

City of New York and Disability Advocates Announce Landmark Settlement to Dramatically Increase NYC Taxicab Accessibility

One out of every two medallion taxicabs will be wheelchair accessible by 2020

12.06.2013

Press Contact

Ralph Richardson

rrichardson@sheppardmullin.com

Four disability rights organizations, the New York City Taxi and Limousine Commission (TLC) and the Mayor's Office for People With Disabilities (MOPD) announced today that they have reached an historic settlement agreement to phase-in wheelchair accessible yellow medallion taxicabs so that fifty percent (50%) will be accessible to men, women, and children who use wheelchairs and scooters by 2020. The agreement is the first of its kind in the country and would make New York's yellow taxi fleet the most accessible in the nation and one of the most disability-friendly in the world.

The agreement calls for the TLC to propose rules that, if approved following a public hearing to be held next year, will require yellow taxi fleets to replace, via attrition, at least 50-percent of taxicab vehicles with wheelchair accessible vehicles by 2020. New York City taxicabs typically have a lifespan of three to five years, depending on how they are operated, and the 2,000 new taxicab medallion licenses that will be issued over the next several years (200 of which have already been auctioned) will count toward the 50% goal. The rulemaking process will determine how the remaining number will be achieved.

"New York is a world class city. Now it will also have a world class taxi system," said Sid Wolinsky of Disability Rights Advocates. "This will make New York a more livable city for tens of thousands of residents and visitors alike."

"For too long, wheelchair users have lacked adequate access to this crucial part of New York's transportation network," said TLC Commissioner and Chair David Yassky. "We at the TLC are thrilled to be able to right this longstanding flaw in a taxi system that is otherwise a source of so much pride for New York."

Currently, only 231 out of the City's 13,237 taxicabs are wheelchair-accessible. In June 2012, the City established a dispatch program enabling wheelchair users to request accessible taxicabs via 311. "The dispatch program has helped thousands of wheelchair users get a taxi, but it is not enough. Today's agreement will bring us a truly accessible taxi fleet," Yassky said.

"It is my office's goal to make New York City the most accessible and inclusive city in the world, and this landmark agreement significantly furthers this mission," said MOPD Commissioner Victor Calise. "MOPD has worked side by side with City agencies and advocates to help make this historic day a reality. We are excited to

see the results of this agreement and look forward to its implementation setting an example for the rest of the country to follow.”

“We’re overjoyed that the City has finally seen fit to treat us fairly,” said Edith Prentiss, chair of the Taxis For All Campaign, now the named plaintiff in the lawsuit. “We believe this historic pact will soon make a huge difference for people who use wheelchairs not only here in New York City but across the country.”

“I am gratified that all the parties to the litigation were able to resolve their differences and move forward in a way that is good for all New Yorkers and visitors,” said NYC Corporation Counsel Michael A. Cardozo.

“Today’s historic agreement ensures that this service, taken for granted by so many, is afforded to all New Yorkers,” said TLC Commissioner Frank Carone. “By ensuring that 50 percent of our taxi fleet is wheelchair accessible, our City has demonstrated once again that we take care of those most in need and are on the forefront of progressive issues. New York City has always been a model for the rest of the world, and I am hopeful that today’s announcement will serve as an example for other cities around the globe.”

“I have long believed that the TLC must do a better job at providing sufficient access to taxis to people with disabilities, particularly those who use wheelchairs,” said TLC Commissioner LaShann DeArcy. “The solution to this complicated issue could only be reached, however, through the collaborative efforts of the TLC, the disabled community, and other constituencies. This settlement marks the culmination of our collective efforts and represents a sea change in wheelchair accessibility in New York City. It is a win for all of us.”

“This is a milestone agreement that I am proud to support,” said TLC Commissioner Elias Arout. “Once again, New York City leads the way in public service and caring.”

“Finally, a monumental step has taken place....equality for all,” said TLC Commissioner Lauvienska Polanco. “Thanks to all involved, especially Chairman Yassky, TLC staff and City Hall for such a courageous move toward integrating all sectors of the riding public. Bravo!”

“I would like to extend both acknowledgement and thanks for the hard work of Disability Rights Advocates, the Mayor’s Office for People with Disabilities, the New York City Corporation Counsel’s Office and Taxi and Limousine Commission staff for reaching a balanced landmark settlement,” said TLC Commissioner Edward Gonzales. “I look forward to working with the industry, vehicle manufacturers and retrofitters in implementing enhanced accessible taxi service for New York City.”

Assuming the proposed disability rules are adopted by the Taxi and Limousine Commission following a public hearing, the settlement, upon approval by the federal court, will resolve a federal class action lawsuit filed in January 2011 in the U.S. District Court for the Southern District of New York. The suit was brought by a coalition of people with disabilities, including Taxis for All Campaign, United Spinal Association, 504 Democratic Club, and Disabled in Action.

Plaintiff Simi Linton, a lifelong New Yorker and power wheelchair user said, “Especially in New York, the ability to travel in a taxi is vital for getting to work, medical appointments, and cultural events. It’s critical in emergencies. This is a victory worth celebrating this holiday season.”

James Weisman, general counsel for Plaintiff United Spinal, added that “this is going to save the City tens of millions a year in paratransit costs. Making cabs accessible is not just the sensible thing to do for the many New Yorkers and visitors to the City who use wheelchairs, it’s fiscally responsible.”

The matter is titled *Taxis for All Campaign v. Taxi & Limousine Commission (TLC)*, and was formerly captioned *Noel v. TLC*. Under the settlement terms, the TLC agrees to propose rules that, once approved following a public hearing to be held next year, will require the yellow taxi fleet to phase-in wheelchair-accessible vehicles, as non-accessible taxis are retired, reaching a 50-percent wheelchair accessible fleet by 2020.

The disability groups are represented by Sid Wolinsky, Julia Pinover, and Kara Janssen of the nonprofit legal center Disability Rights Advocates and Daniel Brown and Sarah Aberg of Sheppard Mullin Richter & Hampton LLP. The City is represented by Robin Binder and Michelle Goldberg-Cahn of the Office of the Corporation Counsel of New York City.

Attorneys

Daniel L. Brown

Practice Areas

Litigation