



**Commission on People with Disabilities
Meeting Minutes
September 8, 2021**

****MEETING WAS HELD VIA ZOOM ****

Welcome and Approval of June 2021 Meeting Minutes

Seth Morgan, Chair, convened the meeting. A motion was made to approve the June 2021 Meeting Minutes. The motion was seconded. A vote was taken and the June 2021 Meeting Minutes were unanimously approved as written. Approved minutes are available online at www.montgomerycountymd.gov/cpwd.

Use of Transportation Services Improvement Fund to Ensure Equity in Taxicab Services

The Honorable Tom Hucker, President, Montgomery County Council; Sam Oji, Chief, Enhanced Mobility and Senior Services Section, Division of Transit Services, MCDOT; Walton Harris, Policy Analyst, Taxicab Regulation, Montgomery (MCDOT); and Peter Ibik, President, Montgomery County Union Taxi Cooperative (Anytime Taxi)

History of the Transportation Services Improvement Fund (TSIF)

- In 2015 the Montgomery County Council enacted Bill 33-15, Taxicabs – Transportation Services Improvement Fund, to impose a 25-cent surcharge for each trip originating in the County authorized by the State of Maryland in its then-newly enacted law regarding Transportation Network Companies (TNCs) including ride-hailing services such as Uber and Lyft.
- In addition, Bill 33-15 created the TSIF to receive and distribute the revenue which is to be used to offset the higher cost of operating accessible taxicabs in the County and to provide incentives for improving or expanding transportation options for individuals with disabilities, seniors, and individuals with limited income.
- The original purpose of Bill 33-15 was specifically in response to the lack of accessible Uber and Lyft vehicles and the decrease in the number of wheelchair accessible taxis in Montgomery County.

On May 24, 2018, the County Council approved the fiscal year 2019 budget. At that time, the TSIF had grown to approximately \$2.9 million, of which only \$61,600 had been spent or encumbered for taxicab improvements for seniors, individuals with disabilities or individuals with limited incomes. At the time, it was assumed that the balance of these funds and the approximately \$1.3 million in TNC user fees projected to be collected in FY19 would be used to support the County Executive's recommended Mass Transit Fund budget. The total of \$4,146,279 was to be used to support the Call-n-Ride, Seniors Ride Free, and Connect-a-Ride programs, which would free up an equivalent amount of funding for use elsewhere in the budget.

On October 16, 2018, the County Council enacted Expedited Bill 13-18. This legislation required that the TSIF be used to supplement, and not supplant, previously appropriated FY19 expenditures. This means that TSIF monies may be used in addition to already budgeted funds to programs including the Call-n-Ride, Seniors Ride Free, Connect-a-Ride, and other transportation programs that benefit individuals who are disabled, seniors and individuals with limited incomes. This change meant that funding from the TSIF could be added to already budgeted amounts for certain programs, but the Fund cannot be used to replace money in these, or other programs.

Seth said this is not the original intention of the fund. It was not to be used for general transportation needs. Over the past six years, TSIF has not been very effective in making wheelchair accessible vehicles available and on the road at all times. Seth said this is ultimately a civil rights issue and no one should have to wait days for a taxi ride.

In February 2021, taxicab regulation was moved under MCDOT's Division of Transit Services. TSIF is now under Sam Oji's leadership. He recognized and agreed with Seth's summary of the history of TSIF. It was noted at the Steering Committee meeting that this Commission is not satisfied with how the fund has been used over the years. MCDOT has met with this Commission, the Commission on Aging and the Taxicab Services Commission over the past several months to get feedback and input, to discuss together how to productively use this fund for its intended purpose and to discuss ways to improve services for persons with disabilities, older adults, and persons who are low-income. MCDOT Deputy Director is supportive of these meetings and Sam will share recommendations with him.

Walton Harris shared historical information and data about TSIF over the past six years.

