

Unreliable and Inaccessible:

A Report Card on Veolia's Service for Disabled Riders



July 26th, 2012

Prepared by Long Island Jobs with Justice and the Long Island Bus Riders' Union

Executive Summary

Thursday, July 26th, 2012 marks the 22nd anniversary of the passage of the Americans with Disabilities Act (ADA). The ADA prohibits discrimination on the basis of disability in employment, transportation, state and local government, public and private accommodations, and communication.

Access to transportation is fundamental to the independence and full community participation of disabled people. A bus system that does not provide optimal access, safety and reliability in service is restricting and harmful to disabled riders. This report card serves to highlight improvements that Veolia must make to its bus system.

Our rating system is as follows:

A: Great service/example of great service

- No improvements need to be made whatsoever
- No ADA violations.

B: Decent service/example of decent service

- Some minor improvements need to be made
- No ADA violations
- Example points to a potential improvement to be made, but not to an actual ADA violation

C: Subpar service/example of subpar service

- A significant number of improvements need to be made
- Some cases of ADA violations
- Example points to an individual ADA violation

D: Bad service/example of bad service

- Most of the system needs to be revamped or improved
- Numerous cases of ADA violations
- Example points to a system of ADA violations

F: Horrible service

- ADA violations are rampant and Veolia is risking serious lawsuits
- Example points to a serious ADA violation and a potential lawsuit

Fixed-Route Buses

While most disabled riders qualify for Able-Ride bus service, some opt to take fixed-route buses. Able-Ride is more expensive than fixed-route buses at \$3.75 each way, and also does not allow riders the flexibility that fixed-route buses provide.

Additionally, since Able-Ride is subsidized at a much higher rate than fixed-route buses, Veolia would benefit from creating a service that is accessible to all bus riders.

Disabled riders should feel comfortable with taking both Able-Ride and fixed-route buses. Our findings suggest that there are many obstacles to the full integration of disabled riders into the fixed-route bus system, and that Veolia must correct them both for their own self-interest and to benefit bus riders.

Safety

	Average Grade
<p>Accessible Signage</p> <p>We inspected the bus terminals at major transfer locations to see if there was Braille for all of the bus routes. Braille is necessary for visually impaired riders to find out where their bus is located. We found that:</p> <ul style="list-style-type: none">- Mineola Intermodal Center is well equipped with Braille. However, the signage is out of date and displays information about the N78 and N79. These two routes have not traveled to Mineola since April 8th, 2012. Grade: B- The Hempstead Transit Center has Braille, indicating the location of the buses. However, the Braille has not been updated since NICE Bus took over the system, and therefore is inaccurate and unreliable. Braille signs on docking posts do not match up with the buses that arrive there, which could cause riders to board the wrong bus. Grade: C- Jamaica Bus Terminal (at 165th Street) does not have Braille available. Grade: F- Major transfer points in Hicksville do not have Braille available. Grade: F	D

- Roosevelt Field Bus Terminal does not have Braille available. Grade: F	
<p>Operations of Wheelchair Lifts</p> <p>We surveyed over 200 buses and found that 5.42% of the wheelchair lifts on fixed-route buses are broken down/not working.¹ Additionally, the ADA requires that wheelchair lifts are tested with a full, weighted load before a bus leaves the depot, in order to ensure that disabled riders will not be denied access because of a broken lift.² Several drivers have said that they can't always determine when their wheelchair lift will work, because it frequently breaks down when wheelchair users board the bus.</p> <p>Because the wheelchair lifts have not been properly maintained and are not being adequately tested, bus riders are being put at an increased risk of injury. One rider, Kerry Zorn uses a wheelchair and lives in Hempstead; boarded the bus using the wheelchair lift, but by the time she proceeded to exit, the lift had broken down. Zorn had to crawl off of the bus to make it to her doctor's appointment.</p> <p>Another bus rider from Hempstead who uses a wheelchair, said that the wheelchair lifts oftentimes do not work and the passengers have to wait for the next bus to come.</p> <p>The percentage of broken wheelchair lifts is high enough for disabled bus riders to feel uncomfortable with relying on fixed-route buses because of their tendency to break down. Grade: C</p>	C
Overall Safety Rating	C

Reliability of Service

	Average Grade
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¹ "Survey on Wheelchair Lifts." Long Island Bus Riders' Union. July 2012.

