding (less than \$100 million apportioned in FY 2010) for services that “go beyond the ADA.”

PUBLIC TRANSPORTATION AND ADA PARATRANSIT: Policy		
Public transportation investment	FEDERAL STATE	<p>Congress should:</p> <ul style="list-style-type: none"> • authorize and appropriate funds to provide states and local jurisdictions with incentives for expanding and improving public transportation; • require and fund demonstration projects to promote the use of public transportation by older people and people with disabilities; • increase funding for public transportation to improve the quality and quantity of services for people with disabilities; • appropriate sufficient transit funds for capital assistance, operating subsidies, specialized transit, rural assistance, employment-based transportation, and research; • address state and local budget challenges associated with the recession by providing transit systems serving large urban areas short-term flexibility to use federal transit formula, discretionary and stimulus funding for either capital or operating expenses; and • provide funding for capital investments in public transportation, including for New Starts/Small Starts, on par with that provided for highways. <p>States should:</p> <ul style="list-style-type: none"> • maintain and increase investment in improved public transit systems, for example by purchasing accessible equipment and constructing comfortable, safe, and accessible transit stops and stations;

<p>Public transportation investment (cont'd.)</p>	<p>FEDERAL STATE</p>	<ul style="list-style-type: none"> • actively promote the use of public transportation; • require public transit systems to implement and enhance safety regulations and mechanisms; • encourage transit authorities to reduce fares for disabled or low-income older people; • ensure transportation providers' compliance with the Americans with Disabilities Act (ADA), in part by providing technical assistance to local transportation agencies and authorities; and • require that recipients of community development block grants and other state funds guarantee in their community planning and design efforts accessibility to transit and safe access to facilities.
<p>New Starts/Small Starts</p>	<p>FEDERAL</p>	<p>Congress should direct the Federal Transit Administration (FTA) to provide additional credit to those New Starts/Small Starts projects that demonstrate a commitment to providing and/or maintaining affordable housing within a half mile of stations. Federal funding formulas should also credit applicants for transit investment plans that are tied to transit-supportive land-use and economic development plans.</p> <p>The Department of Transportation should promulgate rules that reflect the intent of Congress to include economic development and land use as separate criteria in determining the eligibility of New Starts/Small Starts projects.</p>
<p>Passenger rail</p>	<p>FEDERAL STATE</p>	<p>Congress should support nationwide passenger rail service, including high-speed rail, that is integrated and coordinated with regional, state, and local passenger rail.</p> <p>Congress should establish a dependable funding mechanism that ensures continuing broad-based nationwide passenger rail service, including high-speed rail. Congress should allow intercity passenger rail systems to be eligible for the broad flexible funding provisions that govern the rest of the federal transportation program.</p> <p>States should establish dependable funding mechanisms for investment in passenger rail and support passenger rail systems that are integrated and coordinated with the nationwide passenger rail system.</p>
<p>Americans with Disability Act (ADA)</p>	<p>FEDERAL</p>	<p>Congress should provide adequate funding for ADA enforcement activities and aggressively seek to meet the transit and paratransit needs of people who are older, frail, or have disabilities by utilizing the higher federal match for compliance with the ADA.</p> <p>FTA and the Administration on Aging should develop guidelines and provide technical assistance to transit authorities on making eligibility decisions under the ADA and providing information on available alternatives to people of all ages with disabilities.</p> <p>FTA also should:</p> <ul style="list-style-type: none"> • continue to educate the disability community and other rider constituencies about their ADA rights and the use of accessible transportation; • ensure the accessibility of all transportation services offered to the public and aggressively monitor and enforce timely ADA compliance by all public transportation providers; and • promote research on how to reduce paratransit service costs while improving quality and dependability.

<p>Americans with Disability Act (ADA) (cont'd.)</p>	<p>FEDERAL</p>	<p>Specifically FTA should use its authority to:</p> <ul style="list-style-type: none"> • more vigorously enforce ADA regulations; • conduct compliance reviews; • investigate complaints; and • impose meaningful sanctions for failures to comply with ADA regulations. <p>Public transportation providers should identify and implement cost-effective measures that expand ADA paratransit eligibility and service beyond the minimum mandated by the ADA.</p>
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