<https://montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/TSIFData.pdf>

- Incentives include:
 - \$1,000 towards vehicle insurance to offset the costs. Vehicle insurance can cost approximately \$3,000 to \$4,000.
 - 10 cents per mile traveled in a wheelchair accessible vehicle to offset the higher cost of gas and wear and tear on the vehicle.
 - \$10 guaranteed fare for Call n' Ride participants (fare is rounded up from \$7 or \$8).
 - Call n' Ride program is for individuals who are low-income above the age of 65 and for individuals with disabilities ages 18 to 64.
- In 2019, TSIF had approximately \$2.9 million in funds. Those funds were used for Call n' Ride, Connect-A-Ride and Seniors Ride Free. The funds that were previously marked for those three programs was then used for other purposes. Moving forward, TSIF was encumbered with \$1.3 million.
- Across three taxicab fleets (Action, Anytime Union, and Regency/Barwood), the County currently has approximately 400 taxicabs – 66 are wheelchair accessible vehicles, but there is no requirement that they be on the road..
 - Arlington County has 542 taxicabs – 39 are wheelchair accessible vehicles.
 - Fairfax County has 368 taxicabs – 28 are wheelchair accessible vehicles.
 - Prince George's County has 10 wheelchair accessible vehicles with 2 of those vehicles in service.
- TSIF has generated \$8.9 million in revenue since the fund's inception in 2015.
 - Regulations for collecting the funds did not go in effect until 2016.
- Currently \$3.3 million in funds today.
 - Waiting for fourth quarter of FY21 to report that amount (approximately \$710,000)
- Waiting to tabulate numbers for wheelchair accessible vehicles and \$10/\$15/\$20 wheelchair accessible vehicle trip incentive.
- Due to COVID-19, the fund was used for insurance fees and not used for reimbursement of passenger vehicle licenses. [\$25,000 to \$30,000]
- Call n' Ride guaranteed trip numbers need to be updated and incorporated into FY21 data.

The floor was opened to questions.

Eric Salzano, Commissioner, asked if the funds that were previously taken out would be put back in. Walton said that money has been spent at this point and there is no intention of adding funds back in.

John Whittle, Commissioner, asked how the fund revenue is generated. TSIF revenue is generated through the 25-cent surcharge for each trip originating in the County through Uber and Lyft. TSIF receives no County funding. Uber has invested in ancillary services such as delivery services including food and alcohol so while their business has improved or increased, actual passenger trips have decreased. This may be due to COVID and this area opening up more slowly than the rest of the country.

John asked for data regarding the wait time for a person with a disability to get an accessible taxicab. MCDOT does not have that data as complaints are typically filed directly with the taxicab company and companies are not required to notify the County about complaints. If the rider feels that they have not had a satisfactory response from the taxicab company regarding the complaint, then they may contact the County.

John noted that the document lists 66 total wheelchair accessible taxicabs in the County. He asked how many would fully meet the capacity needs of Montgomery County or if the County has a targeted goal. Walton said it is a moving target. There is also the question of how many people would use a wheelchair accessible taxicab if they knew quality service was available. Many rely on other methods of transportation instead at the moment. The County has previously ascribed to reach a goal of 100% accessible vehicles. Walton said the bigger challenge is engaging with drivers and encouraging them to take trips using wheelchair accessible vehicles. He noted that the taxicab industry is suffering. Many agencies including MCDOT and Montgomery County Public Schools are having trouble finding drivers. The demand for quality drivers is high across the board.

Tonya Gilchrist, Commissioner, asked if there was an average number that the fund spends per year. Walton said it varies due to larger reimbursements such as the \$15,000 per vehicle. The \$15 and \$20 per ride incentive has continued to grow even during COVID-19. Walton added that MCDOT has been spending more out of the fund than ever before. He did not think there has been a slight decrease in overall taxicab rides from FY20 to FY21 due to COVID-19. The fund revenue generated always surpasses funds spent.

