

Progress has been made, but attitude and language are still Issues with Specialized Transportation Service Draft

Apparently the County is still trying to rebrand the specialized transportation service as a subsidized program to avoid fully implementing the Integrated Accessibility Standards Regulations (IASR) for transportation.

What is the “big deal” in the rebranding?

There are standards and legislation through the Transportation and Traffic Acts and the IASR that apply to specialized transportation services or Para transit.

There are no standards or regulations for a “subsidized” transportation program.

Although the draft presented to the accessibility Advisory Committee on April 23 did contain some of the IASR transportation standards, there were some left out, some watered down and the general language of the draft remains less than empowering for people with disabilities.

Any of the standards that have been included in the draft for a “subsidized” program can be removed or reworded at any time as can be the funding.

The draft begins by describing the municipality as “unique.” This is mentioned several times.

The County is not unique in the issues it has with specialized transportation service.

All rural AND urban specialized transportation services are facing budget issues. ALL rural specialized transportation services have the same geographic service issues.

We are not unique in the issues.

If we are “unique” in anything it is in the failure of the County to budget and plan for specialized transportation service.

Even in this draft, the contract would only be for one year. There is no plan for what is to happen after that. There is no plan to increase funding as the need increases, there is not even an acknowledgement that there will be a commitment to Para transit after the one year contract.

We can also consider ourselves “unique” in that the original contract had no management or oversight which is a huge part of why we have been enduring this embarrassment for a year now.

One of the “protections” those of us with disabilities would have under a specialized transportation service is that once the budget was reached, the service could not stop. There would be mechanisms in place to continue the service. With a “subsidized” service, it could stop tomorrow at the whim of Council or staff.

As I’ve stated many times, the structure of even the original staff recommendation meets the definition of a specialized transportation service by the IASR and other legislation.

Last year, at an ad hoc specialized transportation service committee meeting, the specialized transportation service was rebranded as subsidized to avoid the IASR transportation standards and leave

the County free to “do what it wants.” Statements about having the “spirit” or “essence” of the law were also suggested as a way around following the IASR transportation standards.

If this were a conventional transportation service, would we accept the spirit of the Transportation and Traffic Acts as being “good enough” to get on a bus and put our lives in the hands of a public transit service?

Why would we think that efforts to avoid transportation standards and a globally recognized transit service structure are acceptable for our children, parents, sisters and brothers with disabilities?

We need the County to use the correct terminology, based on provincial law, to define and describe the specialized transportation service or Para transit for people with disabilities.

We need to ensure that ALL of the IASR transportation standards and those under the Transportation and Traffic Acts are implemented through a specialized transportation service or Para transit in the County.

Here are examples of some of the problems with the draft:

In the draft there are clear trip restrictions in the hours in which those of us with disabilities have access to para transit. Yet the draft quotes the IASR section 72 (b) which is the regulation that says there can be no trip restrictions.

The IASR and the Ontario Human Rights Code as well as the Canadian Charter of Rights and Freedoms says that service animals and mobility aids cannot be refused while the language of the draft says that those of us with disabilities “will be permitted” to use these tools, but only in the open public spaces of the County.

The draft states that the County will determine whether we “need to” travel with an attendant and if we don’t agree, we don’t have access to the “subsidized” program. First, this violates our basic human rights, and second, who is going to pay for these attendants?

If we don’t require an attendant but the County forces us to have one, where do these attendants come from, what is their training, will the County do background checks on them, and who is going to pay for them? Those of us with disabilities should not have to pay for an attendant we do not need. There is also no criteria on how the County will decide whether we need an attendant or not.

The IASR section 67 says that a specialized transportation service is required to put in place a way for visitors with disabilities to the community to access the specialized transportation service. These are visitors with disabilities who may or may not know anyone in the municipality. The draft combines visitors with eligible participants so that only visitors with disabilities who accompany an eligible person with a disability can access the subsidized program.

The problem with this draft, as with the original staff recommendation, lies in the language and attitude toward people with disabilities versus the continuing of the specialized transportation service in the County.

While the draft can be the foundation for continuing specialized transportation service in the county, there remains the same issue there has been with the original staff recommendation: a subsidized

transportation program has no rules, standards, safety standards, or responsibility to treat us with dignity and respect.

We need and want a specialized transportation service to continue and it must be recognized and branded as such.

The language of many of the parts of the draft is still focused on this being “a gift, done out of generosity that the County is not obliged to do and can take away any time it wants.

Let’s continue with the positive elements of this draft and work with the County to eliminate the attitudes and language that “gives us permission” to live here and creates a public transit service that is discriminatory and has no obligation to the standards and regulations for Para transit for those of us with disabilities.

You can request a copy of the draft from the County offices to review and comment on it. Comments are encouraged and asked for. I didn’t see a deadline for submitting comments. The Integrated Accessibility Standards Regulations can be found by searching on the Internet for Ontario Regulation 191/11 or Integrated Accessibility Standards Regulations (the URL was too long to include with this letter). Part IV are the transportation standards.

The County should also have a copy of these provincial laws if you don’t have access to the Internet. You can request an accessible copy...as per the IASR Information and communications standards.