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**Rural Facts**

# **Research and Training Center on Disabilities in rural Communities logoIs Transportation *Available* if You Cannot Use** **It?**

## What is Accessible Transportation?

## When is it Available and Sufficient?

Accessible transportation, if you are involved with disability issues, most likely conjures images of wheelchair lifts and equipment for getting on the bus, van, or train using a mobility aid. “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.” (APRIL, 2010)

The words *transportation accessibility* are not always looked upon this inclusively. Accessible may not go beyond a dictionary definition: “capable of being reached,”[[1]](#footnote-1) meaning only that transportation exists. Mamun & Lownes (2011) refine the mainstream concept of accessible transportation and explain that accessibility has three primary components: *“*(1) trip coverage - travelers would consider public transit accessible when it is available to and from their trip origins/destinations, (2) spatial coverage - travelers would consider public transit accessible when it is within reasonable physical proximity to their home/destination, and (3) temporal coverage - a service is accessible when service is available at times that one wants to travel.*”*

**Urban Mass Transportation Act of 1970**

*“It is hereby declared to be the national policy that elderly and handicapped persons have the same right as other persons to utilize mass3 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.”*

We could say, yes, that’s what we mean too – we can use the transportation that exists when and where we need it. But the existence of a vehicle, route, or service differs from that ability to *effectively utilize* it. “Effectively utilize” is the language in the 1970 law (see sidebar), which made it national policy that older individuals and people with disabilities have the same right as anyone else to use public transportation facilities and services.

**If transportation is available to some but not all,
then it is not accessible.**

Accessibility from a programmatic perspective means that you can effectively utilize the vehicles and related services, even if you have a mobility, sensory, or cognitive disability.[[2]](#footnote-2) Unless the *effectively utilized* criteria of accessibility are specifically and routinely included, the ambiguous language of accessibility means we may not all be talking about the same thing -- the ability to use transportation that exists. [[3]](#footnote-3)

Does transportation exist if you cannot use it? If a transit stop is not accessible to you, it does not exist on your personal transit “map.” Elevator outages in the Washington DC Metro system are a problem; rerouting is a regular part of the passenger experience for someone using a mobility device. In rural areas, if the only available bus or van does not have a lift or ramp, and there are no alternatives, then transportation, while it may be publically available, does not exist for a mobility device rider.

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### Uniform criteria for determining unmet accessible transportation need

The federal Transportation for Elderly Persons and Persons with Disabilities (Section 5310)4 [[4]](#footnote-4)grant program is used to fill gaps in accessible transportation. The program’s primary rationale is to provide capital assistance for transportation when public transportation is unavailable, insufficient, or inappropriate.

However, no federal definition or criteria for Section 5310 program’s primary rationale exist. Neither federal statute nor FTA guidance defines the words “unavailable, insufficient, or inappropriate”. In addition, interpretations of these words have likely changed considerably over the past 40 years.

The operational definitions for these key terms are an important factor, the lack of which leads to ambiguity in interpretation and implementation, and may lead to inequitable distribution (Enders & Seekins, 2009). Only one state, California, operationally defined these terms in its application package. About a third of the states used some type of guidance for operationalizing how they interpret when transportation is otherwise unavailable, insufficient, or inappropriate. Others strayed from the concept of the rider’s need and focused on the organization’s needs. An agency’s belief that its clients need a service urgently does not necessarily mean that existing community transportation services are unavailable, insufficient, or inappropriate.

**Recommendations**

* The concept that accessibility includes the ability to *effectively utilize* transportation must be broadly incorporated into statute, regulation, guidance, research, and implementation; and become part of the everyday language of transportation policy, research, and practice.
* Operational federal definitions need to be developed in guidance and/or in statutory language when transportation is unavailable, insufficient and inappropriate. Twenty-one years post-ADA, it may be time to drop the concept of *inappropriate* entirely, and focus on *unavailable* and *insufficient*. “In this post-ADA era, how could the argument be made that available public transportation was inappropriate because of the presence of a disability? Such an argument would seem to be predicated on the idea that regular public transportation is inappropriate for agency clients, or with more subtlety, that perhaps agency clients are deemed inappropriate for public transportation” (Enders & Seekins, 2011). Where more “appropriate” options may be needed, they could be included in measures of sufficiency.

### Note:Many of these concepts, issues, and recommendations emerged from findings in our baseline review of Section 5310 Transportation State Management Plans. For the full paper or the executive summary, see http://rtc.ruralinstitute.umt.edu/transportation\_publications.asp. For the article in the spring 2011 issue of the Journal of Public Transportation, see http://www.nctr.usf.edu/wp-content/uploads/2011/07/JPT14.2Enders.pdf

### References

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Enders, A., & Seekins, T. (2009). A Review of FTA Section 5310 Program’s State Management Plans: A Legacy Program in Transition, [Technical Report]. The University of Montana Rural Institute. <http://rtc.ruralinstitute.umt.edu/Trn/5310%20SMP%20Technical%20Report%202-09.pdf>

Mamun & Lownes (2011) A Composite Index of Public Transit Accessibility. Journal of Public Transportation <http://www.nctr.usf.edu/wp-content/uploads/2011/07/JPT14.2Mamun.pdf>

Urban Mass Transportation Act of 1970, P.L. 91-453; 84 STAT 962 (1971), Section 5310 program reference: sec 8, p.967-968; and U.S. Code (USC) TITLE 23—HIGHWAYS p159-160, http://uscode.house.gov/pdf/2005/2005usc23.pdf. Transportation for Elderly and Handicapped Persons, Pub. L. 93–643, §105(a), Jan. 4, 1975, 88 Stat. 2282

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1. Definition of accessible, Merriam-Webster online dictionary: <http://www.merriam-webster.com/dictionary/accessible> [↑](#footnote-ref-1)
2. This concept of accessibility includes the issue of cost and affordability. People who cannot afford transportation are usually counted among the transportation disadvantaged for whom services are economically inaccessible. In many locations, people with disabilities may qualify for reduced public transportation fares, which reduce the affordability barrier to access. Economic accessibility is an equity issue. [↑](#footnote-ref-2)
3. The language “mass transportation” was changed to “public transportation” in 2005. SAFETEA-LU, PL 109-59, <http://www.fta.dot.gov/index_4696.html> [↑](#footnote-ref-3)
4. 4<http://www.fta.dot.gov/funding/grants/grants_financing_3556.html> [↑](#footnote-ref-4)