



REPORT URGING LEGISLATION TO
REQUIRE TAXICAB ACCESSIBILITY IN
NEW YORK CITY

Committee on Legal Issues Affecting People with Disabilities

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NEW YORK CITY BAR ASSOCIATION
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The Committee on Legal Issues Affecting People with Disabilities (the “Disabilities Committee”) of the New York City Bar Association (the “Association”) submits this report on legislation regarding efforts to make New York City’s taxicabs accessible to all, including wheelchair users. We support legislation that will both improve taxicab accessibility for people with disabilities in the near term, and eventually result in a completely accessible taxicab fleet that provides full and equal access to transportation services to people with and without disabilities alike. The Association submitted a previous report on topic in February 2005 (see attached).

Background

Presently, only 240 out of approximately 13,237 yellow taxicabs are accessible to the approximately 60,000 wheelchair users who reside in the City of New York.¹ As a result, wheelchair users are denied a basic service available to all other New Yorkers: the ability to secure on demand, door-to-door transportation from a curbside at any hour of the day or night. In a city where success is measured in “New York minutes,” this denial places wheelchair users at a severe disadvantage. Unable to hail yellow taxicabs, wheelchair users must resort to far less flexible options: public buses, which travel fixed routes with multiple stops; paratransit vans (Access-A-Ride), which must be ordered at least a day in advance and do not guarantee either direct or on-time service; and subways, which are still largely inaccessible.² In addition, this denial serves to isolate wheelchair users from the rest of the community, leaving them dependent in a way that others are not.

The Taxi and Limousine Commission (TLC) licenses yellow taxicabs. It also licenses for-hire “livery” or “black car” vehicles, which unlike taxis, may only accept passengers following a telephone call or other pre-arrangement.³ Livery vehicles provide the predominant amount of service outside of Manhattan. These livery vehicles are organized by base stations which are central facilities which manage, organize, or dispatch for-hire

¹ Pete Donohue, *Special cabs wasted: TLC Wheelchair pilot program showed small demand; pol blames lack of PR*, New York Daily News, December 6, 2010 (available at http://www.nydailynews.com/ny_local/2010/12/06/2010-12-06_special_cabs_wasted_tlc_wheelchair_pilot_program_showed_small_demand_pol_blames_.html).

² Access-A-Ride is not at all comparable to yellow taxicab service. This program is considered an on-demand door-to-door service whereby a user telephones Access-A-Ride to schedule a pick-up and return time one to two days in advance. A given ride may not be direct, but may pick up and drop other passengers off along the way. Further, Access-A-Ride eligibility requires individual, in-person assessments and reassessments (thus it is not an option for visitors to New York. Access-A-Ride advises its users that, in the normal course, vans may arrive as much as one-half hour late. If a van is later than that, Access-a-Ride permits its users to use private taxicabs, at no cost to the users. Thus, wheelchair users who cannot wait for an Access-a-Ride van have no accessible remedy. See, generally, <http://www.mta.info/nyct/paratran/guide.htm>.

³ NYC Administrative Code §19-516.

vehicles.⁴ TLC Rule §6-07(f) requires base stations owners, black car base owners, and luxury limousine base owners to provide “equivalent” transportation services, in terms of response time and price, to persons with disabilities. “Sting” operations by the TLC have shown that “equivalent service” is not being provided in accordance with this requirement.⁵

In 2004, New York City approved the auctioning of 900 new medallions for yellow city taxicabs. Prior to auctioning the first 300 medallions, the New York City Council (Council) passed a law requiring that 9% of the medallions auctioned be made available to taxicabs that are wheelchair accessible.⁶ In April of 2004 the City auctioned 300 medallions and collected approximately \$97 million with 600 medallions remaining for auction.⁷ Not one of the 300 medallions auctioned was designated for a wheelchair accessible taxi. In October of 2004 the City auctioned bids for 300 medallions with 27 of them reserved solely for wheelchair-accessible taxis.⁸ In 2006, the City auctioned 54 medallions for wheelchair-accessible taxicabs.⁹ In 2007, the City auctioned 63 medallions for wheelchair-accessible taxicabs.¹⁰ Finally, in 2008, the City auctioned 89 medallions for wheelchair-accessible taxicabs, bringing to 231 the total number of wheelchair-accessible taxicab medallions.¹¹

