REQUIREMENTS AND RECOMMENDATIONS:
A Reportcard on Bus Service for People with Disabilities in Nassau County

OCTOBER 29TH, 2013

BY THE LONG ISLAND BUS RIDERS’ UNION AND LONG ISLAND JOBS WITH JUSTICE

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Executive Summary

The Long Island Bus Riders’ Union’s second annual report card on Veolia’s service in Nassau County intends to grade Veolia’s quality of service for people with disabilities. The report, released during Disability Awareness Month, uses research compiled over the past year in order to measure Veolia’s improvements and shortcomings related to both fixed-route and Able Ride buses. The report also ensures that Veolia is complying with their legal obligations secured by the Americans with Disabilities Act (ADA). The ADA prohibits discrimination on the basis of disability in employment, transportation, state and local government, public and private accommodations, and communication.

Access to transportation is fundamental to the independence and full community participation of disabled people. A bus system that does not provide optimal access, safety and reliability in service is restricting and harmful to all riders, but to disabled riders in particular. This report card serves to highlight improvements that Veolia has made since the Long Island Bus Riders’ Union report was released in 2012, and will highlight recommendations on improvements that need to be made in the future.

Over the past year, Veolia has made some important capital investments into its transportation system, including the addition of 45 new buses for the fixed-route system in early 2013 and the announcement of 28 new paratransit vans.1 By using smaller passenger vans, Veolia will cut the cost of running Able-Ride, which has a total fleet of 95 vehicles. While these improvements are significant, and have led to a drop from 5.42% to 3.56% errors on wheelchair lifts on fixed route buses, Veolia still needs to make additional adjustments to its service for people with disabilities.

This report also finds that Veolia still has examples of ADA violations in its bus system, some of which have been occurring since the company took over operations. For example, in 2012, the Bus Riders’ Union’s report researched audible and visual announcements on buses and found exorbitant levels of non-compliance. Veolia has still not fixed this systemic problem. Additionally, in 2012, the Bus Riders’ Union recommended fixing outdated Braille at major bus depots. Veolia complied and added Braille to Hempstead and Mineola; but there is still no Braille on bus posts, or at Jamaica, Nassau Community College, or Roosevelt Field Mall hubs.

Overall, this report finds that:

- Over the past year, Veolia has brought down the number of wheelchair lift errors on fixed route buses from 5.42% to 3.56%.

• Accessible Braille signage continues to be an issue at numerous bus terminals.
• Able-Ride buses often arrive outside of their pickup windows. Our research monitoring one member for one year found that Able Ride was late between 8.3% and 12.5% of the time, and the average lateness was 32.4 minutes.
• Veolia’s Able Ride reservation system has improved, with shorter wait times for riders.
• Audible and visual announcements are still not functioning properly, with 45.79% of announcements on the buses not working—an ADA violation.
• External route identification and destination audible announcements are not functioning properly, with 84.31% not working—an ADA violation.

Our rating system is as follows:

A. Excellent service/example of excellent service
   • No improvements need to be made
   • No ADA violations

B. Good service/example of good service
   • Some minor improvements need to be made
   • Example points to a potential improvement to be made, but not an actual ADA violation

C. Decent service/example of decent service
   • A significant number of improvements need to be made
   • Some cases of ADA violations
   • Example points to an individual ADA violation

D. Bad service/example of bad service
   • Most of the system needs to be revamped or improved
   • Numerous cases of ADA violations
   • Example points to a system of ADA violations

F. Horrible service
   • ADA violations are constant and Veolia is risking their company’s future.
Fixed-Route Buses

Disabled riders qualify for Able-Ride bus service, but some opt to take fixed-route buses. For the individual rider, fixed route buses are a great asset because rides are less expensive and do not need to be scheduled in advance. For Veolia, fixed-route buses are less expensive to run than Able-Ride. Ensuring that fixed-route buses are accessible to disabled riders is critical for both riders and the long-term sustainability of NICE Bus. Our findings suggest that, even though Veolia has made improvements compared to last year, there are still some obstacles that prevent the full integration of disabled riders into the fixed-route bus system.

Safety

ADA Requirements:

Accessible signage at major bus depots and on bus posts is extremely important for visually impaired and blind bus riders to feel safe getting aboard. Veolia is morally and legally obligated to provide Braille signage at “all public facilities.”

Operational lifts are also critical, and lifts that are not working must be taken off routes before the vehicle’s next service day, according to the ADA. However, if there is no other vehicle to replace it, the company can keep the vehicle in service with an inoperable lift for no more than 3 days (for populations of 50,000 or more).

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<th>Accessible Signage</th>
<th>Average Grade</th>
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<tr>
<td>Mineola Intermodal Center:</td>
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<tr>
<td>Overall, this bus terminal has adequate Braille signage. Some Braille signs have been updated since 2012 and the N78/79 route</td>
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is no longer listed; however, the phone line for hearing impaired riders that announces which bay the buses pull into still incorrectly announces the N78/79. Additionally, new signs have been glued on top of old signs. While this is not an ADA violation, it is a poor solution because weathering can damage the glue and the sign can fall off.

