



Rights of People with Disabilities in Taxi and Ride Sharing Services

The Americans with Disabilities Act Taxi Service and Vehicle Requirements

The Americans with Disabilities Act (ADA) is a civil rights law that protects the rights of people with disabilities, including individuals with physical, sensory, mental and cognitive impairments, when using private taxi services, including limousine services. Title III of the ADA sets forth service requirements that apply to all private taxi services and sets forth accessibility requirements for only certain types of taxi vehicles.

Service Requirements

ADA service requirements that apply to all taxi service:

- Cannot refuse to serve a person with a disability who can use taxi vehicles
- Cannot charge higher fares or fees for carrying people with disabilities and their equipment than are charged to other people
- Must provide help stowing mobility devices (wheelchairs, walkers, etc.)
- Must allow service animals to ride with passengers with disabilities

Taxi drivers do not have to help with transfers, lifting, or other types of personal assistance.

Does the ADA require taxi companies to purchase wheelchair accessible vehicles?

It depends. The answer is no if the taxi company purchases only new or used sedans, or used vans. However, if a taxi company purchases any

new vans (including minivans) with a certain number of seats, it must buy wheelchair accessible vehicles, unless the company is already providing “equivalent service” to people with disabilities.

To figure out if a private taxi company is providing “equivalent service” to passengers with disabilities who need an accessible vehicle, you need to look at its system as a whole. All aspects of the accessible service must be the same as the service provided for someone who doesn’t need an accessible vehicle: response time, fares, service areas, hours and days of service, availability of service and reservations. Taxi companies have to keep accessible features like ramps and securement systems in good working condition and fix them quickly when they are not working or damaged.

Pennsylvania Accessible Taxicab Service and Training Requirements

Service

In Pennsylvania, availability of accessible taxicabs varies widely by region and individual city. If a taxi is on-duty and not already transporting a passenger and sees someone with a disability hailing a cab, the driver must stop and attempt to accommodate the person. If the driver is unable to reasonably accommodate the person, the driver shall call a dispatcher to immediately arrange for service with the closest taxi that can accommodate the persons need. PA Code § 1021.16.

Training

All personnel involved in providing taxi service, including reservations/dispatch employees, must be “trained to proficiency” in serving customers with disabilities. For example, this means that taxi drivers must be trained on:

- How to use and maintain accessibility features and equipment in accessible vehicles
- Proper securement of mobility devices
- Sensitive and appropriate interaction with passengers with disabilities
- Understanding the requirements of the ADA

Pa Code § 1021.8(b)(7)(iii);(c).

Pennsylvania Accessible Service Requirements for Ride Sharing Companies

Ride sharing companies, such as Uber and Lyft, create and maintain mobile applications that allow customers to request a ride from drivers operating their own personal vehicles. While courts have held that private ride sharing companies are not covered by the ADA and thus, not subject to the ADA requirements for transportation service, Pennsylvania passed legislation in 2016 that regulates ride sharing companies as Transportation Network Companies (TNCs) and imposed requirements for accessible service and accessible vehicles. Under Pennsylvania law:

- TNCs cannot discriminate in services and cannot impose additional charges to provide service to an individual with disabilities.
- TNCs must use digital networks that are accessible to users who are blind, visually impaired, and deaf and hard of hearing.
- TNCs must transport a service animal for no additional charge unless the driver has a documented medical allergy on file with the TNC.
- TNCs must provide passengers with disabilities requiring mobility equipment an opportunity on its digital network to indicate if they require a wheelchair-accessible vehicle. The TNC must then facilitate transportation by connecting the passenger to (1) an available driver operating a wheelchair-accessible vehicle; or (2) directing the passenger to an alternative provider with the authority and ability to dispatch a wheelchair-accessible vehicle to the passenger.
- TNCs must adopt a policy of nondiscrimination regarding individuals with disabilities and shall provide notice of the non-discrimination policy and notice of procedures to report a complaint to the commission or authority about a transportation network company driver's alleged violation on their website.

53 Pa. C.S.A. § 57A11

Further, as part of the legislation, 70 wheelchair-accessible vehicles were supposed to be made available in Philadelphia by June 30, 2017. Until 2022, it authorizes the Philadelphia Parking Authority to require an additional 10 wheelchair-accessible vehicles per year. Also, TNCs must report the programs and best practices they have implemented to improve accessibility to individuals with disabilities. While ensuring the Philadelphia

market has wheelchair-accessible vehicles, the law does not mandate a specific number of wheelchair-accessible vehicles for the rest of the state. 53 Pa. C.S.A. § 57A11(c).

What can you do if you have a disability-related problem with a private taxi, limousine, or ride sharing service?

First, and most important, let the taxi company know about any problems. If you can, make your complaint in writing (email or letter). Give them as much information as possible (description of what happened, date, time, location, etc.). And keep a copy for your records.

Taxi, Limousine, and ride sharing services in Philadelphia County are regulated by the Philadelphia Parking Authority (PPA) and you can file a complaint with the PPA or by calling 215-683-9440. The complaint will be assigned to an investigator who will make contact with them soon (usually takes about a day) and they will open an investigation on the claim.

You can file an ADA complaint with the U.S. Department of Justice ADA Information Line: 1-800-514-0301 or 1-800-514-0383 (TTY), www.ada.gov/filing_complaint.htm, ADA.complaint@usdoj.gov, U.S. Department of Justice, 950 Pennsylvania Ave. NW, Civil Rights Division, Disability Rights Section – 1425 NYAV, Washington, DC 20530

Contact Information

If you need more information or need help, please contact Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: intake@disabilityrightsa.org.

The mission of Disability Rights Pennsylvania is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, Disability Rights Pennsylvania cannot provide individual services to every person with advocacy and legal issues. Disability Rights Pennsylvania prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

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PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-692-7443, Ext. 400, TDD: 877-375-7139 or intake@disabilityrightspa.org.