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Re: Draft of New York City Department of Transportation
Proposed Five-Year Accessibility Plan, Update Posted On Or About
January 24, 2024

Dear Mr. Asiedu,

Disabled In Action of Metropolitan New York, Inc. ("DIA") submits these comments in response to the New York City Department of Transportation's ("DOT") request for comments concerning its Proposed Five-Year Accessibility Plan ("Plan"), update posted online on or about January 24, 2024.

DIA is a fifty-one (51) year old, 501(c) (3), grassroots, civil rights organization run by and for people with disabilities. DIA's mission is to eliminate discrimination for people with all kinds of disabilities.

We are mostly impressed with DOT's Report and hope it is not mostly hype. It is the most inclusive and informative report that we have read, and it is organized in a very readable format.

Physical Access:

Sidewalks, Pedestrian Ramps, and Audible Pedestrian Signals (APS)

New Yorkers ask where can people make a complaint about the condition of sidewalks, pedestrian ramps, and Audible Pedestrian Signals (APS) or put in a request for the installation of pedestrian ramps, and APS? It would be very helpful if this information was included in DOT's Plan. Further, DOT needs to make it easier to find where a person can make these complaints or requests about sidewalks, pedestrian ramps, and APS on DOT's website.

Often it takes more than 5 years for a sidewalk or pedestrian curb ramp complaint to be fixed. This is too long. When trees lift up the sidewalk, DOT needs to work with the Parks Department to fix the situation, but it takes too long and the sidewalks become totally impassable for many people with disabilities, such as wheelchair users. This needs to be changed so that the time between a complaint being filed and the repair or installation being made is less than six months.

Pedestrian Ramps – Instead of asking for more time to do the pedestrian curb ramps, DOT needs to make every effort to speed up this program to get ADA compliant ramps all over New York City so that we, like our neighbors, can go everywhere and do everything. One big issue is near big buildings and in midtown where there are no visible colored domes on curb ramps and it is easy to fall off the curb. High contrast is important to New Yorkers' safety.

So too, when installed, the position of pedestrian curb ramps should direct pedestrians to the other pedestrian curb ramp and not towards the oncoming traffic.

Inaccessible sidewalks with hexagonal raised pavers – Shore Road in Bay Ridge, Brooklyn is largely inaccessible and impassable on both sides of the street to people with wheelchairs and many other people from Bay Ridge Avenue to 101st Street. We, New Yorkers, need to know when does DOT plan to fix this? What is the deadline? Some of the inaccessible areas are bus stops.

For complaints: DOT should create an app where New Yorkers could file complaints about the bad condition of pedestrian curb ramps, sidewalks and APS as well as file requests for the installation of pedestrian curb ramps and APS. We know that there is 311 but our experience is that it generally has not led to quick results. People with many disabilities prefer using an app on their cell phone because it can be easier to use for them.

Daylighting was not mentioned in the DOT Plan, but the City Council has mandated that DOT daylight a certain number of intersections every year. Daylighting contributes greatly to pedestrian safety so that pedestrians and drivers can see each other and so that cars do not turn diagonally and sharply near the curb instead of a right angle turn. A start could be eliminating parking 30 feet from every single corner. That would also discourage people from parking and blocking pedestrian curb ramps provided the DOT requested that the New York Police Department (NYPD) do better enforcement. Raised crosswalks probably increase safety, but daylighting by eliminating parking spots could be done faster and later barriers could be added.

Bus Lanes – A certain amount are mandated to be made every year but DOT has fallen way behind. DOT needs to make a conscious effort to do what is mandated and more. Due to the fact that a majority of the subway system is inaccessible to people with mobility disabilities, we rely heavily on buses and our buses need to go faster.

Inaccessible Bus Stops – There are quite a few inaccessible bus stops throughout New York City. Notable are the ones in Brooklyn on Shore Road between Bay Ridge Avenue and 101st Street as well as at 86th Street and Bay Parkway under the El. What is your timeline to make all bus stops accessible? The bus shelter at 92nd Street and 7th Avenue in Brooklyn is not accessible to New Yorkers and visitors who use wheelchairs. Complaints have been made about this lack of access for over 5 years. Why was this specific bus stop, installed on grass, which is inaccessible to many taxpaying New Yorkers with disabilities, approved in the first place, clearly a violation of the 2010 ADA Standards for Accessible Design.

Pedestrian Bridges - What are the final and intermediate target dates for completion for the pedestrian bridges? The DOT should include in its DOT Plan a list specifically identifying the location of the inaccessible pedestrian bridges in New York City as well as how the DOT will make these inaccessible pedestrian bridges accessible and the dates when each one is planned to be accessible. For instance, the bridges over the Belt Parkway in Bay Ridge are not accessible because they have steps and are too steep to be ADA compliant. So too, the East 25th Street pedestrian bridge over the FDR is not accessible. We have heard that an accessible pedestrian bridge is planned to be part of the Kips Bay Science Park and Research Campus to be constructed. However, its' tentative completion date is not until sometime in 2032, eight years from now. This is much too long. Moreover, are these pedestrian bridges on DOT's list?

Benches and Leaning Bars – Leaning bars are not very helpful to people with disabilities, pregnant women, seniors, children, and tired people. Benches with backs are better. How many of the 375 were leaning bars and how many of the 550 planned leaning bars and benches are going to be leaning bars? DIA is against leaning bars. They are considered hostile furniture because of their limited usability by most people. If you are tired, you need to sit down.