**Jamaica:**
No Braille signage present. The signs on the bus posts are in very small print and difficult to read for bus riders with limited sight. Affixing Braille to the actual bus post, along with big print with the bus number, would be a big improvement.

**Roosevelt Field:**
The depot has no Braille signage. Providing Braille signage at a depot like Roosevelt is critical because of the disorienting layout of the hub, which causes riders to pass crosswalks in order to access different routes. The white paint on the crosswalks is also very worn down and faded, which could make it difficult for visually impaired riders (with some sight capacity) to find their bus safely. For blind riders (with no sight), this is a very dangerous depot that would be made somewhat safer to navigate with the addition of Braille. Finally, the signs on the bus posts are in very small print and difficult to read. Affixing Braille to the actual bus post, along with big print with the bus number, would be a big improvement.

**Nassau Community College:**
No Braille signage is present at the bus stops for fixed route buses or at the Able-Ride bus stop.

**Hempstead Transit Center:**
Since 2012, new Braille signs have been purchased and placed on docking posts, all of which correctly match up with bus routes. However, each bus dock has 2-3 posts and the Braille signs are not consistently placed in the same post. Consistency is extremely important for blind and visually impaired riders. Additionally, the posts are not secured and the plastic covering that the signs are fastened to can rotate, causing the signs to face in different directions. Also, although Braille signs list the route number, they do not indicate the destination of buses that travel in multiple directions. For example, the N15 goes to Long Beach and to Garden City. When the Braille sign does not indicate route destination, blind and visually impaired riders could board the wrong bus. Hempstead Transit Center has many bus routes that...
have more than one destination direction. Finally, the N6X Braille sign only has N6 in Braille. The “x” was drawn on with a permanent marker. This is not an accessible solution to a faulty sign.

**Total grade for accessible signage:**

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**Operations of Wheelchair Lifts**

We surveyed 365 fixed route buses in a six-month period and found that 3.56% of the wheelchair lifts were not working, compared to 5.42% in 2012. These changes are the result of 45 additional fixed-route buses to the fleet, and the retirement of older buses.

However, buses still may not be tested before the bus leaves the depot. On June 14th, 2013, we surveyed the N6 bus and were told that the driver had reported the bus a week prior and the bus had not been taken off the route. In addition, on June 26th, the N23 wheelchair lift was not working and the driver had already filled out a report.

Our research shows that Veolia does not *always* remove buses from the fleet when the wheelchair lift is not working, but the addition of new buses to the fleet has improved the overall health of the system and operation of the wheelchair lifts. While some drivers reported wheelchair lifts being broken for several weeks, on June 6th, 2013, a driver of the N35 told the Bus Riders' Union that, "Lately if it's not working, [Veolia] won't let them go."

Based on the fact that some inoperable lifts were broken for more than 3 days and not taken off the fleet, these are examples of ADA violations.

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<th>Overall Safety Rating for Fixed Route Buses</th>
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**Audible and Visual Announcements:**

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4 "Survey on Wheelchair Lifts." Long Island Bus Riders' Union, June 2012 and October 2013
ADA Requirements:

The Americans with Disabilities Act requires that NICE bus have external route identification and destination announcements at stops that serve more than one route. These announcements provide blind and visually impaired riders, and other disabled riders, the means to identify the bus they need to board. NICE Bus must have both auditory and visual stop announcements for major intersections, transfer points, and any requested stop on-board the buses.

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<th>On-Board Audible and Visual Stop Announcements</th>
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<td>We monitored 107 fixed route buses to grade them on their on-board audible and visual stop announcements. Our research showed that 45.79% of buses monitored made no on-board auditory or visual stop announcements, compared with 2012, when 67.85% were not working and we rated the systems an F. While this is an improvement, the lack of on-board stop announcements continues to point to systemic ADA violations.</td>
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| The lack of prioritization on Veolia's part of audible and visual announcements is not solely a Long Island problem. Recently, Veolia was awarded a contract to operate the transit system in Hong Kong. However, Veolia failed to institute its audible and visual announcements when they launched the system. Veolia treats audible and visual announcements as if they are a choice, not a legal requirement. |

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<th>External Route Identification and Destination Announcements</th>
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<td>At bus stops that serve multiple routes (like Mineola), NICE Bus needs to ensure that someone who is blind or visually impaired can identify which vehicle to enter. We surveyed 51 fixed route buses at two busy bus depots, Roosevelt Field Mall and Mineola Intermodal Center, and found that 84.31% of buses made no external route identification and destination announcements.</td>
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This points to a serious ADA violation.

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Able-Ride Buses

While many disabled riders do take fixed-route buses, Able-Ride is a critical service that disabled riders can access. There are currently 95 buses on the fleet, with 28 new paratransit vans entering into the system.

