EXPERIENCE IN DEVELOPING AN ADA COMPLIANT TNC PROGRAM

PRESENTED BY
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LOS ANGELES WORLD AIRPORTS
HOW LOS ANGELES INTERNATIONAL AIRPORT (LAX) WENT ABOUT ENSURING THAT TRANSPORTATION NETWORK COMPANIES (TNC) COMPLIED WITH ACCESSIBILITY REQUIREMENT FOR PERSONS WITH DISABILITIES
OVERVIEW

TNC showed interest in serving to LAX in late 2014.

The airport’s disability committee was concerned about the TNC’s commitment to persons with disabilities and held two public meetings to solicit input from the disability community.

Above is a picture of the cover to the report prepared by the airport’s disability committee.
The ADA Office was asked to prepare a report on whether there are regulations, laws or other requirements that would have a bearing on LAWA if Transportation Network Companies (TNC) were to be permitted to serve its airports?

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RESEARCH

Department of Transportation Guidance
Federal Highway Administration Guidance
Federal Aviation Administration Guidance
Department of Justice Guidance

California Vehicle Code
Public Utilities Commission

City of Los Angeles Taxi Commission

Court Cases against TNC’s

Articles in newspapers

Internet
ADA Office was asked to prepare proposed ADA language to include in operating agreements with TNCs.

The ADA Office wanted to ensure that any ADA language added to an operating agreement was as airtight as possible in seeing that the needs of persons with disability were included as part of minimum requirements.
Section 8. Disabled Access

8.1 Licensee shall be solely responsible for fully complying with any and all applicable present and future rules, regulations, restrictions, ordinances, statutes, laws, and/or orders of any federal, state, and/or local governmental entity and/or court regarding disabilities and disabled access, including any services, programs, improvements or activities provided by Licensee. Licensee shall be solely responsible for any and all damages caused by, and/or penalties levied as the result of, Licensee's noncompliance. Further, Licensee agrees to cooperate fully with City in its efforts to comply with the Title II of the Americans with Disabilities Act of 1990, as amended by the final rule published on September 15, 2010, and any amendments thereto, or successor statutes. The Licensee shall comply with 49 CFR 37. Special attention shall be given to: 49 CFR §37.5, §37.105; §37.161; §37.165; §37.167; §37.171; §37.173; §37.207. In addition to federal requirements, Licensee shall also be required to comply with State of California disabilities laws. Among these, though not all inclusive are the Unruh Civil Rights Act, Civil Code §54; Civil Code § 54.1; Civil Code §51.5; and Government Code § 12948.

TNC Drivers shall submit a monthly summary of all disability complaints, to Licensee, arising from service to or from LAX. Said summary(ies) shall be issued to LAWA of all incidents, as a Report, in a form to be approved by LAWA, by the 15th day of each month. Reports shall list the name and contact number of the complainant, date of incident, location of incident, nature of the complaint; name and phone number of Licensee’s employee responsible for resolution of the complaint with contact number. LAWA at its sole discretion may provide a form containing the required information needing to be provided. Unresolved complaints shall carry over each month until resolved. At LAWA's discretion, Licensee shall meet with LAWA's ADA Coordinator on every complaint that is unresolved after 90 days.

Reports shall be sent to:

Los Angeles World Airports
Office of the Coordinator for Disability Services
P.O. Box 92216
Los Angeles, CA 90009-2216

Licensee shall ensure a disabilities training course complying with 49 CFR 37.173, is implemented for drivers serving Airport(s). Licensee shall ensure that TNC drivers taking the course complying with 49 CFR 37.173, are proficient in their understanding of disability etiquette and regulations pertaining to service animals, transportation of wheelchairs, and other assistive processes used by persons with disabilities. Licensee shall make available to LAWA's Office of the Coordinator for Disability Services, a copy of the training material used to comply with 49 CFR 37.173.

Licensee shall keep records of all trips made by drivers to and from Airport(s). Said information shall be made available to LAWA's Office of the Coordinator for Disability Services in the event a disabilities related complaint is received by the office.

8.2 Should Licensee fail to comply with Subsection 8.1, then LAWA shall have the right, but not the obligation, to perform, or have performed, whatever work is necessary to achieve equal access compliance. Licensee will then be required to reimburse LAWA for the actual cost of achieving compliance, plus a fifteen percent (15%) administrative charge.
Licensee agrees to cooperate fully with City in its efforts to comply with the Title II of the Americans with Disabilities Act...

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<table>
<thead>
<tr>
<th>Anonymized unique identifier of complainant</th>
<th>Date of incident</th>
<th>Trip to / from LAX, location of incident (Terminal #)</th>
<th>Nature of complaint</th>
<th>Name / Phone number of Complainant, Inc. representative responsible for resolution</th>
<th>Resolution of incident</th>
<th>Resolution date</th>
</tr>
</thead>
<tbody>
<tr>
<td>4628c888-ae40-11ea-bb37-0242ac130002</td>
<td>5/25/2020</td>
<td>From LAX, LAX-it</td>
<td>Reported service animal denial</td>
<td>[redacted]</td>
<td>No action taken; rider could not be reached</td>
<td>5/28/2020</td>
</tr>
</tbody>
</table>

Pictured above is a sample of a report submitted monthly by TNC’s in accordance with the terms of the airport’s operating agreement.
METHODS OF COMPLIANCE REVIEW

Complaints
Monthly Reports
Social Media
Mystery Shopper
Airport Spot checks
ISSUES TO LOOK FOR

NON-COMPLIANT DRIVERS

TRAINING

RECURRING COMPLAINTS

- Refusal to transport wheelchair
- Refusal to transport service animal
QUESTIONS?