

## **ACCESS FOR ALL ADVISORY COMMITTEE REPORT**

January 16, 2020

*Kacy Kostiuk, Chair*

The Access for All Advisory Committee (AFA) met on January 14 and the highlights from the meeting are provided below. A list of participants is on the last page. The AFA advises the TPB on transportation issues and services important to low-income communities, minority communities, people with limited English proficiency, people with disabilities, and older adults.

### **FOLLOW UP ON DOCKLESS WORKSHOP AND MEMO**

Chair Kostiuk provided an overview of her participation and takeaways from COG/TPB's December 9 Dockless Vehicle Workshop where she presented the memo "Comments from the Access for All (AFA) Advisory Committee on Dockless Vehicles in the Region," dated December 16, 2019 (memo attached). Information shared included DC's corral program for parking, Montgomery County extending its dockless pilot for six months and restricting use from 5am-10pm, Arlington and Alexandria using on-street parking corrals, and Baltimore partnering with a trauma center to obtain missing data on dockless vehicle-related crashes. Chair Kostiuk also expressed appreciation for AFA members who attended and commented, and the fact that other attendees also addressed the concerns of older adults and people with disabilities.

Chair Kostiuk invited questions and additional comments, which included an interest in learning about adaptive shared bikes in the region, a recommendation for a national set of standards for dockless vehicles, and the need to ensure that people with disabilities are equally included in any action related to dockless vehicles. Chair Kostiuk confirmed that some of the jurisdictions are working with Commissions on Aging and Disability. Another member offered to present a formal write up of his findings from a literature review he conducted on dockless legislation and it was agreed it would be distributed to committee members when completed.

As next steps, Chair Kostiuk shared that she will present the memo of AFA concerns to the TPB on January 22 during her report out of AFA activities and will bring any resulting comments or questions to the AFA at the February 11 meeting.

### **TEMPORARY SERVICE CHANGES – SILVER SPRING TRANSIT CENTER**

Ms. Deanna Archey of the Montgomery County Department of Transportation (MCDOT) provided information about six months of service changes at the Silver Spring Transit Center due to Purple Line Construction and MCDOT's outreach efforts to get the word out.

She also confirmed Google Maps has been updated with the temporary bus stops and written walkthrough directions have been developed and posted. A walkthrough event was hosted by MCDOT this past Saturday where an Orientation and Mobility Specialist assisted people who are blind or with visual impairment with new bus stop and crosswalk locations. A write up is in process and will be shared with AFA. An AFA member who participated in the walkthrough said he found the session helpful.

### **OTHER BUSINESS**

A member shared that she won a case for a complaint she filed with the Federal Communications Commission regarding free 411 access on mobile phones for people with disabilities.

### **Transport DC Fast Pass Program**

Ms. Wendy Klancher of the Department of For Hire Vehicles (DFHV) shared information about a pilot program where each month qualifying taxi drivers who operate wheelchair accessible vehicles are issued a Fast Pass allowing special entry to the front of the taxi queue at Union Station. The program uses a points system with emphasis given to accessible rides completed on weekends and at night and rides east of the River to determine who gets the passes each month. Ms. Klancher also advised the committee of a free, door-to-door Microtransit program using VIA technology that DFHV is also offering to fill gaps in neighborhoods where public transit is difficult. Plans were made to invite DFHV to a future meeting when there is some data available to share about both programs.

### **USDOT Inclusive Design Challenge**

Chair Kostiuik shared announced USDOT's Inclusive Design Challenge, an opportunity for academia, research labs, industry, gov't, etc. to incentivize creation of innovative, inclusive design solutions for autonomous vehicles. USDOT is looking for solutions to address needs of people with disabilities and to avoid the need for retrofitting or modifying vehicles post-production. It will be interesting to see what happens, and TPB staff will track it and report back to AFA.

### **TRANSPORTATION LAND-USE CONNECTIONS PROGRAM**

Mr. John Swanson announced the solicitation for the 2020 Transportation Land-Use Connections Program (TLC) which provides consultant services for planning activities in the region. The application period is currently open and will close on March 9. He also shared some examples of past projects that address the priorities of the AFA, like an assessment of the barriers and needs of senior residents of Greenbelt which has resulted in plans to hire a part-time Mobility Manager to push forward improvements, an Arlington report identifying ADA accessibility deficiencies of street elements such as sidewalk pathways and subsequent funding to resolve them, and an inventory of bus stop improvements in Takoma Park to help make them more accessible and add bus shelters.