In November, 2007, the TLC approved the “311 Accessible Dispatch System,” a pilot dispatch program whereby people desirous of a wheelchair-accessible taxi could call 311 and have an accessible taxi dispatched. The program commenced in early 2008. The average waiting time was approximately forty-four minutes, with an intent that all calls be responded to within one hour.¹² This goal was not necessarily met, and the system could not guarantee that a ride would be available in a given period. For example, if one wanted a cab to the airport and called the day before, a ride could not be guaranteed and the actual call to the taxis would not go out until the day of the ride. This program has been discontinued with the Taxi & Limousine Commission declaring it a failure. “Generally the program was very expensive and unfortunately not well-utilized,” TLC head David Yassky told state Assembly members during a hearing on legislation to require all taxis to accommodate wheelchair-users.¹³

An article on the testimony noted:

⁴ NYC Administrative Code §19-502.

⁵ Testimony of TLC for City Council Committees on Transportation and on Mental Health, Mental Retardation, Alcoholism, Drug Abuse, and Disability Services, December 13, 2010. (“TLC Testimony”).

⁶ N.Y.C. Admin Code §19-532.

⁷ New York Daily News, *Taxi Access Blasted*, May 4, 2004.

⁸ TLC Press Release, October 15, 2004 (available at http://www.nyc.gov/html/tlc/html/news/press04_07.shtml).

⁹ TLC Press Release, June 16, 2006 (available at <http://www.nyc.gov/html/tlc/downloads/pdf/press54Medallions.pdf>).

¹⁰ TLC Press Release, November 1, 2007 (available at http://www.nyc.gov/html/tlc/downloads/pdf/press_release_11_01_07.pdf).

¹¹ TLC Press Release, May 2, 2008 (available at http://www.nyc.gov/html/tlc/downloads/pdf/press_release_medallion_auction.pdf). In addition to the 231 medallions dedicated to wheelchair accessible taxis, a small number of operators have chosen to purchase wheelchair accessible taxis, bringing to 240 the number of wheelchair accessible taxis.

¹² Commissioner Yassky Oral Testimony.

¹³ Jeremy Smerd, *TLC admits wheelchair-taxi program a bust*, Crain’s New York, July 15, 2010, (Available at <http://www.crainsnewyork.com/article/20100715/FREE/100719906#>).

[D]rivers hated the program, taxi-industry executives said during an Assembly hearing yesterday. A requirement that drivers with accessible cabs enroll in the dispatch program led many to avoid purchasing such cabs altogether. Drivers skipped mandatory training programs on operating wheelchair ramps and ignored calls for rides, preferring instead to be fined.¹⁴

Despite the problems in the dispatch model, the Commission has proposed reinstating the model with changes.¹⁵ “Our current belief is the existing 240 medallions are sufficient to meet demand,” the report states. “They simply need to be deployed more effectively.”¹⁶ The TLC proposal would create a unified system for yellow taxis and livery services in all five Boroughs. However, even if the changes in the system the TLC proposes are effective, wheelchair users will still have to call ahead of time and wait for up to one hour for a wheelchair accessible cab.¹⁷

The Department of Citywide Administrative Services (DCAS), acting on behalf of TLC, released a Request for Proposals (RFP) entitled New York City Taxi of Tomorrow.¹⁸ One of the qualities envisioned for the Taxi of Tomorrow was universal accessibility for all users, however this was not a requirement of the RFP, but was a factor by which the TLC would evaluate and give points to in accessing the responses to the RFP. The TLC has settled on three responses to the RFP. Of the three finalists, only the entry from Karsan, a Turkish manufacturer, is fully wheelchair accessible.¹⁹

With this miniscule and otherwise yet-to-be determined movement toward improving accessibility in the taxicab industry, New York City remains severely behind other cities around this country and throughout the world in providing taxicab service that is accessible to wheelchair users. While cities such as London (100% - accessible - taxicab fleet), Chicago, San Francisco and Boston all provide wheelchair-accessible-taxicab service to their residents and visitors with disabilities, wheelchair users in New York City are, at the moment at least, left with no chance of hailing an accessible taxi in the same way that people without mobility impairments can.²⁰

Legislation

We encourage the Council to pass Introduction Number 433, which would amend the administrative code of the city of New York, by requiring that any new taxicab design, approved by the taxi and limousine commission, be accessible to wheelchair users. The legislation would meet a pressing public need, remove a condition with a discriminatory impact, and also benefit residents and visitors without disabilities who travel with strollers,

¹⁴ *Id.*

¹⁵ TLC Testimony.

