

Lisa Subeck

STATE REPRESENTATIVE

To: Assembly Committee on Transportation
From: Representative Lisa Subeck
Date: October 28, 2015
Subject: Testimony in support of Assembly Bill 358, relating to parking spaces reserved for persons with physical disabilities.

Chairman Ripp, and members of the Assembly Committee on Transportation:

Thank you for taking the time to hear testimony on Assembly Bill 358, which would allow taxi cabs to pull into a disabled parking space in order to load a disabled individual.

Under current law, a taxi cab may unload an individual who is disabled and issued a disability placard from the Department of Transportation (DOT) using a parking space reserved for disabled individuals. However, a taxi cab is not permitted to pull into a disabled parking space to load an individual who is disabled.

This issue came to my attention after a constituent had contacted city officials to inquire about the law. The individual had requested a taxi pick him up in a parking spot designated for disabled individuals because it was the most accessible place available for him to load. The taxi driver refused because state law did not allow him to do so.

AB 358 would fix state law to allow a taxi cab to pull into a disabled parking space and load a person with disability who has been issued a disability placard. Under current law, there are a handful of other circumstances under which a vehicle may utilize a disabled parking spot temporarily, and this addition is a logical accommodation for individuals with disabilities.

I worked closely with the Council on Physical Disabilities' Transportation and Parking Committee, a coalition of organizations and individuals impacted by and providing advocacy around disabled transportation and parking matters, to ensure this bill addresses the needs of disabled individuals without any unintended consequences that would make parking more difficult for those who need and regularly utilize parking spaces designated for individuals with disabilities.

Thank you again for your time and attention to AB 358. I would be happy to answer any questions the committee might have.

78TH ASSEMBLY DISTRICT

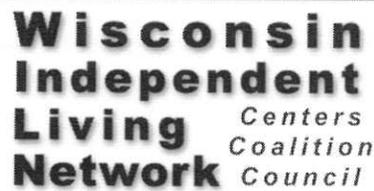
STATE CAPITOL P.O. Box 8953, Madison, WI 53708 PHONE (608) 266-7521 TOLL-FREE (888) 534-0078

EMAIL Rep.Subeck@legis.wisconsin.gov

WEB <http://legis.wisconsin.gov/assembly/78/subeck>



30% post-consumer fiber



Bob Olsgard, Chair
Transportation Advocacy Committee
Wisconsin Independent Living Network
3810 Milwaukee Avenue
Madison, WI 53714

Representative Keith Ripp, Chair
Wisconsin Assembly Committee on Transportation

10/27/2015

Re: Assembly Bill 358, Relating to: parking spaces reserved for persons with physical disabilities.

Representative Ripp and Committee members,

As chair of the Wisconsin Independent Living Network's committee on transportation advocacy I am writing to provide information which I hope may inform your consideration of Assembly Bill 358. As you may know, the Wisconsin Independent Living Network is made up the Wisconsin Coalition of Independent Living Centers (WCILC) with input from the Independent Living Council of Wisconsin. As such we both represent and provide an advocacy vehicle for Wisconsin's Centers for Independent Living and our many consumers with disabilities.

Our committee has been following the progress of this legislation since it was introduced by Representative Subeck earlier this year. We provided input to staff, specifically on the bill's mention of those locations already served by accessible loading areas, recommendations which have been incorporated in to the present draft.

Our concerns are as follows

Enforcement: Disabled parking permits are presently difficult to regulate and their fraudulent use is already a problem. As you may be aware, there is a separate piece of legislation—not yet assigned a bill number, LRB 2717—which attempts to stiffen the medical requirements for the issuance of the permits and increase the fine for the mis-use of these permits. In a potential worst-case taxis will be granted unlimited use of disabled parking spaces, should they choose to utilize them. Considering that we already have problems with the enforcement of our state's disabled parking tag regulations, adding an additional user group will make the problem of enforcement still worse.

Not enough disabled parking spots to accommodate increased use: Should Taxis be added to the group users for these already over-used disabled parking spaces, this legislation will create still more demand and the potential to make it still more difficult for those already certified users to access our communities. Perhaps a better solution will be to add to the number of disabled parking spaces and loading zones.

The process will be complex and time consuming for taxi operators. In order to use the disabled parking space, first the dispatcher then the driver will need to check and verify that the rider has a permit and examine and verify the letter awarding that permit. We are concerned that the day-to-day operation of Wisconsin's taxi companies may not allow the necessary time for this thorough and considered approach.

Accessible taxis already have permits. Those taxis equipped for transporting the people with physical disabilities this bill will assist already have tags allowing them to unload and load persons with a disability in a disabled parking spot. Is the added benefit to what may be a small user group worth adding to the already confusing and difficult enforcement picture?

With the abuse that's already happening in the use of disabled parking spaces by people who are not experiencing the physical limitations which qualify users for the permits, the independent living network is very concerned that AB 358 will further confuse an already overwhelmed enforcement environment. Adding more users to the group who may use permits will make enforcement still more difficult for law enforcement officers who are already reluctant to ticket violations.