### **2020 MEETING DATES**

AFA meeting dates for 2020 were slightly adjusted so some fall on the 2<sup>nd</sup> week of the month to accommodate members with standing commitments. Future meeting dates are:

- Feb 11
- May 12
- July 7
- October 6
- Nov 10 - tentative

**MEETING ATTENDANCE**

<b>District of Columbia</b>	<b>Virginia</b>	<b>TPB Staff</b>
Anthony DeLorenzo, DC Department of General Services	Tom Furlong, Diamond Transportation Services, Inc.	Karen Armendariz
Vivian Guerra, DDOT	Clemon Hammie, VDOT	Debbie Etheridge
Maital Kaminer, S.O.M.E., Inc.	MaryJo Hensler, Fairfax County Neighborhood & Community Services	Sergio Ritacco
Wendy Klancher, DC Department of For-Hire Vehicles (phone)	Roger Hoskins, representing older adults	Jackie Sellman
Angela Miller, Direct Action	Jennifer Kanarek, NV Rides	John Swanson
Tomeka Lee, Capitol Hill Village	Peter Leisen, Arc of Northern Virginia (phone)	Lynn Winchell-Mendy
Gloria Swieringa, Prince George's Commissions for Individuals with Disabilities	Karen Smith, Arc of Greater Prince William (phone)	
<b>Maryland</b>	<b>Regional</b>	<b>Chair</b>
Deanna Archey, Montgomery County Department of Transportation	Angela White, National MS Society of Greater DC	Kacy Kostiuk, City of Takoma Park – Ward 3 Councilmember
Charlie Crawford, representing individuals with disabilities	Janine Ashe, FHWA	
Debbie Fisher, representing people with developmental disabilities (phone)	Cecelia Castillo-Ayometzi, WMATA	
Sara Fought, JCA Connect-A-Ride	Glenn Millis, WMATA	
Ashley Ware, The Arc of Prince George's County (phone)		





## **MEMORANDUM**

**TO:** Dockless Vehicle programs in Montgomery County, Maryland, District of Columbia, Arlington, Virginia, Alexandria, Virginia, and other jurisdictions considering implementation

**FROM:** Kacy Kostiuk, Access for All Advisory Committee Chair

**SUBJECT:** Comments from the Access for All (AFA) Advisory Committee on Dockless Vehicles in the Region

**DATE:** December 16, 2019

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The TPB's Access for All (AFA) Advisory committee met on November 7, 2019 and developed a series of comments on the topic of Dockless Vehicles in the National Capital Region. Please accept and consider these comments on behalf of the AFA.

### **ROLE OF THE AFA**

The Access for All Advisory Committee has advised the TPB since 2001 on issues and services important to traditionally underserved communities. The committee represents low-income populations, minority communities, people with disabilities, older adults, and those with limited-English skills.

In the past, the AFA committee has commented on major mobility issues that would negatively affect the communities the committee represents. Members requested that recommendations be presented to the jurisdictions on dockless vehicles due to concerns about some negative impacts of the vehicles on these communities.

### **BACKGROUND**

Concerns about the emergence of dockless vehicles in the region and safety were voiced at AFA meetings in early 2019, and members expressed a desire to share their concerns with those implementing the programs. Because of this, staff coordinated a presentation at the May 9, 2019, meeting on the Bike and Scooter Share Workshop that COG/TPB was scheduled to host at the end of the month.

Prior to the workshop, AFA members were invited to provide input and attend. Chair Kostiuk was allotted time on the Dockless Bike and Scooter Share Workshop agenda and facilitated a discussion to capture AFA concerns and prioritize talking points for the workshop. A list was developed (see attached) and presented to attendees of the May 30, 2019, workshop. At the September 5 AFA meeting, Chair Kostiuk provided an update, which resulted in a robust discussion on the concerns and a request by members to develop more formalized recommendations.

