

Accessibility Advisory Committee Washington Metropolitan Area Transit Authority Meeting Minutes: February 7, 2011

Committee Introductions

Fourteen committee members were introduced: Patrick Sheehan (Chairman), Phil Posner (Vice-Chair), Paul Semelfort, McKinley Young, Julius Fleischman, Joyce Callahan, Marilyn Lutter, Elliott Lapin, Susan Holland, Michael Brownell, Tom Dowling, Debbie Brown, Emily Singer and Tapan Banerjee. Darrell Drake and ex-officio members, Sharon Moore and Carolyn Bellamy were absent.

Ms. Holland informed the Committee that former Committee member, Bill Lee, passed away. Mr. Lee served on the Committee when Richard Hedding served and was a leading force in the establishment of MetroAccess and was a very vocal advocate for people with disabilities. A moment of silence was reserved for Mr. Bill Lee.

Review of Agenda

Mr. Sheehan requested Ms. Carol Kissal come to the March AAC meeting to provide a budget overview.

Review of Minutes

Mr. Posner stated he emailed corrections to be made to the minutes to ADAP. The Committee voted and accepted the minutes as amended.

MetroAccess Subcommittee Report

Mr. Semelfort presented the Committee with the MetroAccess Subcommittee report from the January 31st Subcommittee meeting. Mr. Semelfort stated that a new securement device was demonstrated at that meeting and feedback was received from consumers. Ms. Dalton-Kumins stated that the MetroAccess fare change will be implemented on February 27th. MetroAccess is no longer accepting farecards or tokens as of February 1st and any unopened tokens or farecards can be exchanged at Metro Headquarters and Metro Center sales offices. Customers will be informed of the change which will be communicated via seat-drops, IVR system announcements, the

reservation line, etc. A revised MetroAccess Customer Guide including new information on the fare changes will be disseminated to customers later this month.

Mr. Semelfort stated that MV Transportation hired Pat Reilly to work with drivers to educate them on appropriate behavior techniques while assisting customers. Mr. Reilly was also hired to assess the safety culture at MV Transportation and hopes to share the information with the Committee at a later date.

Mr. Semelfort stated that for safety reasons, the importance of customers having their MetroAccess ID cards with them while traveling was expressed during the meeting and statistics regarding the No-Strand Policy were requested.

AAC Governance Update

Assistant General Manager of Access Services Christian Kent presented the Committee with an update on the AAC's governance in reporting to the Board. Mr. Kent stated that the AAC would benefit from having the ability to report directly to the Board as does the Riders' Advisory Council (RAC). Mr. Kent stated that Cathy Hudgins has formally accepted the position of Chairperson of the WMATA Board and one of the items to be discussed in the upcoming Board meeting will be the terms of Committee members. Suggested terms are to be 3 years and members can serve up to 4 terms equaling 12 years. Mr. Kent also stated there will be 2 representatives from the Council of Governments (COG) Access for All Committee joining the AAC who have the same concerns and interests in the transportation needs for people with disabilities and believes these additions will assist in the improvement of accessible transportation.

Mr. Kent stated that staff from the Department of Access Services and the Office of the Board Secretary, will be directly involved in ensuring that appropriate follow-up actions are taken on recommendations voted on by the Committee. Tom Downs, a representative of the WMATA Board Customer Service and Operations Committee, asked that records are kept of Committee recommendations and resolutions. Mr. Kent stated that some time should be allotted during a meeting or a separate meeting be scheduled for an orientation for Committee members.

Mr. Posner asked that since there are a few members whose terms expired last year and a few vacancies, what will happen to the members whose terms have expired. Mr. Kent answered that a recruitment process will be initiated to fill the vacancies eventually and the members whose terms who have expired will continue to serve until

there is a formal appointment. Mr. Kent verified with Glenn Millis that there is a "failure to elect" provision in the Bylaws which covers this issue and as such members will be able to continue to serve.

Mr. Banerjee questioned if the revised Bylaws are the same Bylaws that were revised by the Bylaws Subcommittee and Mr. Kent answered that the Bylaws he was referring to are not the Bylaws the Committee created/revised but are the new Bylaws created and formatted similarly to the RAC's Bylaws. Mr. Kent explained that the new Bylaws were based on the feedback received from the Committee provided and stated the information is now online for review. Mr. Kent informed the Committee that they will have an opportunity to review the Bylaws and ask any questions or make any suggestions if needed and Mr. Kent agreed to have the information emailed to the Committee for review.