¹⁶ Pete Donohue, *Special cabs wasted: TLC Wheelchair pilot program showed small demand; pol blames lack of PR*, Daily News, December 6, 2010 (available at http://www.nydailynews.com/ny_local/2010/12/06/2010-12-06_special_cabs_wasted_tlc_wheelchair_pilot_program_showed_small_demand_pol_blames_.html).

¹⁷ Commissioner Yassky Oral Testimony.

¹⁸ Taxi of Tomorrow RFP page 4.

¹⁹ Michael M. Grynbaum, *The Taxi of Tomorrow Is Down to 3 Choices*, New York Times, November 15, 2010.

²⁰ *New York Times*, “A Little Movement Toward More Taxis for Wheelchair” August 25, 2004.

larger groups and over-sized items. Moreover, many believe that a move to a mandatory taxi design would require accessibility under the ADA and the City Human Rights Law. But an accessibility mandate that is particular to this proposal would have a clearer and more immediate effect.

Issues

The objections to providing wheelchair accessible taxicab service are raised by the taxicab fleet owners and by the TLC and the Mayoral Administration. The TLC alleges that Introduction Number 433 would “require [the TLC] to select a winner [for the Taxi of Tomorrow RFP] based on one criterion – a fully wheelchair-accessible taxicab – rather than a balance among performance, comfort, sustainability, accessibility, and iconic design.”²¹ The industry’s objections include: the cost of modifying a vehicle to permit for wheelchair accessibility and the durability of modified vehicles. The TLC proposes in the alternative that an improved dispatch system would adequately accommodate wheelchair users. This report will address each of these issues in turn. The Association addressed some of these, as well as insurance, in its 2005 letter.

1. Taxi of Tomorrow RFP

The details of the responses to the Taxi of Tomorrow RFP’s have not been made public, and are still under negotiation. Of the three finalists, only the entry from Karsan is fully wheelchair accessible. Reportedly, the Nissan and Ford entries could be made wheelchair accessible via aftermarket conversions.²² As noted above, the TLC objects to the passage of Introduction Number 433, implying that it would “forced” to adopt wheelchair access as a determinative factor in its current RFP. If this is true, the RFP was poorly framed. The TLC states in its testimony that Introduction Number 433 could lose any leverage it has with the manufacturers. Instead, it is difficult to see what leverage TLC currently has. Indeed, Introduction Number 433 could strengthen its leverage to improve accessibility, as well as other features. If for other reasons the Karsan entry is inadequate, the RFP could be reissued to include wheelchair accessibility as a requirement and balance other factors. To the extent this would delay rollout of a new fleet under the planned Taxi of Tomorrow program, that is a small price to pay. If a single wheelchair-accessible production model is not available, requiring conversions for all cabs is not prohibitive in terms of cost and other factors, as discussed below. In the alternative, by failing to require accessibility in all yellow cabs, the TLC would be in essence enshrining a bifurcated, discriminatory taxi system for another decade. As a side benefit to establishing that all yellow taxis be wheelchair accessible, these cars would then potentially be available to the livery car fleets when they are removed from service as yellow taxis.

2. Cost

²¹ TLC Testimony at p. 4. In particular, in the current RFP framework, balancing accessibility against “iconic design” displays misplaced priorities.

²² A review of website searches for wheelchair-accessible conversions of the Ford Transit show only rear-entry ramp conversions. *See, e.g.*, <http://www.mobilityworks.com/ford-transit-connect-mobility-van.php>. Details on the Nissan version were not available.