At the November 7 AFA meeting, the majority of time was dedicated to a guided discussion on the dockless vehicle issues, with the goal of developing a more formalized response (see attached for notes from that discussion). This memo presents a high-level consolidation of the comments while also making the specific details available as attachments.

It is essential that the AFA concerns be expressed now, as dockless pilot projects in the region are ending and the jurisdictions are beginning to plan the next iteration of micromobility.

## **BROAD AREAS OF CONCERN**

- **Pathways & Safety**
  - Bikes/scooters parked on sidewalks and curb ramps present a barrier to the maintenance of accessible paths of travel along public rights-of-way as required by ADA and standards for accessible design
  - Bikes/scooters parked on sidewalks and blocking pedestrian pathways present a potentially serious fall hazard for people who are blind or have vision impairments, and a mobility barrier for people using mobility devices (as well as others)
  - Bike/scooter use on the sidewalk presents a safety issue, especially for people with disabilities and older adults
- **Education & Outreach**
  - Lack of coordination and outreach with the disability community and older adults to ensure their needs are understood and met – especially during planning phases
- **Regulation**
  - Different regulations and speed limits in different places within and across different jurisdictions create confusion
  - Safety concerns warrant increased regulation to protect pedestrians
- **Enforcement**
  - Lack of widespread enforcement of restrictions on parking or sidewalk use

The committee understands the need for innovation and how micromobility also provides benefits to residents of the region, including people with low incomes. Many, if not all, of the following recommendations also benefit the general public.

## **RECOMMENDATIONS**

- **Involve older adults and people with disabilities** in the planning phases, when developing or enhancing regulations, and when considering solutions to problems. Don't let the companies dictate or dominate the discussion.
- **Enforce regulations** (existing and new):
  - Don't assume people will self-regulate. Innovation is good, but it needs to be in a defined, regulated way when it impacts people's health and safety.
  - Examine the potential violation of ADA regulations when micromobility devices are left blocking public sidewalks, pedestrian rights-of-way, accessible entrances to public and private buildings, and bus stops/shelters.
- **Develop new regulations** that address the AFA's concerns (and enforce them):
  - Consider a fine for not following rules, such as blocking sidewalks, entrances, and ramps.
  - Implement cross-the-board docking requirements.

- Add a recognizable alert system so it is known when a vehicle is nearby (in use or parked).
- Restrict riding on sidewalks in all locations.
- Allow charging stations on public land (charging stations may help alleviate improper parking).
- Add more parking zones.
- Consider requiring users to take and upload a photo when parking
- Develop safe zones where no dockless vehicles are permitted.
- **Require cross-jurisdictional consistency in management of dockless vehicles**
  - Unify regulations across the jurisdictions.
  - Require regional collaboration in collection and sharing standardized data on use, accidents, violations and complaints and use it to identify regional trends.
- **Educate** users and those impacted by sharing Best Practices locally and from across the nation.
- **Create infrastructure**
  - Improve and create infrastructure to accommodate safe travel of new modes of transportation as well as pedestrian right-of-way; bike lanes, protected intersections, docking/parking locations, etc.
  - Incorporate universal design into infrastructure to ensure equal access, especially for people with disabilities. One example is an alert system and signage to identify a crosswalk passing through a bike lane.

## CONCLUSION

In conclusion, the AFA has a long-standing concern about the current system of dockless vehicle use, regulations, and enforcement and is using this forum to bring awareness to the impacts dockless vehicles have on the communities that the AFA represents, especially persons with disabilities and older adults.

The AFA is concerned that not acting quickly to create safety improvements that ensure accessible use of public areas thwarts years of progress made in making communities fully accessible to people with disabilities.

The AFA formally requests that consideration be given to the unique needs of these populations in the next iteration of micromobility as each jurisdiction implements micromobility in the region and develops and enhances regulations and enforcement. In addition, jurisdictions should be proactive in facilitating engagement with these communities and should make on-going dialogue with these communities a standard micromobility implementation procedure.



## Collected Comments on Dockless Vehicles from AFA Meetings

The following represent notes and comments from individual members and groups of AFA members during the discussion at AFA meetings.

