



March 24, 2020
Via electronic mail

Elaine Chao
U.S. Secretary of Transportation
Office of the Secretary
U.S. Department of Transportation
1200 New Jersey Ave, SE
Washington, DC 20590

RE: Transportation Access and Safety for People with Disabilities During and After COVID-19

Dear Secretary Chao,

We write as members and friends of the Consortium for Citizens with Disabilities (CCD) Transportation Task Force to urge you to ensure that transportation service responses to COVID-19 do not discriminate based on disability, that service is maintained in line with public health and social distancing standards, and the needs of workers and passengers with disabilities are met. CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Many people with disabilities who cannot drive or do not have access to an accessible vehicle rely on public transit, paratransit, on-demand and rail services, including Amtrak. Indeed, as the *Washington Post* editorial board noted recently, “transit is not an urban amenity; it’s life support for people who need it to access groceries, dialysis and jobs at hospitals whose continuing ability to address the crisis depends on employees showing up for work.”

1

We were encouraged by the Department of Homeland Security’s designation of transit workers as “essential critical infrastructure workers” late last week. As transportation service providers develop and implement policies in response to the COVID-19 pandemic, the needs of passengers with disabilities and the workers providing service must not be overlooked.

Maintain Public Transportation and Rail During and After the Pandemic

Adequate funding for public transportation, rail, rural transportation and services such as non-emergency medical transportation (NEMT) must be available during and after the pandemic. Without transportation services, many people with disabilities may lack access to medical facilities, testing sites, pharmacies or grocery stores. Stimulus efforts must include Section 5310 programs which includes critical funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.

Maintenance of Paratransit Service Areas

Under the Americans with Disabilities Act, local transportation systems are required to provide complementary paratransit service within ¾ mile of each bus route and rail station. As transit agencies begin to cut hours and routes, paratransit service areas may be diminished. It is essential that paratransit service remains available for people who may need to travel in an emergency.

CCAM Convening to Identify Alternatives when Necessary

We urge USDOT to work with the members of the inter-agency Coordinating Council on Access and Mobility (CCAM) to identify necessary resources for people with disabilities. CCAM agencies should encourage state and local entities to do the same. If fixed-route transit, paratransit or other transportation services such as NEMT are not provided in an area due to staffing shortages, or unavoidable cuts, or if it is unsafe for disabled passengers to travel, access to groceries, medical professionals, COVID-19 testing and meals must be made available.

Protective Gear and Cleaning Supplies for Transportation Providers

Adequate provision of protective gear and cleaning supplies for bus, rail, paratransit and NEMT workers must be prioritized to ensure the health and safety of drivers and passengers. People with disabilities, including wheelchair users, will need to travel. Protective gear for drivers is essential, especially since they will need to continue to provide securement at close proximity for wheelchair users.

COVID-19 Transportation Policies Must Not Discriminate

Any new policy or waiver must take into account the needs of disabled passengers, and ADA obligations. For example, new policies requiring rear-door-only boarding on transit buses must provide an exemption for wheelchair users requiring the ramp, and other passengers who may experience difficulty accessing the rear door. Persons who are blind or visually impaired listen for auditory cues to enter the bus. Such auditory clues are not available in the back doors. As a result, finding the proper door to enter for blind and visually impaired passengers would be extremely difficult. This policy would have profound negative effects on riders with disabilities and should not go into effect without an exemption.

We urge you to convey this information to all entities who may be involved in decision-making, and to ensure continued access to transportation and necessary services for all in need. Thank you again for your commitment to the disability community. We look forward to remaining engaged in these vital conversations. Please do not hesitate to contact Claire Stanley, cstanley@acb.org, or Carol Tyson, ctyson@dredf.org, with any questions.

Sincerely,

Access Living

American Council of the Blind

American Foundation for the Blind

Association of People Supporting Employment First (APSE)

Autistic Self Advocacy Network

Christopher & Dana Reeve Foundation

Cure SMA

Disability Rights Education and Defense Fund

National Council on Independent Living

National Multiple Sclerosis Society

Paralyzed Veterans of America

RespectAbility

Rooted in Rights

The Arc of the United States

National Association of the Deaf

National Down Syndrome Congress

National Disability Rights Network

United Spinal Association

CC: Finch Fulton, Deputy Assistant Secretary for Transportation Policy, OST

K. Jane Williams, Acting Administrator, FTA

Selene Dalton-Kumins, Associate Administrator for Civil Rights, FTA

Ronald Batory, Administrator, FRA

Calvin Gibson, Director Office of Civil Rights, FRA

¹ Editorial Board, Why transit must survive the virus. *Washington Post*, March 22, 2020. Found at: https://www.washingtonpost.com/opinions/why-transit-must-survive-the-virus/2020/03/22/2f4ecc62-6af7-11ea-9923-57073adce27c_story.html