Tonya asked if MCDOT has created an education campaign to target drivers and encourage them to take advantage of these incentives. MCDOT has reached out to drivers. Currently, there are between 35 and 40 dedicated drivers who drive wheelchair accessible taxicabs who take advantage of the incentives and can make a substantial amount of money monthly. Arlington County has found that an increase in drivers has diluted the market and drivers are not making as much as before. This has the potential of being a demotivator for drivers. It is important to hire individuals who are passionate about providing this service and working with individuals with disabilities while also providing the hourly coverage needed for services.

Seth said one issue is there is a requirement for taxicab fleets to have a certain percentage of wheelchair accessible vehicles, but they were not required to be on the road.

Larry Bram, Commissioner, has concerns that due to so many individuals having poor taxicab experiences with rides not showing up that they will not want to try to use the service again. Even if drivers are hired and vehicles are purchased, it will take time to gain back the trust from this community.

Betsy agreed with Larry's comment. She suggested that taxicabs have an expected outcome of picking up a rider within 30 minutes, or an hour but have an expectation. She also suggested that a taxicab company be fined if they do not meet that outcome. Being reliable should make their business would get better. Walton said it could deter drivers from taxicab companies if they know they could be fined. Clearly, dispatch needs to be improved and software like Uber and Lyft where the rider can see where their driver is.

Trish Gallalee, Vice-Chair, asked about the standard time requirement for a person who does not require a wheelchair accessible vehicle. There currently is no time requirement, but dispatch gives a time frame for how long of a wait once the request is made. Sam said taxicab companies do not always adhere to those time frames and the County has received complaints from people waiting an hour or more. The County is working on several approaches to help the taxicab industry remain sustainable. In 2013, there were over 800 taxicabs in Montgomery County. Now there are 400 taxicabs with approximately 320 taxicab drivers.

Trish asked how many Uber and Lyft drivers were in the County. The State regulates Uber and Lyft and they do not report data to the County. Sam noted that it is hard to recruit drivers for the taxicab industry because many have left to work for Uber and Lyft.

Peter Ibik has said some of the drivers that left to work for Uber and Lyft are interested in returning to the taxicab industry. MCDOT is working on several ways to incentivize them to come back such as significantly reducing fees paid by drivers to work in the County. Fees include application fees, passenger vehicle licensing and insurance. These can be a barrier to someone who is interested in becoming a taxicab driver as they are upfront expenditures. The County is working with taxicab companies to implement a curriculum of taxicab driver training (for both new and existing drivers) that will encompass everything from customer service to navigating someone who uses a wheelchair.

The County continues to work on increasing the stock of wheelchair accessible taxicabs. The County has a goal of having 100% of taxicabs wheelchair accessible.

Trish said Uber and Lyft are inaccessible to a certain extent and therefore persons with disabilities and older adults are not using those services. She suggested advertising to this customer base. Walton said the County recognizes that not everyone has signed up to receive County emails or correspondence. The County has been working with non-profit service providers to get information out to the disabled community.

Marcus Bolston, Commissioner, noted that there are DDA group homes and residential and day programs that all need access to accessible transportation. He asked if there was a taxicab association where information can be shared. Easterseals works with the Transportation Association of Maryland to get information on vehicle and fleets, regulations, and new opportunities for accessibility. He also suggested holding in-person annual conferences to help provide education and outreach. Walton said there is no statewide taxicab association. The County's Taxicab Services Commission reviews and evaluates the taxicab industry and provides advice to the County Executive and County Council on taxicab regulation and other issues related to taxi service in the County. That Commission would be a good avenue for raising any issues. Sam noted MCDOT regulates local taxicab service and is open to feedback and input that can be shared with the taxicab industry. Walton said the onboarding process may be the best way to engage with drivers as they have to apply in person. He noted that many drivers are not getting their information on the internet or through emails.

Tonya suggested giving drivers a one-page informational sheet about incentives available. She also asked if there is a centralized complaint system for individuals with disabilities to report their taxicab experiences. Walton said MCDOT is working on a one-pager to be given to drivers during their initial licensing and during license renewals as a reminder. Individuals can call 311 for general taxicab complaints.