Ms. Callahan asked who would keep track on the record of the open/closed items and would they be included in the meeting minutes. Mr. Kent stated the Committee would make that decision but thinks staff should keep the records and the items would be completed per Committee direction, the information would be included in the minutes and would be published and circulated to Committee members, posted online and provided to the General Manager and the Board.

Mr. Semelfort questioned what direction should the MetroAccess Subcommittee would take in efforts to get outstanding issues resolved. Mr. Kent reiterated his reasoning for having a member orientation—to benefit the Committee and staff on procedure. Mr. Kent stated that if an urgent item or safety issue cannot be resolved by staff at the Committee level, the opportunity to escalate the matter to the Board is available.

Mr. Kent shared information with the Committee regarding the fare policy. He stated the fare policy was changed for bus, rail and MetroAccess in June 2010 but the change was made in two stages for MetroAccess; July 1, 2010 the flat fare was increased from \$2.50 to \$3 and has been in effect since July. Since then, another change was intended to increase the MetroAccess fare to twice the comparable fare of fixed route and this change required technical enhancements and customizations to the system, that change was not implemented on July 1st. February 27th is the newly scheduled implementation date for this change.

Mr. Kent stated that he has been made aware of the concerns from the community of this fare increase and wanted to address some of the concerns. He stated that Metro is

aware of the impact fare increases on many communities, (e.g. low-income, unemployment, disability, etc.). He explained that public hearings are required for any service changes or fare increases. A public hearing for the MetroAccess fare increase was conducted in March 2010. Mr. Kent stated that the increase was based on the lowest-based fare for Metrobus, which is \$1.50 multiplied by 2 equaling \$3, and which complies with the ADA. Mr. Kent went on to explain that the system is designed to calculate the fare based on the fastest fixed-route trip to comply with the ADA requirement for comparability of trip length between paratransit and fixed-route services.

Mr. Kent confirmed that the MetroAccess Customer Guide and a special edition of the newsletter will be disseminated to customers, including answers to frequently asked questions pertaining to the new fare policy, service area definitions, and the grandfathering provision for out-of-corridor travel. Mr. Kent stated this information will be mailed to each MetroAccess customer and those on the ListServe, it will be distributed on vehicles, posted on the website, IVR system announcements, etc. and will be available in accessible formats.

Ms. Brown questioned if any records will be kept for fare disputes and would like to see a report showing if money is being saved or not. Mr. Kent stated that the number of fare disputes versus the amount of service is a very small number, but the biggest misunderstanding regarding the EZ-Pay system is that the prepaid ride only takes effect if the customer has replenished the account prior to making the reservation. Otherwise, the driver will expect the customer to pay cash at the time of boarding. To apply EZ-Pay to multiple trips, the account must be replenished with sufficient funds to cover multiple trips prior to their reservation. A trip reserved without sufficient funds cannot be converted to a pre-paid trip after the reservation has been completed—the only way to do this is cancel the trip, replenish the account, and rebook. Mr. Kent stated that using a credit card is not the only way to pay on the EZ-Pay system. Employers who use SmartBenefits can direct those funds to EZ-Pay accounts, and Metro Sales Offices are now accepting cash to fund EZ-Pay accounts.

Mr. Posner made suggestions on how to calculate the base fare for MetroAccess and questioned why the online trip planner does not calculate the fare. Mr. Kent responded by saying the ADA's original intent was to provide service to those whose needs could not be met by using fixed-route services and by design, paratransit is a more expensive service to operate and does not call for having a "comparable" fare but rather "twice the comparable fare." Mr. Kent went on to explain that the Free Ride Program is a

Board policy and is neither a law nor part of the ADA; rather, it is a program that Metro implemented to promote greater use of the fixed-route system. Mr. Kent stated if the Committee would like more information on the history of the Free Ride Program, that information can be provided.

Mr. Young stated that "add-ons" can pose a problem with calculating the comparable fare for customers. Mr. Kent clarified that the fares are calculated based on the trip the customer requests and is not affected by changes in trip routing. He additionally stated that the MetroAccess scheduling system is programmed with restrictions on trip length, so some "add-ons" will not be permitted if they would result in too long of a trip. Consequently, there is no relationship between the change in fare policy and trip length.

Repeal of Eligibility Policy Requiring Guardian or Power of Attorney

Mr. Sheehan stated that he asked the General Manager, the RAC, Mr. Kent and other WMATA staff to involve and inform the AAC before any changes and decisions affecting the disability community are made.

