

## **The Americans with Disabilities Act and Airport Ground Transportation**

The American's with Disabilities Act (ADA) was passed in 1991 with the firm objective of making everyday living for those individuals with physical or mental challenges easier. No less important were the provisions dealing with transportation access and the need for transportation facilities and operators to make reasonable accommodations for access and utilization. Over the twenty years of its existence, ADA compliance has resulted in numerous legal responsibilities for airports and airport ground transportation operations. Often these responsibilities are not well understood and/or enforced. This policy paper seeks to briefly describe these responsibilities in simple, easy to understand language.

Airports are required by this law to ensure that those with disabilities are able to fully utilize their airport facility, including the utilization of ground transportation operations permitted to pickup passengers. While all companies are required to make "reasonable accommodations" for those with disabilities, airport ground transportation companies are required to utilize ADA approved wheelchair accessible vehicles when traveling on a fixed route. Exceptions to this general principle are companies that provide services utilizing an automotive body type vehicle such as taxis, limousines, and other prearranged car services. These companies have no wheelchair accessibility requirement for vehicles of 8 passengers or fewer under the current ADA law. Other exceptions include taxis and shared ride van operations with vehicles which seat 8 or more passengers but fewer than 16 passengers and are considered to be "demand responsive" systems such as shared ride van operations. These operations must however, offer equivalent wheelchair accessible service at the same fare.

Ground transportation operations where transportation is their primary business, which utilize a vehicle with seating capacity of 16 or more passengers, i.e. mini- or full- size buses, and which travel on a fixed route, must have 50% of their vehicles ADA wheelchair accessible equipped and operated. Users of these services must provide 48-hour notice to the bus company until October 31, 2012, at which time all fixed route bus operations must be 100% wheelchair accessible, thus, doing away with the requirement for advanced notice.

For private ground transportation operations where transportation is NOT their primary business, and which utilize a vehicle with seating capacity of 8 or more passengers such as airport parking lots and car rental buses, these vehicles do not have to be equipped with ADA approved wheelchair equipment but these operators must provide equivalent service within the time frame of their regular route service. Public airport operators of parking lot shuttles however, have generally gone beyond this level of equivalent service and followed public transit agency requirements to equip every shuttle vehicle with an ADA approved wheelchair accessible system.

While these general rules apply, airports can and do create additional requirements through concession agreements with on-demand taxi, limousine, and shared ride van operations. Often such concessions will require a percentage of vehicle fleets involved in an airport concession to be wheelchair accessible. To date, these percentages have been relatively low, 2% for example, due to the low utilization (requests) of these services. However, most airport officials are encouraged to monitor these utilization rates and adjust the percentage of wheelchair accessible vehicles in their concessionaire's fleets if there is an increase in demand.

AGTA is committed to meeting and exceeding the transportation needs of those with disabilities – not by merely complying with existing law, but as a partner involved in transportation solutions. AGTA member compliance exceeds current demand for accessible services and will continue to do so should demand for these specialized services increase.