Taxicab fleet owners have asserted that the cost of making their vehicles accessible makes it prohibitive to make these modifications. Presently, the Ford Crown Victoria is the most commonly purchased vehicle by taxicab fleet owners at a cost of approximately \$23,500.00 per taxicab.²³ According to a 2004 study done by the Taxis for All Campaign²⁴, three major taxicab manufacturers were contacted to inquire of the cost of providing vehicles that were modified to provide access to wheelchair users.²⁵ Chevrolet Venture, which provided a ramped side entry, cost \$29,000.00. However, the cost is reduced to \$27,500.00 when purchased in bulk. In addition, it is Chevrolet's policy to provide purchasers a \$1,000.00 rebate per accessible vehicle. This rebate is extended to purchasers of commercial vehicles. Utilizing a bulk purchase order and the rebate would bring the cost of an accessible taxicab to \$26,500.00, or approximately \$3,000.00 more than a non-accessible vehicle. The Campaign also made inquiries to Dodge Caravan and Ford Freestar manufacturers. These manufacturers provided an accessible vehicle with rear- and side-entry-ramped entrances. The cost of a Dodge Caravan, or Ford Freestar purchased in bulk was approximately \$26,500.00. Dodge Caravan and Ford Freestar also provide purchasers a \$1,000.00 rebate per accessible vehicle resulting in an approximate cost of \$25,500.00 per accessible vehicle. Thus, the difference realized between the accessible Ford and Dodge vehicles and the \$23,500.00 paid per non-accessible taxicab vehicle would be \$2,000.00. While the costs to modifying the Nissan and Ford entries to the Taxi of Tomorrow RFP are not immediately available, they would presumably be in line with these figures.

While these amounts are not necessarily insignificant on their own, they pale in comparison to the average winning made by the taxicab owners the accessible medallions auctioned.

| Accessible Medallions | | |
|------------------------------|---|---|
| Auction | Average Individual Medallion Winning Bid | Average Corporate Medallion Winning Bid |
| October, 2004 ²⁶ | \$275,262.28 (89 bids) (not differentiated individual or corporate) | |
| June, 2006 ²⁷ | \$477,666.50 (7 bids) | \$477,666.50 (203 bids) |
| November, 2007 ²⁸ | \$308,977.21 (151 bids) | n/a |
| May, 2008 ²⁹ | \$413,000.00 (16 valid bids) | \$1,237,189.00 (239 valid bids) |

Moreover, recent medallion transfers tracked by the TLC ranged between \$583,000 and \$618,000 for individual medallions, and \$775,000 to \$850,000 for general, non-accessible individual and corporate medallions in 2010.³⁰

²³ New York Times, *A Little Movement Toward More Taxis for Wheelchair*, August 25, 2004

²⁴ The Taxis for All Campaign is a coalition of disability rights advocates formed in 1996 to work with New York City to increase accessible wheelchair taxicab service.

²⁵ Taxis for All Campaign, *Accessible Taxis are Affordable and Perform Well*, May 24, 2004.

²⁶ TLC Press Release, October 15, 2004.

²⁷ TLC Press Release, June 16, 2006.

²⁸ TLC Press Release, November 1, 2007.

²⁹ TLC Press Release, May 2, 2008.

³⁰ http://www.nyc.gov/html/tlc/downloads/pdf/avg_med_price_2k10_november.pdf.

In addition, federal tax rules allow for a full deduction for conversion expenses up to \$15,000.00. Section 190 of the Internal Revenue Code provides a tax deduction for the purpose of making a public transportation vehicle for use with a trade or business more accessible or usable to a person with a disability.³¹ Taxicab owners can take advantage of this deduction to further diminish the cost of providing accessible taxicab service.

As noted above, New York City currently provides paratransit transportation (Access-A-Ride) to residents with disabilities who are eligible for this service. In 2003, it cost the city of New York an average of \$56.00 per ride to provide this service.³² In 2004, Access-A-Ride handled 10,500 riders per day.³³ These costs have and are expected to continue to increase significantly. The MTA 2011 Budget shows that Access-A-Ride “[e]xpenses increase from \$381 million in 2010 to \$658 million in 2014, an increase of 73% over the period.”³⁴ “The Plan also reflects annual projected ridership growth of 15.0% and cost-per-trip inflation projections based upon current carrier contracts, which provide for annual rate increases based on [the] CPI.”³⁵

Providing more accessible taxicabs on the streets of New York City will result in a diminished reliance on the costly Access-A-Ride service by people with disabilities, and will result in significant savings for New York City. Indeed, Access-A-Ride currently utilizes accessible taxicabs and other private providers of accessible vehicles to handle the frequent overflow of prescheduled riders above the capacity of the Access-A-Ride van fleet.

