

LEFT BEHIND

New York's For-Hire Vehicle Industry Continues to Exclude People With Disabilities



N Y L P I

New York Lawyers For The Public Interest

About Us

Founded more than 40 years ago by leaders of the bar, New York Lawyers for the Public Interest pursues equality and justice for New Yorkers. NYLPI works towards a New York where all people can thrive in their communities, with quality healthcare and housing, safe jobs, good schools, and healthy neighborhoods. In our vision, all New Yorkers live with dignity and independence, with the access and resources they need to succeed. NYLPI's community-driven approach powers its commitments to civil rights and to health, disability, immigrant, and environmental justice. NYLPI seeks lasting change through litigation, community organizing, policy advocacy, pro bono service, and education.

NYLPI has a long history of fighting for New Yorkers with disabilities since its founding, including for accessible transit. We won the first lawsuit under the Americans with Disabilities Act (ADA) for people in wheelchairs to gain access to the observation deck of the Empire State Building. Recent court successes include a landmark suit which resulted in improved access to paratransit services for people with disabilities who are limited English proficient.

In May 2018 NYLPI filed amicus briefs on its own behalf and on behalf of other disability rights organizations, supporting the right of people with disabilities to accessible transit, in two cases brought by For-Hire Vehicle (FHV) companies resisting modest City efforts to increase the number of wheelchair-accessible FHV rides. For more information, please visit us at www.nylpi.org and on Twitter: @nylpi

Acknowledgments

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Introduction

For-Hire Vehicle (FHV) companies like Uber, Lyft, and Via are rapidly surpassing traditional medallion taxis in New York City's market share, and generating billions of dollars in annual revenue, while systematically excluding people with disabilities.

FHVs are motor vehicles licensed by the City to carry passengers for hire with a capacity of fewer than 20 passengers, three or more doors, and which are not Taxicabs, Commuter Vans, or authorized buses as defined by New York State law.

Of the major, app-based FHV companies operating in the City, only Uber and Lyft offer any wheelchair-accessible vehicle (WAV) service, while Via, Juno, and Gett offer none.[%]

New York Lawyers for the Public Interest (NYLPI) tested the WAV services offered by Uber and Lyft and found that 70% of the time, there were no available WAVs. When WAVs were located, there was a major disparity in wait times between accessible and non-accessible ride requests. Moreover, not a single wheelchair-accessible vehicle could be located at NYC's two major airports, which are major destinations for people with disabilities.

Methodology

Uber advertises a feature called "UberWAV," which purports to offer fully accessible vans with certified drivers that can accommodate motorized wheelchairs and scooters. Lyft offers a similar service called "Access Mode," which purports to dispatch vehicles in real time in the New York City market.

To assess the reliability and response time of these two WAV services, NYLPI used the Uber and Lyft smartphone apps to request paired WAV rides and non-WAV rides, using the same starting and ending points for the trip. For each request, we recorded whether the app was able to locate an available vehicle, and the estimated waiting time for the vehicle, as provided by the app. For starting and ending points, we used five major destinations in Brooklyn, the Bronx, Manhattan, and Queens². Between May 3 and May 10, we made a series of 98 requests involving different iterations of starting and ending points at various times of day and days of the week. On May 21 and May 22nd we made 15 additional paired requests for WAVs and inaccessible vehicles using Lyft Access Mode to further probe this app's failure to locate WAVs in our initial test.

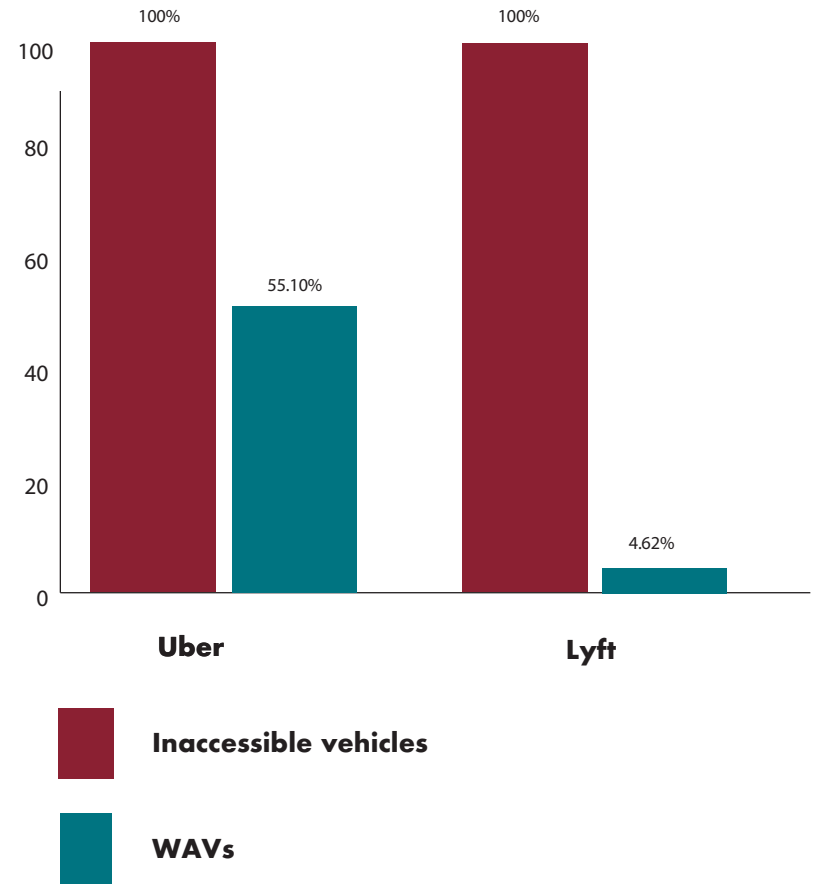
Results

Uber located a WAV in 27 of 49 different attempts (a 55% “success” rate). Lyft Access Mode located a WAV for only 3 of 65 attempts (a 5% “success” rate) rendering the app non-functional for wheelchair users. Combined, the two apps located an available WAV in only 26% of attempts, while they located non-accessible Uber and Lyft vehicles 100% of the time.

