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**Comments of Justin Wood, Director of Policy of**

**New York Lawyers for the Public Interest**

**to the Taxi and Limousine Commission on September 20th, 2023**

**On the proposed Green Rides rule**

NYLPI strongly supports the Taxi and Limousine Commission (TLC)’s goals of increasing the accessibility of the for-hire-vehicle (FHV) fleet and rapidly transitioning to a 100% electric vehicle fleet by 2030. However, while the proposed rules require an increase in the number of trips dispatched in Electric Vehicles (EVs), they do not require additional trips to be dispatched in Wheelchair Accessible Vehicles (WAVs) and we strongly oppose the approach of merely ensuring that by 2030, all rides dispatched by Uber and Lyft must be in a vehicle that is **either** an EV **or** a WAV.

Instead, we urge the City to support the development and rapid adoption of vehicles that are **both** fully accessible **and** zero-emissions.

New York City is one of the largest markets for Uber and Lyft in the world, with a massive fleet of 95,000 for-hire-vehicles licensed by the TLC.[[1]](#endnote-2) Currently, only [3,736 of these](https://www.nyc.gov/assets/tlc/downloads/pdf/annual_report_2022.pdf) vehicles are WAVs, and only 950 are zero-emissions.[[2]](#endnote-3) Disparities in the availability of WAVs – as well as the response times of WAVs -- continue to create major, systemic barriers for people with disabilities who use apps like Uber and Lyft, and who use the MTA’s Access-A-Ride program which uses FHVs.[[3]](#endnote-4)

Hundreds of millions of for-hire combustion vehicle trips, which include driving, cruising for passengers, and idling on our streets, are a major source of greenhouse gas emissions and harmful particulate matter and other pollutants. Additionally, the production, refining, transportation, and delivery of gasoline and other fossil fuels for FHV use is another major source of greenhouse gas emissions, as well as air, soil, and water pollution. Moreover, fossil fuel facilities are heavily concentrated in environmental justice communities that already disproportionately bear myriad other negative impacts of pollution, climate change, and public health crises.

If the benchmarks in the proposed rule are adopted, and larger national and state trends toward vehicle electrification continue, EVs will begin to rapidly displace combustion vehicles after 2027, and gas stations and maintenance facilities will likely be replaced with charging stations and other land uses. Without a plan to ensure that fully accessible EVs are part of this transition, people with disabilities will again be left behind, forced to rely on older vehicle lacking safety features (such as cameras, lane change assist, and automated driving technologies) with inferior maintenance and reliability.

We don’t need to leave people with disabilities behind. New York City and State have an opportunity to be global leaders in facilitating the rapid development and adoption of fully accessible **and** fully electric vehicles and to ensure that FHV drivers can purchase and operate these vehicles at prices competitive with other WAVs and EVs.

We urge the Mayor and the TLC to:

1. Push for state legislation authorizing a surcharge on FHV trips that would subsidize the purchase and operation of fully accessible EVs as soon as they are on the market as well as necessary charging infrastructure.
2. Take steps to incentivize the development and purchase of fully accessible EVs and send a strong signal to auto manufacturers and retrofitters that New York will provide a robust market for these models.
3. Add a benchmark for the adoption of fully accessible EVs. The TLC and other relevant City and State agencies should guarantee specific subsidies for drivers to purchase, lease and operate accessible EVs effective as soon as these vehicles are available. These subsidies should be significantly higher than current state and federal subsidies for EV purchases and should continue beyond the predicted 2027 price parity point for inaccessible EVs and combustion vehicles.
4. Work in concert with City and State agencies and energy developers to ensure that 100% renewable energy sources and battery storage are rapidly expanded as thousands of new EVs increase demand on the electrical grid, while avoiding prolonged reliance on highly polluting and expensive power fossil fuel plants including antiquated “peaker plants” that fire up during peak demand periods and are concentrated in environmental justice communities.

Critical steps to advance environmental justice include:

* + Co-location of public vehicle chargers with local renewable energy sources, especially in disadvantaged communities where large numbers of FHV drivers live and work;
  + Support for community solar and energy storage projects in communities with large numbers of FHV licensees; support for legislation to rapidly expand solar energy production on city-owned buildings; partnering with utility companies and regulators to heavily incentivize EV charging during nighttime and off-peak hours.
  + Development of fast (Level 3) charging stations accessible to FHV drivers during their shifts to minimize lost income for drivers waiting to recharge, and to maximize the availability of fully accessible EVs as these vehicles enter the fleet.

Almost one million New Yorkers have a disability,[[4]](#endnote-5) and many face heightened risks from extreme heat, air pollution, flooding, and economic crises caused by spiraling climate change.[[5]](#endnote-6) It is critical that New York fully include people with disabilities in the rapid transition to a more sustainable transportation system, including an all-electric fleet of For Hire Vehicles and taxis. We urge you to amend the proposed rule and make New York City a global leader in adopting fully accessible electric vehicles.

We look forward to working with you to amend and implement these policies.

**Justin Wood**

**Director of Policy**

**New York Lawyers for the Public Interest**

**151 West 30th Street, 11th floor**

**New York, NY  10001**

**jwood@nylpi.org**

**(212) 244-4664**

**About NYLPI:**

*Our Disability Justice program orks to achieve equality of opportunity, self-determination, and independence for people with disabilities. Our Environmental Justice program fights environmental racism, works to eliminate the unfair burden of environmental hazards borne by low-income communities and communities of color, and seeks to create a more equitable and sustainable city. For more information visit* [*www.nylpi.org*](http://www.nylpi.org)*.*

1. Taxi and Limousine Commission 2022 Annual Report, p. 5. Available at: <https://www.nyc.gov/assets/tlc/downloads/pdf/annual_report_2022.pdf> [↑](#endnote-ref-2)
2. Approximately one percent of FHVs are currently electric, according to the TLC’s 2022 “Charged Up!” report, available at: https://www.nyc.gov/assets/tlc/downloads/pdf/Charged\_Up!\_TLC\_Electrification\_Report-2022.pdf [↑](#endnote-ref-3)
3. See NYLPI’s 2021 report “Contiuing to be Left Behind,” available at: <https://www.nylpi.org/wp-content/uploads/2021/10/2021_Continuing-to-be-Left-Behind-Report.pdf>. [↑](#endnote-ref-4)
4. See Mayor’s Office of People With Disabilities, Overview, available at: <https://www.nyc.gov/site/mopd/resources/resources.page#:~:text=Disability%20Statistics%20in%20NYC,people%20with%20disabilities%20in%20NYC>. [↑](#endnote-ref-5)
5. For example, see “Climate Change and the Health of People with Disabilities,” US Environmental Protection Agency, available at: <https://www.epa.gov/climateimpacts/climate-change-and-health-people-disabilities> [↑](#endnote-ref-6)