Marybeth Dugan said it was mentioned at a previous meeting that MCDOT has reached out to Montgomery College about training and education for drivers. She said there needs to be appropriate training on disability awareness, expanding customer service and how to communicate effectively with all riders.

Tom Hucker, President, Montgomery County Council, said Dr. Morgan and this Commission made him aware that the Executive Branch was recommending using TSIF funds for an enhanced mobility grant. He postponed that action and instead recommended the grant be funded out of the mass transit fund. The Council made a commitment with MCDOT and this Commission to make more progress on accessibility in the future transportation environment. Council President Hucker expressed his confusion and frustration over the lack of availability of wheelchair accessible vehicles despite the TSIF legislation passed in 2015. He asked if taxicab companies are still having difficulty procuring wheelchair accessible vehicles. Walton said Regency may have had an issue regarding timeliness of reimbursements for vehicles. Walton noted that the County has lost two taxicab companies – Sun and Orange. Seth noted that taxicab drivers have indicated they do not have the financial record to purchase vehicles upfront and rely on the reimbursement in order to be able to purchase the vehicle. He suggested the County consider giving the \$15,000 upfront.

Peter Ibik said there were 32 drivers ready to drive wheelchair accessible vehicles, but because the County would not give an advance on the \$15,000 per vehicle and the drivers were not willing to wait 3 to 4 months for the vehicle they moved on to Uber. Barwood did eventually purchase six more wheelchair accessible vehicles. Peter noted that it is difficult to obtain drivers due to County regulations. Taxicab drivers are not looking at the incentives for driving but rather the regulations and fees involved which they find discouraging. Drivers who work for Uber do not have those regulations or fees. He also said drivers have to be interested in helping others and not everyone can provide this type of service. Seth suggested asking taxicab drivers for their perspective and for their suggestions on how to attract drivers back to the County.

Eric Salzano, Commissioner, asked if the County has performance data for the current taxi fleet that may indicate how long it would take a person to access a ride. While the County does not have that data, there is data Walton can share regarding the most frequent complaints received by the County's Taxicab Office. MCDOT has been providing more outreach to customers with disabilities in order to gain more insight on the issues. Taxicab drivers

are generally well thought of amongst the client base while issues tend to come from dispatch. The County has been looking into working with the taxicab companies to provide better dispatch service.

Richard Shermanski, Commissioner, asked if more of the \$15,000 incentive that is given to companies for purchasing wheelchair accessible vehicles be given up front than over a five-year period. Walton said that change was made in 2019 to give companies the full \$15,000 incentive up front.

Richard asked about the specific regulations that are hindering taxicab companies from gaining drivers. Seth said these issues need to be resolved with a direct discussion between taxicab drivers and MCDOT. Walton noted that the County charges fees for the three instances – an annual license renewal fee, a bi-annual (every two years) license renewal or PVL renewal, or a fee when transferring a PVL from one person to another. MCDOT incentivizes transferring PVLs from traditional sedans to wheelchair accessible vehicles by reimbursing the fee which is approximately \$4,000. Walton said MCDOT has heard from taxicab drivers that they have issues with company lot fees that are charged to the drivers that are charged weekly as opposed to the County's staggered fees. Company lot fees are used for dispatch and other assistance the companies may offer the driver.

Eric Cole, Commissioner suggested fees reimbursement be considered on a sliding scale where drivers are incentivized with more reimbursement based on the number of trips they provide persons with disabilities over a given period of time.

Seth is encouraged by discussions with Sam and Walton. He invited Sam, Walton, and Peter to attend future Commission meetings and provide updates.

FY23 Budget Priorities – Commission Discussion

Susan Smith, Ex-Officio Member, Housing Opportunities Commission (HOC), suggested adopting three budget priority items that the Commission on Aging has included in their testimony.

- Fund the expansion of in-home care to more people with disabilities and older adults in the County, including residents without Medicaid.
- Fund the Access Hears program (supplying hearing aids and support) to lower income residents.
- Expand funding for the Housing Initiative Fund (HIF) to produce and preserve affordable rental housing, including older adult housing projects.