Accessible taxicabs will also save the enormous costs of providing ambulette service to patients in wheelchairs who come and go from the City’s hospitals and clinics. Those ambulettes are used not only by full-time wheelchair users, but also by able-bodied individuals who use wheelchairs following medical procedures or hospitalizations. The availability of a fleet of accessible taxicabs would significantly diminish that use of private ambulettes, which cost hundreds of dollars per ride, usually billed to Medicare, Medicaid or private insurance (much of which makes its way into expenditures by the state and City).

Lastly, while the TLC has also raised cost as an issue regarding accessible taxicab service, it should be noted that the TLC adopted a new rule regarding the implementation of technological enhancements in all New York City taxicabs by November 2005. The technological enhancements approved by the TLC Board of Commissioners include: vehicle location and tracking technology; text messaging capability; credit/debit card payment capability; and an interactive passenger information monitor including a passenger map.³⁶ According to a study done by Shaller Consulting, the total cost is estimated to be between \$1.15 and \$2.00 per transaction, or 7-10 percent of the fare and tip for these trips. Costs are estimated at \$1,000.00 to \$3,400.00 per taxicab annually.³⁷ It thus appears that, while cost is

³¹ 26 U.S.C.S. §190.

³² New York Daily News, *A Hell on Wheels for City’s Disabled*, February 23, 2003.

³³ New York Times, *A Little Movement Toward More Taxis for Wheelchairs*, August 25, 2004.

³⁴ MTA 2011 Final Proposed Budget, November Financial Plan 2011 – 2014, Volume 2, at (available at [http://mta.info/mta/budget/nov2010/MTA%202011%20Final%20Proposed%20Budget,%20November%20Financial%20Plan%20%20\(1\).pdf](http://mta.info/mta/budget/nov2010/MTA%202011%20Final%20Proposed%20Budget,%20November%20Financial%20Plan%20%20(1).pdf)).

³⁵ *Id.*

³⁶ Title 35, Chapter 3, Rules of the City of New York.

³⁷ *Analysis of Proposed Rule for Credit Card/Debit Card Acceptance in NYC Taxicabs*, March 25, 2004.

not an issue when it comes to vehicle tracking technology and interactive information monitors, it becomes one when considering the ability to meet a basic need for wheelchair accessible transportation.

3. Durability

The last significant objection raised by the taxicab industry involves the durability of accessible vehicles. The primary vehicles utilized by cities that provide wheelchair accessible taxis are minivans. The minivans are designed to allow for a short ramp to provide rear or side entrance to the vehicle permitting a wheelchair user and others to easily access the cab. According to taxicab owners, early adopted accessible minivans were less durable than the Ford Crown Victoria sedans currently used by the industry.³⁸ There was no indication that this difference was related to accessibility, or merely that these different vehicle were themselves less reliable. However, a representative testifying on behalf of the corporate taxi industry admitted at the December 15, 2010 hearing that the industry had a largely favorable experience with the Toyota Sienna minivan.

The issue of durability remains unsettled. Cook Dupage Transportation of Chicago, Illinois reported that the 110 accessible minivans in its fleet of paratransit vehicles were kept on the road for four or more years and averaged about 220,000 miles before they were retired. Boston taxicab service regulators reported that converted accessible minivans lasted just as long, if not longer, than sedans.³⁹ London has required every cab to be wheelchair accessible since 1989, and there have been no reports of significant breakdown within their taxicab system.

On the other side of the argument, a Chicago-taxicab-fleet owner reported that his fleet of minivans were often taken off the road after 125,000 miles due to maintenance issues.⁴⁰ Although the durability issue has not been definitively settled to take account of all the variables such as vehicle manufacturer, road conditions, and weather conditions, the weight of existing evidence suggests that accessible vehicles are not necessarily less durable. At any rate, durability comparisons to the Ford Crown Victoria, only for wheelchair accessible taxis, is of limited use since the Ford Crown Victoria is being discontinued. Replacement vehicles for all taxis will need to be identified. Regardless, prospective arguments about durability alone should not be the reason that people with disabilities are excluded from transportation services that assist others in getting to and from work and home, and accessing goods and services around New York City. Similar arguments were made prior to New York City's bus and subway system being made accessible, and to date accessible buses and subway systems continue to operate with little interruption.

4. Proposed TLC Dispatch System for Accessible Cabs

The TLC proposes to institute a combined taxi/livery dispatch system for wheelchair accessible transit.⁴¹ Its plan calls for a centralized dispatch system, calling for standards on

³⁸ New York Times, *"A Little Movement Toward More Taxis for Wheelchair"* August 25, 2004.