² "Topic Guides on ADA Transportation." *Topic Guide on Stop Announcements and Route Identification*. Federal Transit Administration, June 2010. Web.
<<http://www.dredf.org/ADAtg/stop.shtml>>.

<p>Access to Fixed-Route Buses</p> <p>Transfer stops are oftentimes very far distances apart, and unreliable transfer times force riders to sprint in order to make it to their bus. It is very difficult for disabled riders to rely on a route that has numerous transfers without running the risk of missing their next bus and not making it to their destination on time.</p> <p>ADA law requires public transportation to have designated seats for disabled riders. Therefore, if a bus is full and a wheelchair-bound bus rider is seen waiting for a bus, drivers are required to ask non-disabled passengers to give up their seats to disabled riders. However, one passenger, Kerry Zorn from Hempstead, said that she was denied access to a full bus, despite the fact that she uses a wheelchair. Grade: C</p> <p>There have also been documented cases of bus riders being told that they cannot ride the bus with a guide dog, which is an ADA violation.³ Grade: F</p>	D
<p>Duration of Trips</p> <p>Decreased funding from Nassau County has caused NICE Bus to operate on a very tight budget and to decrease the frequency of many routes. While this scheduling has been difficult for all bus riders, disabled riders have an increased level of difficulty.</p>	B
Overall Reliability of Service Rating	C

Accessibility of Schedules and Destination Announcements

	Average Grade
Phone-based schedules	

³ "Transit Advisory Committee Meeting." New York, Garden City. 21 June 2012.

<p>Bus schedules are not currently available via phone, and one must call and wait to speak to a representative in order to access the schedules. The representative is only available from 7:00am-5:00pm, and riders can be put on hold between five to ten minutes waiting for an available operator. Grade: B</p>	<p>B</p>
<p>Audible and Visual Announcements on Buses</p> <p>The Americans with Disabilities Act requires that NICE Bus have both visual and auditory announcements for major intersections, transfer points, and any requested stop.⁴ This is important for people who have visual and auditory impairments, and is generally helpful for new bus riders who are unfamiliar with a given route.</p> <p>We monitored 28 buses to grade them on their audible and visual announcement of the stops. NICE Bus policy is to audibly announce only major bus stops and to visually announce every stop. However, despite this policy, our research showed that:</p> <ul style="list-style-type: none"> - 67.85% of buses made no auditory announcements whatsoever. - 17.86% of buses only made auditory announcements of major stops - 14.29% of buses made auditory announcements of all stops - 71.43% of buses made no visual announcements whatsoever - 0% of buses only made visual announcements of major stops. - 28.57% of buses made visual announcements of all stops <p>This research shows that Veolia is simply not fixing their visual and auditory announcement systems. One bus driver told us that Veolia is “dragging their feet on fixing them.”</p>	<p>F</p>
<p>Accessibility Rating</p>	

⁴ "Topic Guides on ADA Transportation." *Topic Guide on Stop Announcements and Route Identification*. Federal Transit Administration, June 2010. Web. <<http://www.dredf.org/ADAtg/stop.shtml>>.

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Able-Ride Buses

When disabled riders cannot depend on the fixed-route service, they are often forced to revert to the Able-Ride system. This is not only limiting for riders, but it also costs Veolia more to maintain. A more reliable, accessible and well-funded fixed-route service provides disabled riders with more option and is better for Veolia in the long run.