Based on input from Commissioners, Betsy suggested adding three more priorities:

- Recommendations for use of the Transportation Services Improvement Fund – including standards and performance outcomes.
- Support funding for Early Intervention Program.
- Continued supports for persons with disabilities during the COVID-19 pandemic – including support for caregivers and developmental disability support providers.

A motion was made to adopt these FY23 budget priorities. The motion was seconded. A vote was taken and the motion was approved. Betsy will send a draft document to Commissioners for review and comment. The Steering Committee will also discuss and finalize.

ADA Updates – Matt Barkley, ADA Compliance Manager, Department of General Services, Montgomery County Government

Matt reported the ADA Compliance Team has been reviewing their operating budget and projects to be completed over the upcoming fiscal years. There are 17 projects currently underway to improve accessibility of Montgomery County facilities including the Department of Correction and Rehabilitation Pre-Release Center, Health & Human Services and Department of Recreation facilities, and fire stations. Projects are prioritized based on need as well as items identified in the Department of Justice Project Civic Access settlement agreement. The ADA Compliance Team is also working with the Office of Human Resources to improve employee training including new employee

orientation, e-learning for all Montgomery County employees and department targeted in-person and virtual trainings. Trainings include ensuring County employees are accommodating persons with disabilities.

Chair and Vice-Chair Report

Steering Committee Meeting will be held on Wednesday September 22. It has been moved to the 4th Wednesday of the month.

Ex-Officio Member Reports

None.

Announcements

Shawn Brennan, Commission on Aging and Transportation & Mobility, reported she is working with the Taxicab Services Commission and MCDOT, to develop a survey for taxi customers to gather more data. She would like feedback and input from Commissioners. She can be reached via email at

Shawn.Brennan@montgomerycountymd.gov.

Taxicab companies operating in Montgomery County ([Action](#), [Anytime](#) & [Regency/Barwood](#)) can provide roundtrip transportation to older adults and residents with disabilities to COVID-19 Vaccination and Testing locations at no cost to the rider. MCDOT will reimburse taxi companies for the trips. To Schedule a Trip

- Call Connect-A-Ride at (301) 738-3252 and provide your name, address, phone number, age to receive a "Free COVID Taxi Code."
- Then, call one of the Taxicab companies listed below and provide the following:
 - Your "Free COVID Taxi Code"
 - Name, phone number, trip information – date, time, origin and destination
- At the end of each trip, the rider signs a trip voucher.
- Drivers and riders must wear face coverings for the duration of the trip.

Taxicab providers who are available to provide transportation to COVID-19 Vaccination and Testing locations: Action Taxi: (301) 840-1000; Anytime Taxi (301) 637-9292; and Regency/Barwood Taxi: (301) 990-9000 or (301) 984-1900. Reimbursements will be the taxi meter rate fare for the trips to and from the COVID Vaccination and Testing locations. For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

Meeting adjourned – 7:35pm

Montgomery County Commission on People with Disabilities October 2021 Meeting and Events Calendar

Developmental Disability Advisory Committee – Monday, October 18

****Please note – being held the 3rd Monday of the month****

4pm to 5:30pm to be held via Zoom – link to be announced

Full Commission Meeting – Wednesday, October 13

6pm to 7:30pm to be held via Zoom – link to be announced

Steering Committee Meeting – Wednesday, October 20

5pm to 6pm to be held via Zoom – link to be announced

Submitted by: Carly Clem, Administrative Specialist I
Betsy Tolbert Luecking, Community Outreach Manager

<p align="center">Montgomery County Commission on People with Disabilities Attendance Report October 2020 – September 2021</p>