We thank the bills' sponsors for addressing a portion of the problem of access to accessible parking in Wisconsin. Indeed, this bill will address a small but important portion of that problem. But until there is a more comprehensive approach to our states accessible parking availability and regulation issues for all users we will continue to address individual problems one at a time. For instance there is a proposal LRB 2717, which attempts to address this abuse by toughening the permit requirements' medical certification and raising the fine to \$500.00. We are convinced that what is needed two-fold; 1) additional accessible parking spaces and loading zones and 2) more accessible taxis to serve Wisconsin's residents with disabilities. We would welcome a more equitable, enforceable and comprehensive remedy.

Because others in the disability community support this legislation we will not oppose it. We are convinced however that the AB358 will benefit from further work in order to achieve its goal; to provide for greater access to our communities for those individuals with disabilities who utilize taxis not now equipped with accessible parking permits.

Please feel free to contact me for further information.

Bob Olgard, Chair, Transportation Advocacy Committee
Wisconsin Independent Living Network

bob@northcountryil.org
218-390-6451 (cell)
1-800-924-1220 v/tty



State of Wisconsin
Council on Physical Disabilities

1 WEST WILSON STREET, ROOM 551
P O BOX 7851
MADISON WI 53707-7851

Voice: 608-267-9582
Fax: 608-267-3203
www.cpd.wisconsin.gov

October 28, 2015

Assembly Committee on Transportation
412 East
State Capitol
Madison Wisconsin

Dear Representatives:

The Council on Physical Disabilities was established in 1990 to represent the needs of people with physical disabilities in Wisconsin. I am here today representing the Councils' enthusiastic support for the passage of Assembly Bill 358. This bill when adopted and signed into law will allow a taxicab operator to stop the taxicab in a disabled parking space to load a passenger who has been issued a disabled parking card if:

- The passenger provides the disabled parking card number to the taxicab service when the passenger arranges for transportation,
- The passenger presents the disabled parking card and the letter from DOT issued with the disabled parking card to the taxicab operator when the passenger gets into the taxicab, and
- There is no suitable, available loading zone for loading the passenger.

Since the inception of the Council on Physical Disabilities in 1990 people with physical disabilities have consistently identified access to safe, accessible, affordable and reliable transportation as one of their single greatest needs, in response the Council has identified access to accessible and affordable transportation as one of our four priorities in the State Plan for People with Physical Disabilities. As a Council we believe that improving access to taxicab services will help address this high-priority need for transportation services required by people with physical disabilities. Every option to improve access to transportation services is critical and that is why we are as a Council supporting Assembly Bill 358.

However, our Council on Physical Disabilities is also aware that there is a significant problem when it comes to the use and enforcement of accessible parking spaces that have been designated for parking of vehicles that display the accessible parking plate or can be accessed by the authorized use of hang tags. Therefore, it was important for our Council that we work with Representatives Subeck and others to ensure that the individuals requesting taxicab rides requiring taxicab companies to stop and pick up individuals with physical disabilities in parking spots designated for vehicles with license plates or hang tags are actually qualified to use those designated parking spaces.

Our Council is pleased that we were able to work with Representative Subeck to incorporate the statutory language that allows the taxicab company to identify an individual as having a hangtag when arranging for a taxi ride by providing the number that is visible on the hangtag and used to identify individuals as the owners of the hangtag by law enforcement officers when hung in the vehicle. In addition, at point of pick up the Council members wanted to ensure that the individual would actually be the individual that would be riding in the taxicab. Therefore, the Council is pleased that the legislation includes the requirement to show the hangtag

and the letter authorizing the hangtag received from the Wisconsin Department of Transportation and required to accompany the hangtag at all times. This regulation requiring both the hangtag with a designated number and the letter authorizing its use is to ensure that the individual when approached by law enforcement for documentation is able to identify themselves as the recipient of the hangtag and or license plates on the vehicle.

The Council on Physical Disabilities believes that this legislation offers another benefit for qualified individual with a physical disability by improving accessibility. Allowing the taxicab to pick up an individual in a designated parking space improves the accessibility for individuals who have mobility impairments which restrict them from walking more than 200 feet. Allowing taxicab companies the opportunity to pick up people in the designated parking space provides the added benefit for the individual who has limited mobility to access the taxicab without worrying about negotiating Wisconsin's ice and snow.

The Council on Physical Disabilities enthusiastically supports Assembly Bill 358 however this legislation is not the total answer to improving access to taxicab service for people with physical disabilities who require the use of wheelchairs or scooters, but it is the beginning. The Council on Physical Disabilities believes the real improvement in accessing taxicab service for individuals with physical disabilities will be when the taxicab companies recognize the need for them to purchase low floor and ramp equipped minivans in response to an ever-growing market of individuals with physical disabilities. A market that is growing due to the ability of new medical procedures and medical technologies which are keeping more people alive who were injured or diagnosed with life-threatening disabilities and the aging of our population which combined with the desire of these individuals to live in their own homes in their own communities is increasing the market need for more accessible transportation for which the taxi industry should be planning. If the taxicab companies don't voluntarily recognize the business opportunity, then our Council will need to come back to you and ask for legislation that will help improve access to taxicab service that responds to the needs of people with physical disabilities that require the use of wheelchairs and scooters that cannot be accommodated by the current taxicab fleet.

Thank you for the opportunity to allow our Council to show our support for Assembly Bill 358 a very important piece of legislation.

Respectfully,

Dr. Noah Hershkowitz, Member
Transportation and Parking Committee