³⁹ Taxis for All Campaign, *Accessible Taxis are Affordable and Perform Well*, May 24, 2004

⁴⁰ New York Times, *A Little Movement Toward More Taxis for Wheelchair*, August 25, 2004.

⁴¹ TLC Testimony.

maximum taxi wait time, relying on the program operator to figure out how to meet it. In his oral testimony, Commissioner Yassky suggested the average response time should be one-half hour, with a maximum of one-hour. To improve on the program's prior shortcomings, the program proposal would reimburse drivers for their drives to the pickup location, paid for by an industry fee. Commissioner Yassky suggested that expecting wheelchair users to wait for one-half to one-hour is fair, in that currently people attempting to hail a cab on the street experience delays in availability given time of day, day of week, weather, etc.

While this may be true, instituting a segregated system with, in essence, guaranteed wait times at all times is not equivalent to the experience of able-bodied taxi passengers in Manhattan. These passengers are able over time to plan for delays in getting a taxi based on time of day, day of week, and location. If all taxis were wheelchair accessible, wheelchair users would be similarly situated. Instead, the dispatch program would subject wheelchair users to significant additional delays at all times.

The proposed TLC dispatch program may improve availability of accessibility livery transportation in the outer Boroughs. As noted above, the TLC currently requires for-hire vehicles be available on an "equivalent basis", but that has not been the case. This represents both a market and regulatory failure. If stricter enforcement of current regulations, or a different dispatch system as envisioned by the TLC would improve the current situation that is to be applauded. That said, accomplishing that goal should not be an excuse that prevents wheelchair users from having the same access as able-bodied New Yorkers to on demand street hails of yellow taxis.

Conclusion

The taxicab industry has raised objections similar to those that were raised prior to the passage of the Americans with Disabilities Act in 1990. Employers objected to the increased costs for providing reasonable accommodations to people with disabilities. Owners of businesses and other places of public accommodation also protested that the cost of removing architectural barriers and modifying policies and procedures to provide people with disabilities access to their goods and services would create financial hardship that would ruin their businesses. Housing developers and construction companies objected to the cost of meeting accessible design standards for newly constructed residential buildings under the Federal Fair Housing Amendments Act. To date, employers have found ways to accommodate their employees with disabilities without significant outlays, while maintaining a strong and productive workforce that includes people with and without disabilities. Business owners have realized that, by removing barriers and providing access to goods and services for people with disabilities, their patronage and bottom line have increased. Housing developers and construction companies have found an entire new industry for designers and contractors to provide housing that is accessible to people with disabilities. There is no reason the taxicab industry cannot similarly incorporate full accessibility, nor is there a justification for its failure to do so, as many other industries have done.

Transportation is a major aspect for the success of any city, and New York City does provide people with disabilities access to bus services and to a limited number of subway

services.⁴² Unfortunately, bus service, the one fully accessible public transit modality, is being cut. As noted above, moreover, bus and subway services do not provide the immediate, flexible, and convenient service of on-street taxicabs. Individuals who do not use wheelchairs can choose taxicabs as a primary mode of transportation, as an alternative when buses or subways are delayed, as a means of reaching locales distant from bus and subway stops, as a convenience in inclement weather and otherwise. People who use wheelchairs cannot. New York City should take immediate steps to remedy this condition and thereby improve access for individuals who use wheelchairs to employment, goods and services.

New York City should also not lag behind other major national and international cities that provide wheelchair-accessible-taxicab service. As such, we urge the New York City Council to pass Introduction Number 433, legislation that will expeditiously phase in full taxicab accessibility for New York City's residents and visitors starting in 2014, and that will thereby provide equal access to on-street transportation services to people with and without disabilities alike.

New York City Bar Association
Committee on Legal Issues Affecting People with Disabilities
Dennis R. Boyd, Chair
Cara E. Greene, Secretary

⁴² There are 468 subway stations, of which 89 are accessible. See <http://mta.info/nyc/facts/ridership/index.htm> and <http://www.mta.info/accessibility/transit.htm>. The number of accessible stations is planned to increase to 100 by 2020 in accordance with a settlement to a lawsuit brought by the Eastern paralyzed Veterans Association. See Pete Donohue, *City's subways aren't friendly to disabled riders, according to lawsuit*, New York Daily News, October 13, 2010.