- Education & Outreach
  - Best practices – locally and nationally (Baltimore, San Antonio, San Francisco, etc.)
  - How are local providers and partners educating and involving people of traditionally disadvantaged groups about the above concerns?
  - There are perceptions about dockless vehicles that limit their use by communities that might benefit from them. Education/outreach is an important piece to resolve these:
    - View during launch that they invite crime – theft, easy escape, etc. What is the local take on this? Still an issue (perceived vs. real)
    - View that use of bike might look like they can't afford a car or the bus
    - Little community involvement into how and where they are locating in neighborhoods
    - Don't know how they work
    - Unbanked might think they can't be used without credit card
- Enforcement
  - Improved enforcement - rules are there, but are not enforced
  - Enforce through contracts with companies that operate
  - Add a fine for not following rules
  - Compliance is being left to the individual operating the scooter, but they are not self-regulating
- Regulation
  - Innovation is fine, but needs to be in a defined/regulated way
  - Need cross-jurisdictional harmony in management of dockless vehicles
  - It's a crisis that needs to be regulated now
  - Residents should have a say, not just businesses impacted and/or the dockless companies
  - Institute docking requirements/don't allow dockless
  - Why can't charging stations be on public land? Can that change? How?
  - COG/TPB encourage jurisdictions to stop programs until there are unified regulations that protect pedestrians, especially people with disabilities and older adults
  - Different rules in different jurisdictions. Need consistency with laws.
  - It's a Wild West situation
  - Is the ADA being violated?
- Pathways/Safety
  - Speed – collisions with pedestrians, people using mobility devices



- Bikes/scooters parked on the sidewalk in a way that blocks pathways for wheelchair access create a mobility barrier for people using mobility devices
  - Bikes/scooters parked on the sidewalk and blocking pathways present a safety issue/fall hazard for people who are blind or have vision impairments
  - people who are blind or people with visual impairments still have issues with 5-foot clear zone
  - Need to collect data on and consider impact on pedestrian use as the biggest group impacted by e-scooters and e-bikes
  - Require docking stations/parking areas – sufficient number in all areas and especially near Metro stations
  - Sidewalk use restrictions beyond the Central Business District in DC
  - No sidewalk use anywhere
  - Alert system/cricket sound
    - some type of warning system to alert when a scooter is in use or parked nearby
    - sound or shaking alert of the scooter when a user is on the sidewalk where it is illegal
    - to signal safe crossing areas where there are bike lanes or floating bus stops
  - Safe zones free of scooters/bikes
  - Photo parking with in-app fines for not parking correctly
  - Issues specifically at entrances to Metro Stations and on transit. Metro doesn't own the land, so can't ban it
  - Create separated bike lanes as a space for micromobility devices to safely travel rather than using general travel lanes or sidewalks
- Availability/Affordability
    - Affordability for people with low-income is a positive
    - Availability for use after bus service ends is a positive
    - Lack of adaptive bicycles and tricycles for people with disabilities
    - The style of docks in DC can't fit adaptive bikes – has this been resolved or a solution researched?
    - In DC and Baltimore scooters are being used more by people low-incomes and minorities
    - Are they in all neighborhoods? How many locations East of the Anacostia, Prince George's County?
    - Availability related to density (more density = more influential area in our region)
    - Equity of locations
  - Infrastructure
    - Universal design as a standard (tactile railings, detectable warning strips, etc.)
    - When constructing bike lanes and floating bus stops, consider existing laws and arrangements that allow things like paratransit vehicle drop offs of wheelchair users on sidewalks and safe bike-lane crossings for people who have vision impairments
    - Work in full consultation with interest groups

- Overarching
  - Need for involvement of the disability community from the planning stage of new transportation technologies
  - Any action needs to be in collaboration with people with disabilities
  - District Equity Policy should be shared with other jurisdictions & with dockless companies
  - Is the cart driving the horse?
  - Data collection needed
  
- Possible next steps
  - A strong statement of concerns from the AFA
  - Provide a model local ordinance to regulate dockless vehicles
  - Address concerns as part of new contracts for the new iteration/pilots ending
  - COG/TPB encourage jurisdictions to stop until there are unified regulations
  - Concern that ADA is being violated