Mr. Kent stated that the MetroAccess Policy requiring people with "disabilities of a cognitive nature" to be accompanied by legal guardians or persons with power of attorney ("POA") who can make "healthcare and travel decisions" on the person's behalf during eligibility assessment appointments has been revoked. Mr. Kent then delivered a presentation that summarized the operational problems that led to the policy, which included a number of incidents in which social service agencies made arrangements for customers to participate in Metro's eligibility process and promised to escort them to the appointment, only to have the customer arrive unaccompanied. This presents safety challenges for the MetroAccess operator providing transportation to the appointment as well as for Metro staff conducting the eligibility assessment. There were also issues of accountability since care givers or family members were often not aware that these customers were traveling to Metro or participating in the eligibility process.

Mr. Kent stated he is hoping to establish a working group of representative individuals from the community and AAC to examine any issues surrounding the policy. Mr. Sheehan, Ms. Lutter and Ms. Holland along with the attorneys from Quality Trust which represents clients opposed to the policy, Victor Robinson, Doris Ray volunteered to participate in the working group.

Mr. Banerjee informed the Committee that the letter submitted to WMATA from Quality Trust regarding the MetroAccess policy was not signed by him and was awaiting an answer from the individual who placed his name on the letter. Mr. Sheehan reiterated that the current policy has been revoked and a problem has been acknowledged and individuals are interested in finding solutions to this issue.

Erin Leveton, Senior Attorney for Quality Trust for Individuals with Disabilities submitted the letter and apologized for not informing the Committee of this letter in advance. She thanked Metro for revoking the policy and being so receptive to the issues that were raised. Ms. Leveton stated looking forward to working with Metro on the issues and believes the issues shared are real safety concerns. Ms. Leveton acknowledged some of the safety and liability issues raised by Metro and believed that protocols for many of these issues may be sufficient without the need for any major policy changes. She is willing to assist in addressing these concerns.

Mr. Kent confirmed Ms. Leveton, Ms. Jennifer Berger and Mr. Victor Robinson as additional volunteers to participate in the work group. Ms. Singer suggested that one individual from the CILs, ARCs and other agencies or advocacy groups should volunteer to participate in the work group to ensure all areas of interest are represented. Mr. Sheehan suggested information be sent from the Committee inviting individuals to volunteer to participate in this work group.

Public Comment Period

Audience member, Doris Ray, stated that information was not shared with the disability community regarding those who travel outside the $\frac{3}{4}$ mile will be charged \$7, increasing the round-trip amount from \$6 to \$14, which is a significant increase and will pose hardships for many customers. Ms. Ray would like MetroAccess to look into this issue and would like to know how the base fares and the comparable fixed-route rides were calculated.

Ms. Callahan stated that station managers are not consistent in providing customer service to individuals with disabilities in emergency and evacuation situations and would like information to be provided to the Committee so the Committee can share their input on how individuals with disabilities shall be assisted in those situations. Ms. Callahan stated that she'd like the Committee to be involved and be able to provide input on any projects that affect accessibility to MetroRail stations and mentioned the New Carrollton station as a station that is in the planning stages of a project.

Mr. Kent responded that the Office of ADA Programs is involved conducting ADA compliance assessments of adjacent construction projects before projects are constructed.

Mr. Kent advised the Committee that the previous meeting minutes will be reviewed for any recommendations and votes and included in the work list to report to the Board. In response to Ms. Ray's public comments, Mr. Kent explained that previously there were miscommunications regarding the fare being \$7 per trip for every out-of-corridor trip and explained that it will be twice the equivalent fixed-route fare plus the supplemental fare, but in no case exceeding \$7.

Ms. Ray asked what the comparable fare was based on. Mr. Kent then stated the "comparable fare" is the fastest equivalent trip taken on any of the available fixed-route services that Metro and its partners offer, and that the calculation will vary based on the time of day and day of service of the requested trip.

Audience member, Victor Robinson, questioned why the information that's in the system when a trip is booked is different from the information that's on the driver's manifest, i.e. entrance, pick-up location, etc. Mr. Kent answered that this has been an ongoing issue with MetroAccess and also stated that a number of factors can be the issue of certain information not being available to the drivers, for example, type of vehicle may not be equipped with an on-board computer or the dispatcher may make a mistake, but explained that dispatchers are trained on the importance of giving all pertinent information to the drivers.

Mr. Kent stated that he will ask Carol Kissal to attend an AAC meeting to brief the Committee on the budget and he will also be available to answer questions as well.

Accessible Pathways Letter

Mr. Sheehan stated that the letter is approximately 90% complete and once completed, it will be sent to the Committee for review through the Office of ADAP.

Adjournment

Meeting adjourned at 7:48 p.m.