



**LEGISLATION & PUBLIC
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June 14, 2018

Honorable Miguel Santiago
Chair, Communications and Conveyance Committee
California State Assembly
Capitol Building, Room 6027
Sacramento, CA 95814

RE: SB 1376 (HILL) as amended June 12, 2018 – SUPPORT

Dear Assembly Member Santiago:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports SB 1376**. This bill is scheduled for hearing in the Assembly Communications and Conveyance Committee on June 20, 2018.

The relatively new industry known as “ride-sharing,” regulated in California by the Public Utilities Commission (PUC) as transportation network companies (TNC), has provided new freedom of travel for users in California and elsewhere. The use of smartphone technology allows travelers to secure rides more swiftly, reliably and conveniently than was possible under taxi service alone. In many ways, technology is the best friend of persons with disabilities. Improving mobility can have life-changing effects for them, improving their ability to work, study, participate in community life, and generally live more independently.

Unfortunately, for individuals with disabilities that rely upon nonfolding wheelchairs, mobility scooters, or other mobility devices, these life-changing effects are unrealized in the TNC mobility sector. In other words, those who use motorized mobility chairs are almost entirely excluded from the benefits of TNCs because the vehicles used in the TNC model do not

accommodate wheelchair users.

The Americans with Disabilities Act of 1990 and the Unruh Civil Rights Act require that services provided by transportation companies meet equivalent service standards that include, but are not limited to, response times, fares and geographic service areas for persons with disabilities that are comparable to the services provided to persons without disabilities. That existing obligation does not mean that the benefits of TNCs are actually being realized by persons with disabilities. To the contrary.


SB 1376 recognizes that the legal obligations of the TNCs have not yet translated to on-the-ground application. This bill seeks to improve accessibility in the TNC business model while continuing to hold TNCs to their existing obligations of ensuring full accessibility to persons with disabilities who use motorized wheelchairs services equivalent to those persons without disabilities. At its core, SB 1376 creates a time-limited interim model to test and improve TNC accessibility through fostering local models and partnerships that will establish on-demand transportation programs to improve access to transportation options for individuals with disabilities. It funds that program through fees on those TNCs who are not ensuring accessibility to wheelchair users.

Specifically, SB 1376 would require the PUC by January 1, 2020, to develop regulations relating to accessibility for persons with disabilities, including wheelchair users who need a wheelchair accessible vehicle. As part of these regulations, the bill would require the commission to conduct workshops with stakeholders in order to determine community demand, transportation provider supply, and educational outreach objectives and to develop programs for on-demand services, service alternatives, and partnerships. As part of these regulations, the bill would also require the PUC ensure each TNC to be fully accessible to persons with disabilities and, if this requirement cannot be met, the bill would require the PUC to assess a fee on the TNC to fund on-demand accessible transportation services for persons with disabilities until the TNC is fully accessible to persons with disabilities. The bill would require the PUC to report to the Legislature by January 1, 2023, on the compliance with these provisions and, if applicable, on the effectiveness of the transportation programs and partnerships funded pursuant to these provisions. The bill would sunset January 1, 2025.

While not relieving TNCs of their obligations to accommodate persons with disabilities that use wheelchairs, this bill will foster innovations and models that will provide wheelchair users to benefit from the greater mobility and ease of travel that is offered by TNCs and, it will be funded by the TNCs who have the obligation but are not meeting it. This bill will allow more Californians to improve their mobility and their everyday lives.

For these reasons, DRC supports this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Child". The signature is fluid and cursive, with the first name "Curtis" and last name "Child" clearly distinguishable.

Curtis Child
Legislative Director
Disability Rights California

cc: Honorable Jerry Hill, California State Senate
Laura McWilliams, Policy Analyst, Office of Senator Hill
Honorable Members, Assembly Communications and Conveyance
Committee
Edmond Cheung, Chief Consultant, Assembly Communications and
Conveyance Committee
Kala Taylor, Committee Secretary, Assembly Communications and
Conveyance Committee
Barbara Gausewitz, Consultant, Assembly Republican Caucus
Committee