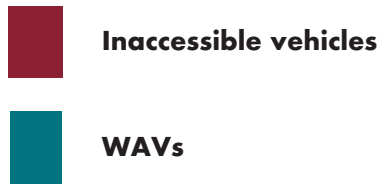
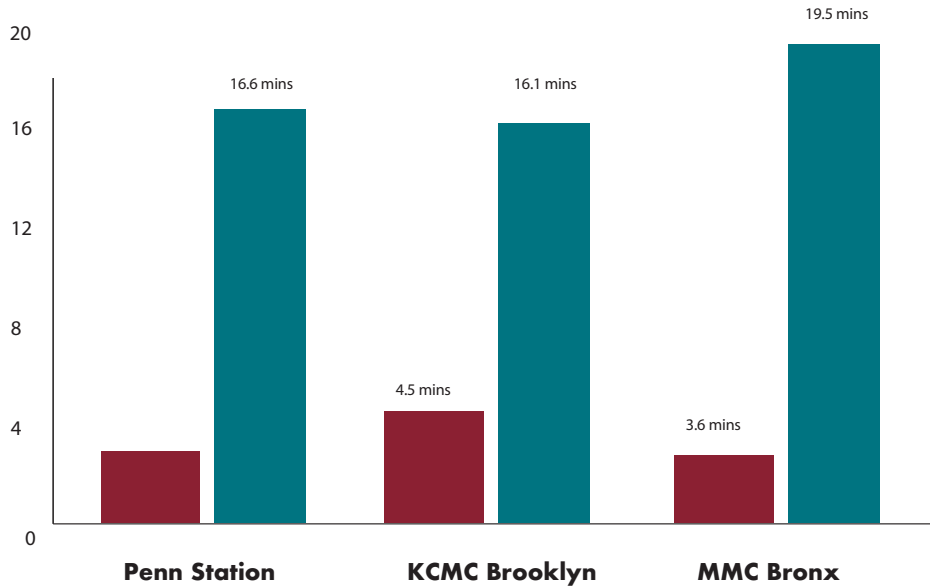
We also found a major disparity in estimated waiting times between the UberWAV service and requests for inaccessible Uber vehicles. For the attempts in which a WAV was located, the estimated wait time for a WAV was 17 minutes, versus a 4 minute estimated wait for regular service.

Finally, we noted significant differences in WAV availability based on location. Notably, at the two airports, Uber and Lyft failed to locate a single available WAV in 17 attempts. In contrast, the Uber and Lyft apps located inaccessible vehicles at the airports 100% of the time with an average wait time of only 3.6 minutes.

Success rate in locating available vehicles



**Estimated wait times locations for available vehicles
(Note No WAVs were available at JFK or LGA Airports)**



Conclusion

Uber, Lyft, and other FHV corporations claim to be fully committed to accessibility. A recent legal petition filed by Uber, Lyft and Via says that “[s]erving people with disabilities, including people who use wheelchairs, is an important goal of Petitioners, and their....continued actions prove it.”

The reality is that these companies operate few - if any - WAVs in New York City. Out of a massive fleet of 100,000 for-hire vehicles in New York City, the Taxi and Limousine Commission estimates that a negligible 0.5 percent of them are wheelchair accessible.³

Reliability is the cornerstone of any form of transportation. Just as a subway, bus, or private automobile that fails to show up or start 74% of the time is useless, the FHV industry’s failure to provide WAVs in 84 of 114 attempts renders this mode of transit useless for people with disabilities who are already disadvantaged by FHV’s significant contribution to traffic congestion which slows down buses and paratransit vehicles -- the only accessible forms of mass transit.

References

1 Uber is by far the largest e-hail FHV service in NYC, logging more than 10 million trips per month; more than the entire NYC taxi fleet. Lyft is the second-largest FHV service with about 2.5 million trips per month. Todd Schneider, "Analyzing 1.1 Billion NYC Taxi and Uber Trips, With a Vengeance; March 2018 Update."

Available at: <http://toddschneider.com/posts/analyzing-1-1-billion-nyc-taxi-and-uber-trips-with-a-vengeance/#update-2017>

2 We used the following starting and ending points for trips: Penn Station (Manhattan); JFK Airport (Queens); LaGuardia Airport (Queens); Kings County Medical Center (Brooklyn); and Montefiore Medical Center (Bronx).

3 Statement of Meera Joshi, Chair of the Taxi and Limousine Commission TLC Public Hearing, September 28, 2017.

Available at http://www.nyc.gov/html/tlc/downloads/pdf/transcript_09_28_17.pdf.



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