Reliability of Buses

	Average Grade
<p>Duration of trips</p> <p>While the MTA operated Long Island Bus, Able-Ride passengers were transported on a 1.3 passenger to one bus ratio per hour. However, since Veolia took over, the ratio of passenger to bus has gone up to 1.45, with a goal of operating at 2 passengers per bus per hour. Veolia has even gone so far as to put 2.4 passengers per bus per hour.⁵</p> <p>Nassau County Human Rights Commissioner Angela Davis has stated that a ride that once took her twenty minutes is sometimes taking as long as two hours.⁶ After the Newsday article was released that detailed these problems, NICE Bus CEO Michael Setzer apologized for moving too quickly in implementing such a drastic increase in passengers per hour.</p> <p>Disabled bus riders had consistently reported that their bus does not come within their scheduled time window for pick-up.⁷ While the service has gotten better in the past few weeks for many</p>	D

⁵ Transit Advisory Committee Meeting." New York, Garden City. 21 June 2012.

⁶ Castillo, Alfonso. "Able-Ride bus arrives hours late, some say," Newsday, June 3, 2012.
<<http://www.newsday.com/long-island/nassau/able-ride-bus-arrives-hours-late-some-say-1.3759185?qr=1>>

⁷ Schmidt, Walter. "NICE Experiences." *NICE Experiences...* Wordpress, 16 July 2012. Web.
<<http://niceableride.wordpress.com/2012/07/16/july-evening-scorecard/>>.

riders, Setzer noted at the last TAC meeting that Veolia's goal is to increase the number of passengers per hour from 1.45 to 2. ⁸ Doing so would result in the same bad service as before: riders would be forced to wait hours for their bus.	
Veolia's Reliability Rating for NICE Bus:	C

Accessibility of Schedules

	Average Grade
Phone-Based Appointments Able-Ride users have complained about the long wait time when calling to schedule a pick-up with Able-Ride. A ten-minute wait time is not uncommon, which is inconvenient when one has to make daily appointments for their travel. Grade: B	B
Online Appointments to Able-Ride cannot currently be made online and can only be made over the phone. This is inconvenient for both bus riders and Veolia because they have to have staff available to schedule bus riders. Grade: B	B
Accessibility Rating	B

Final Recommendations

Based on our research and testimonies from bus riders, we recommend the following:

⁸ Transit Advisory Committee Meeting." New York, Garden City. 21 June 2012.

1. Veolia needs to ensure that each one of their bus terminals is well equipped with Braille, and that if changes are made to their bus system, Braille-based signage becomes immediately available.
2. Veolia should allocate more funding towards the maintenance of their buses and hire additional mechanics to ensure that wheelchair lifts are functioning and disabled riders are not stranded.
3. **NICE Bus must immediately fix broken visual and auditory announcement systems on fixed-route buses for visually and hearing impaired riders.** NICE Bus should ensure that these announcements are for *each and every stop*, but is legally required to announce major intersections, transfer points, and requested stops. Not doing so is a serious ADA violation.
4. Veolia should ensure that no more than 1.45 Able-Ride passengers per vehicle are on their Able-Ride buses. To increase this ratio will significantly decrease the quality of service for Able-Ride users.
5. Veolia should allow Able-Ride passengers to make appointments online and should decrease the wait time for scheduling their bus.

By improving the service of fixed-route buses, Veolia will create a service that disabled riders *want* to use. Fewer riders will become dependent on Able-Ride, and Veolia will save themselves—and taxpayers—a significant amount of money. As the fixed route bus service now exists, it is very difficult for disabled riders to rely on the bus service.

A report released by the American Association of People with Disabilities reveals that of the nearly 2 million people with disabilities who do not leave their home, over 500,000 of them do not do so because of transportation difficulties.⁹ Disabled riders in Nassau County have expressed similar reservations with relying on NICE Bus service, and we want to ensure that accessible and reliable bus service grants all bus riders the opportunity to fully participate in public life.

The Long Island Bus Riders' Union urges Veolia to take our recommendations seriously and to meet the guidelines of the Americans with Disabilities Act in order to create a bus system that all riders can count on.

⁹ "Equity in Transportation for People with Disabilities." Leadership Conference Education Fund. <<http://www.civilrightsdocs.info/pdf/transportation/final-transportation-equity-disability.pdf>>