



## Transportation Act Reauthorization Position Statement: Rural Transportation for People with Disabilities

January, 2010

*“It is hereby declared to be the national policy that elderly and handicapped persons have the same right as other persons to utilize mass transportation facilities and services; that special efforts shall be made in the planning and design of mass transportation facilities and services so that the availability to elderly and handicapped persons of mass transportation which they can effectively utilize will be assured; and that all Federal programs offering assistance in the field of mass transportation (including the programs under this Act) should contain provisions implementing this policy.” Urban Mass Transportation Act of 1970, P.L. 91-453*

The current Transportation Act – the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) is scheduled for reauthorization in FY2010. Advocates are looking hard at what needs to be changed, what should stay and what needs to be added to the bill this go round. The above 1970 statutory language, establishing national transportation policy, was written 20 years before the 1990 Americans with Disabilities Act (ADA). We need to use the 1970 transportation act's words as a challenge and a reminder of promises to keep.

SAFETEA-LU created the New Freedom Program (sec. 5317) to support new public transportation services and public transportation alternatives beyond those required by the ADA, in order to assist individuals with disabilities with their transportation needs, including transportation to and from jobs and employment support services.

40 years after initial national policy, and 20 years post-ADA, minimal or non-existent transit services in rural areas still create serious barriers to employment, accessible health care and full participation in society for people with disabilities. Lack of public transportation is one of the most serious, persistent problems reported by people with disabilities who live in rural America. Compared to the resources allocated to urban areas, those allocated for rural public transportation are significantly inequitable. Statistically, 25% of the U.S. population lives in rural areas, but only 6% of federal transit funding is allocated to serve them. Many rural communities (1200 counties with a total population of 37 million people) have no public transit.

**APRIL's guiding principles in addressing transportation needs in rural America include:**

- “All” public transportation should be accessible to “All” users, “All” the time.
- Transportation must address the needs of all transit dependent groups, including: people with disabilities, senior citizens, youth, and low income individuals.
- Systems designed to meet the transit needs of people with disabilities will meet the needs of all transit users.
- Systems must be accountable for the accessibility, quality and quantity of services they provide.
- Accessible transportation includes systems, services, vehicles, routes, stops, programs and all other aspects of transportation and must at least meet or exceed the minimum requirements set forth in the Americans with Disabilities Act.

**The 2010 transportation act re-authorization provides an opportunity for significant change in the following areas:**

- **Equitable Funding:** Any and all federal investment in public transit services must be accountably accessible to all users, regardless of program or area of the country.
- **Rural Transportation Planning:** Require all states to develop a formalized planning process for rural transportation that includes provisions for people with disabilities. Currently 40% of the counties in the United States have no rural transit. Rural Planning Organizations or Regional Planning Organizations (analogous to MPO’s) should be established throughout each state with the goal of implementing Rural Transit Systems in all rural counties. Require inclusion of rural people with disabilities, including those who use the transportation system, on state and local planning committees and boards.
- **Coordination:**
  - Coordinate the transportation components of all federal disability related legislation across agencies so they are consistent with and complement SAFETEA-LU transportation programs. Linkages among transportation systems and municipalities to overcome artificial barriers such as transportation that stops at a county line or service duplication should be promoted. Mandated rural planning would address many of these barriers.
  - SAFETEA-LU mandates coordination of 5310 and other transit resources at the local level. The NEW transportation bill should emphasize the principle that human services transportation coordination is a part of the public transit systems. Human services should be used to augment existing systems to reach the goal of transportation for all. For example:
    - Use private transit resources to fill in the gaps of public resources only – (this fulfils the promise of the 1970 legislation)
    - Require all private transit resources to serve all transit dependent riders
    - Streamline eligibility criteria in a one-stop format so all transit dependent riders complete the same application

- **Innovative Programs:**
  - Systematically encourage and fund innovative private and public sector models that can address unavailable and/or insufficient rural transportation. Solutions might include: accessible taxi services; using private drivers, including those with disabilities; vehicle pools similar to those used by intercity bus programs and voucher models administered by community based organizations. Allocate innovative program funds to support tribal transportation programs that are coordinated with other public transit and community transportation services.
  - Provide tax incentives to encourage procurement of accessible vehicles by any organization or agency not covered under ADA.
  - Fund research and development to identify and demonstrate promising rural practice models and to provide training and technical assistance to rural communities.
  - Private vehicles are the primary transportation mode in Rural America. Develop a program which will assist an individual with a disability acquire an accessible, affordable vehicle.
  - Mandate the inclusion of accessibility elements (i.e. a lift added to a vehicle) into the research, design and development of cleaner and more fuel efficient vehicles.
  
- **Reorient Federal Transit Investment**
  - Establish a seamless system that reaches as many people as possible and is fully accessible and affordable for all. Provide incentives to bring people to the table and drive them toward this type of system – not 20 different and disparate systems in one area and none down the road.
  - Create an entity that looks at what it means to be a traveler in America.
  - Look at transportation from the travelers’ perspective and give people (both public and private) alternative community mobility options. Do people get where they need to go? Do they get there safely? Is it energy efficient?