VOTING MEMBERS ☒ Volunteer Form on File with Risk Management P = Present / P* = Alternate Attended / A = Absence / C = Conference Call W = Waived Absences by County Executive / R = Waiver Requested				OCTOBER	NOV	DEC	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	SEPT	ABSENCES
1.	Al-Mohamed, Deena ☐	Person w/ Disability Rep.	2 nd term expires 9/2023	C	C	A	C	C	C	C	C	A	C	2
2.	Anderson, Jametta ☐	Person w/ Disability Rep.	1 st term expires 9/2022	A	A	C	C	C	C	C	A	C	C	3
3.	Bolston, Marcus ☐	Agency Rep.	Partial term expires 9/2021	X	X	X	X	X	X	C	C	A	C	1
4.	Bram, Larry ☐	Agency Rep.	2 nd term expires 9/2022	C	C	C	C	C	A	C	C	C	C	1
5.	Carter, Neal ☐	Person w/ Disability Rep.	2 nd term expires 9/2022	C	C	C	C	C	C	C	C	C	C	0
6.	Coffield, Myra ☐	Person w/ Disability Rep.	2 nd term expires 9/2023	C	C	C	C	C	C	C	C	C	C	0
7.	Cole, Eric ☐	Agency Rep.	1 st term expires 9/2022	C	C	C	C	C	C	C	A	A	C	2
8.	Damiani, Mario ☐	Person w/ Disability Rep.	1 st term expires 9/2023	X	X	X	X	X	X	C	C	C	C	0
9.	Davis, Kaylee ☐	Person w/ Disability Rep.	1 st term expires 9/2023	X	X	X	X	X	X	C	C	C	C	0
10.	Ditkowsky, Marissa ☐	Person w/ Disability Rep.	Partial term expires 9/30/2022	X	X	X	X	X	X	C	C	C	C	0
11.	Gallalee, Patricia ☐	Person w/ Disability Rep.	2 nd term expires 9/2023	C	C	C	C	C	C	C	C	C	C	0
12.	Gilchrist, Tonya	Person w/ Disability Rep	Partial term expires 9/2022	X	X	X	X	X	X	X	X	X	C	0
13.	Greenberg, Michael ☐	Parent Rep.	1 st term expires 9/2022	C	C	A	C	A	C	C	A	C	A	4
14.	Hurtado, Luis ☒	Person w/ Disability Rep.	2 nd term expires 9/2021	C	C	C	C	C	C	C	C	A	A	2
15.	Liniak, Tom ☒	Agency Rep.	2 nd term expires 9/2021	C	C	C	C	C	C	C	A	C	C	1
16.	McCarthy, Mandy ☐	Person w/ Disability Rep.	1 st term expires 9/2023	X	X	X	X	X	X	--	C	C	C	0
17.	Morgan, Seth ☒	Person w/ Disability Rep.	4 th term expires 9/2021	C	A	C	C	C	C	C	C	C	C	1
18.	Morgret, Karen ☐	Agency Rep.	2 nd term expires 9/2020	C	C	C	C	C	C	C	C	C	C	0
19.	Rice, David ☐	Person w/ Disability Rep.	1 st term expires 9/2022	C	C	C	C	C	C	C	C	C	A	1
20.	Roe, Teri ☐	Parent Rep. RESIGNED	1 st term expires 9/2021	C	C	C	C	C	C	C	A	A	X	X
21.	Salzano, Eric ☐	Agency Rep.	1 st term expires 9/2023	X	X	X	X	X	X	C	C	C	C	0
22.	Shapiro, Avner ☐	Parent Rep.	2 nd term expires 9/2023	C	C	A	C	C	C	C	C	A	A	3
23.	Shermanski, Richard ☒	Agency Rep.	1 st term expires 9/2021	C	C	C	C	C	C	C	C	C	C	0
24.	Whittle, John ☐	Agency Rep.	1 st term expires 9/2022	A	C	C	C	C	C	C	C	C	C	1
25.	Wortham, Najla ☐	Agency Rep.	1 st term expires 9/2023	X	X	X	X	X	X	C	C	C	C	0

Attendance Policy: A Voting Member may miss up to 3 meetings within a one year rolling period. Voting Members who miss more than 3 meetings in that period or who miss 3 consecutive meetings will be automatically removed. Waivers may be requested for absences caused by extenuating circumstances.

[illegible]