ADA Requirements:

Veolia gives Able-Ride passengers a 30-minute window in which their buses are supposed to arrive. Thirty minutes is the industry standard, with the ADA mandating that pickup windows are legally required to be below 60 minutes. Trips that regularly fall outside of a riders’ pickup window is a violation of ADA law. On-time drop-offs are also critically important, and the Federal Transit Administration has regularly emphasized their importance. Duration of trips is an important aspect of on-time performance that is strictly regulated by the ADA. If paratransit rides consistently take significantly longer than a ride on Able-Ride, that is an ADA violation.

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<th>Duration of trips</th>
<th>Average Grade</th>
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<td>Last year, NICE Bus had major complaints about the length of trips from Able-Ride passengers. They tried to rapidly increase the number of passengers transported per hour from 1.3 to 2.4. However, when this did not work, and the company was met with harsh public pressure, they scaled back their efforts from 1.3 under the MTA to 2.0 under Veolia. For the past year, we have been monitoring the system through one of the members of the Bus Riders’ Union who relies on Able-Ride. We found that out of 13 times when the riders’ bus arrived late for a pickup, 5 trips (or 38%) were then late to drop-off. Able-Ride drivers should try to ensure that if they are late to pick up a passenger, that they readjust their route if possible to ensure</td>
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that the rider is not late to work, school, or an appointment as a result.

These cases of lateness point to ADA violations.

**On-Time Trips**

On time performance is the heart and soul of a good bus system. If bus riders can’t rely on their bus being on time, they can’t count on being on time for work, school, or doctor’s appointments.

After monitoring one of our Bus Riders’ Union members who relies on Able-Ride for the past year, we found that:

One of our Bus Riders’ Union members recorded Able-Ride trips that he took from October 2012-October 2013 in order to monitor late buses. The reports found that the member reported 13 late trips, which were an average of 32.4 minutes outside of the Able-Ride window. The member takes Able-Ride between 2-3 times a week, meaning that Able-Ride was late between 8.3% and 12.5% of the time.

A lack of reliability in the punctuality of Able-Ride, whether the bus arrives late or too early, causes passengers to miss appointments, loses the faith of riders and decreases ridership. Punctuality is a crucial part of a good bus system.

This points to some examples of ADA violations.

**Able-Ride Reservation Center**

We surveyed the wait time of 26 phone calls to the Able-Ride Reservation Center and found that the average wait time was 1 minute and 33 seconds to speak to a representative, a reasonable number. Out of the 26 phone calls we made to the center the shortest wait was 2 seconds but the longest wait was 6 minutes and 30 seconds. Based on this research and speaking with bus riders, we found that bus riders are satisfied with the wait time of the reservation center. However, the representative is only available from 8:30am to 5:00pm, which is a shorter window that it was last year (7:00am-5:00pm). Veolia should be expanding, not decreasing, the window of its reservation center.
Functionality of Lifts

Functioning lifts on Para-transit vehicles are a necessity when running a system such as Able-Ride. If disabled bus riders cannot access these services because they do not function on all facets then Able-Ride becomes just as inaccessible as the fixed route buses. We monitored one of our Bus Riders’ Union members who relies on Able-Ride from 2012 until April 2013 on the functionality of the Able-Ride lifts we found that there were no reported problems with lifts on Able-Ride buses.

However, some riders have pointed to examples of broken lifts aboard Able-Ride buses. At an October 28th, 2013 public hearing on the Nassau County Budget, one rider spoke to an experience of an Able-Ride lift breaking as a need to improved Able-Ride lifts.

NICE must ensure that Able-Ride buses are regularly repaired and tested.

Veolia’s Able-Ride Rating:

| B |

Requirements and Recommendations

While Veolia has made some improvements in their service for people with disabilities this year, particularly with the introduction of 45 new fixed-route buses and 28 new Able-Ride vans, the company still needs to work harder to ensure that they abide by the Americans with Disabilities Act. Veolia needs to treat the ADA as a legal requirement, and not a choice. In doing so, they will be providing better service for disabled bus riders, but also ensuring that they are operating within the law.

Legal requirements under the ADA:

- Regularly update Braille at Hempstead and Mineola bus terminals, and add Braille to Nassau Community College, Roosevelt Field, and Jamaica bus terminals.
- Bring on-board and off-board audible and visual announcements up to at least 80% compliance by 2014.
- Ensure that Able-Ride buses pick up riders within their scheduled windows on a regular basis.
• Test all wheelchair lifts on buses before they leave the yard, and take buses with broken wheelchair lifts off the road once they break. If necessary, leave them on the road with a broken lift for a maximum of three days.

Recommendations:

• Expand the window in which Able-Ride reservations can be placed from 8:30am-5:00pm to 7:00am to 7:00pm, to ensure that riders who work standard work hours have a greater window in which to make reservations.
• Ensure that if an Able-Ride bus is late in picking up a rider, that the duration of the riders’ trip is shortened to minimize the riders’ chances of being late for their scheduled appointment.
• Regularly test and repair Able-Ride buses to ensure that wheelchair lifts do not break and are capable of safely lifting riders.
• Extend Able-Ride service into Northern and Northeastern Nassau to ensure that more disabled Nassau County residents can access the system.