Outdoor Dining – We are excited about the new changes to the Outdoor Dining Program because the “old” program meant that many outdoor dining structures were inaccessible to people with mobility disabilities. We know that DOT has taken over this program now. We are concerned about enforcement of accessibility with the new roadway and sidewalk dining opportunities, especially the use of non-ADA-compliant wedge ramps instead of ones that are ADA compliant and restaurants who only have high stools and tables, which is a way to exclude customers with disabilities without specifically refusing to serve them.

We are concerned that the series of fines allowed for noncompliance to the outdoor dining rules will result in no action to comply with the regulations. This may lead to businesses just paying the fine without correcting the problem which for instance, may result in inaccessibility and noise that is ongoing. This will force the public to have to repeatedly make complaints before any corrective action is taken.

Micromobility – Scooters – The scooter program is frustrating for people with disabilities because people leave their scooters on the sidewalk and on pedestrian ramps. We requested and still request corrals for the scooters like what Citibikes have. This is especially important since the program has expanded. The companies said the technology was not there to geofence scooters from being driven on the sidewalk, but they did not have

any problem geofencing the area around the Bronx River because they wanted to protect their own property. We want to have pedestrians protected! People are tired of adults riding electric scooters on the sidewalk and leaving them all over. A program to pick them up is not effective enough. DOT needs to require, at a minimum, corrals if not the more effective geofencing.

Mobility Management – Accessible materials – Is there a plan to train everyone, not just some, who need this training? What is the deadline?

NYC Parking Permit – We see that you are planning to put applications online. That is a very good idea and hopefully it will be accessible to blind people with no printer needed. If people lose the blue hangtag, which is not hard to get, they should not have to take a form to an inaccessible police precinct to have it signed. That is too much of a burden. That happened to one of our members and the NYPD staff refused to sign it because the person could not go up the stairs. You could ask people to confirm that they lost their hangtag or possibly require a person to submit electronically a notarized form. So too, allowing people to request a replacement for a lost or misplaced blue hangtag by a phone call would make the ability to replace a blue hangtag easy; which is good. For a lost AAR card, people do not have to go to the police station, so why should they be required to do this for a blue hangtag? Further, for most people trying to figure out what the parking plate or placard options are, is complicated and very hard to figure out. This needs to be simplified.

Car Share – We think 24 hours' notice to rent a vehicle with hand controls is way better and more practical than 48 hours so we suggest that you change it to 24 hours. Where are these rules written? Are these rules on the DOT website or somewhere else?

What specifically do you mean when you mention modification?

1. What about renting a wheelchair accessible vehicle (WAV)?
2. None of the 3 companies you mention in the report advertise that they will put hand controls in their vehicles for people who need hand controls. It is not on their websites in their FAQs or anywhere. It should be an upfront viable option.
3. Is this program only available for manual wheelchair users who can transfer and who need hand controls? What about power chair users who need to stay in their chair or for a family member or friend who drives a person in a wheelchair?

Digital Access – Website Rebuild deadline – It is good that DOT is upgrading its digital sites. However, it is not clear if the rebuild of DOT's website was completed and accessibility is still ongoing. It is good to make social media accessible. Please explain in the DOT Plan what procedures and policies are in place to ensure that the people who post on social media continuously following the guidelines for accessibility.

Hiring and Recruitment of employees with disabilities: The report says you plan to require Disability Etiquette and Awareness training starting in Fall 2023. Did you do that? It is 2024 now. When do you expect to finish the training of all of DOT's employees and how will you do repeat training? When will you train new employees?

Lastly, what is and where is your Building Evacuation Plan for people with disabilities? This DOT Plan needs to include an emergency evacuation plan for both employees with disabilities and visitors with disabilities. All DOT staff need to be trained on what to do if a disabled person needs to evacuate in an emergency. We suggest that you allow employees to self-identify

if they require assistance and be sent an email from the Fire Safety person each day to account if they are physically in the office. That way, no one will be looking to help someone who is not there. All employees need to be trained on how to evacuate people with different disabilities in emergencies and trained on how to safely transfer a person to an evacuation chair and how to safely operate an evacuation chair.

DOT needs to have an evacuation chair in a location easily accessible and very near to the workstation/office of self-identified employees with mobility disabilities. An additional evacuation chair that could be used by other employees and visitors in an emergency evacuation should be located in a visible and easily accessible place on every floor DOT occupies.

Further, the DOT Plan should state that the DOT will post signage instructing visitors on what to do in the case of an emergency in an easily seen location, in large print and Braille. So too, the DOT Plan needs to state the date by which this will be accomplished.

Finally, DOT and other city agencies need to communicate with each other and other institutions and private entities regarding such matters as curb ramps installation and maintenance, bus stops and benches to name a few. For instance, the sidewalk by Hunter College at 25th Street between First and Second Avenue has been in severe disrepair for several years, but everyone says someone else is responsible and nothing gets repaired. Presently, there is too much pointing the finger at each other with no action taken to make New York City accessible to all New Yorkers.

Thank you for the opportunity to comment on this Plan since equal access to all New York City's services, activities and programs is important to all New Yorkers. If you would like additional information or have any questions, please do not hesitate to contact DIA at info@disabledinaction.org.

Thank you for your continued work on behalf of all of us.

Very truly yours,

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