

Metro Vancouver's Aging Population and the need for Quality HandyDART Service

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For Amalgamated Transit Union Local 1724

This report is an update of the 2013 report *Metro Vancouver's Aging Population and the Need for Improved HandyDART Service*.

About the Author

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Amalgamated Transit Union Local 1724

ATU Local 1724 represents the workers in the Greater Vancouver regional area with the paratransit service known as HandyDART. We are the operators, office workers, mechanics and road supervisors that serve the elderly and those with special needs. More information is available at www.atu1724.com

Photographs by Eric Doherty except as noted



HandyDART Riders' Alliance members
doing outreach at Labour Day picnic

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Summary

HandyDART is a custom transit service for people with physical and/or cognitive disabilities who cannot use the regular transit system for at least some trips. HandyDART is not just for older seniors. The people who benefit from HandyDART include children on their way to school and specialized programs, young adults on their way to work and medical appointments, and middle aged people going to rehabilitation programs. Any one of us – even young able-bodied people – could be using these kinds of services next year; however, the probability increases greatly for those over 70 years old.

Over the last decade the number of people over 70 in Metro Vancouver has increased by 42% and 82,000 – over 8,200 people each year. In contrast, the total population only increased by 16%. This aging trend is accelerating; in 2016 the oldest baby boomers turned 70. The population of people over 70 in Metro Vancouver is projected to increase by 53% and 147,000 in the next decade – almost 15,000 more people over 70 every year.

Creation of the HandyDART Crisis

When elected mayors and councillors sat on the TransLink Board, from 1999 to 2007, they increased HandyDART service hours by about 5% per year to keep up with demand. But after then Premier Gordon Campbell imposed an appointed board in 2008, HandyDART service hours were frozen and HandyDART trip denials soared. This means that HandyDART service per-capita has been declining since 2008, at the same time as conventional transit has become more crowded and therefore less accessible.

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Shortly after the 2013 version of this report was published, and the soaring trip denials were widely reported in the media, the contractor re-defined trip denials – apparently to disguise the crisis. This was likely the result of instructions from the provincial Liberal government.

Also in 2013, the TransLink Mayors Council released the *TransLink Governance Review* which found that the appointed board arrangement is “unique in the world and not in a good way [and] accountability to the population being served . . . is almost completely missing.”

HandyDART Riders' Alliance Creates Pressure for Increased and Higher Quality Service

In 2013 the HandyDART Riders Alliance (HRA) was formed. This group of HandyDART riders and allies greatly increased the media coverage of the freeze in HandyDART service, and the resulting crisis. The HRA recognized from the beginning that unaccountable TransLink governance was a key reason for poor HandyDART service.

After the 2013 election, the provincial Liberal government imposed a transit referendum, but made the TransLink Mayors' Council responsible for developing the plan to be voted on. The HRA and allies mounted a campaign to get the Mayors Council to include funding for increased HandyDART service. The Mayors' plan included a 30% increase in HandyDART bus service hours over 10 years. The referendum failed, but the Mayors' plan has become the transit plan for the region.

The HRA succeeded in keeping the HandyDART crisis in the public eye throughout 2014 and 2015, and repeatedly emphasized their desire to bring HandyDART in-house as a TransLink subsidiary. TransLink committed to involving HandyDART riders in designing a 'public sector comparator' to evaluate the costs and benefits of bringing HandyDART in-house. However, no comprehensive evaluation of bringing HandyDART in-house seems to have been done.

In September 2016, TransLink announced an \$820,000 emergency top up to meet demand, and that 90% of this would go to HandyDART buses. However, data provided by TransLink shows that slightly less than the 'budgeted' number of HandyDART bus trips were delivered, and instead taxi trips were increased by almost 30%.

In November 2016, the appointed TransLink Board and the Mayors' Council both voted unanimously to approve a 'Phase One Plan' which includes a 15% HandyDART increase over 3 years, starting in January 2017. This is considerably accelerated over what was originally in the Mayors' plan. TransLink staff and executives assured the HRA that this increase would be in the form of HandyDART bus hours, not trips using taxis; early indications are that this commitment may not be fully honoured.

NDP leader John Horgan committed to increase HandyDART service hours by 5% per year above previously planned increases

In March 2017 TransLink published documents revealing that TransLink provides much less HandyDART service per capita than comparable transit agencies and that "expansion in the Mayors' Vision is expected to address the increased demand to some degree, but . . . is likely insufficient to catch up or keep pace with need." During the spring 2017 election campaign NDP leader John Horgan committed to a Metro Vancouver Alliance assembly that he would fund increases HandyDART service hours of 5% per year (above previously planned increases) for four years starting in 2018 for both TransLink and BC Transit HandyDART services if elected. John Horgan became Premier of BC in July 2017.

The benefits of good quality custom transit service

There are many benefits to providing good quality transit service that is accessible to all. Accessible transit, including HandyDART, evolved as our society acknowledged the benefits of allowing people with physical or cognitive disabilities to participate in society rather than being segregated in institutions or isolated at home.

Even a small reduction in the barriers to employment and education for people with disabilities would result in large economic benefits. The reductions in health care costs with improvements to accessible transit would likely also be substantial. In addition there are economic benefits of freeing family care-givers to seek employment. Failing to increase the amount of high-quality door-to-door custom transit service would impose substantial costs on the public health system and family care givers, as well as infringing on the rights of the increasing population of people living with disabilities. In 2017, the BC Human Rights Tribunal acknowledged the significance of HandyDART service as a human rights issue by accepting a complaint by the HandyDART Riders' Alliance.

With an aging population, it will be essential to have high quality programs, and transportation to these programs, so that older people with disabilities can fully participate in their communities.

Accessible Transportation for Age Friendly Communities

It is tempting to think that the answer to providing accessible transportation is to force some of the people who now use HandyDART onto the regular transit system, which is now equipped with low-floor buses. This approach would likely result in some of the most vulnerable HandyDART passengers becoming isolated and unable to access transit.



HANDYDART RIDERS AT A TRANS LINK BOARD MEETING

Improving the conventional transit system, the sidewalk network, and numerous other features of our communities is essential to creating the 'age friendly communities' that most governments now claim to be working towards. And there is considerable potential to moderate the increase in HandyDART service that will be required, with adequate investment and re-allocation of road space. Some of these changes can also increase the efficiency of HandyDART service.

A few of the measures that have the potential to increase accessibility and moderate the need for HandyDART service increases include:

- Increasing regular transit service and using larger buses to reduce overcrowding.
- Improving transit priority measures, including transit lanes that can be used by HandyDART vehicles.
- Installing accessible public washrooms at major transit transfer points.
- Voluntary training and assistance for seniors and people with disabilities who want to use regular transit services.

- Building and improving sidewalks and crosswalks region wide.
- Creating more cycling paths and protected bike lanes, and clarifying that people riding wheelchairs and mobility scooters are permitted on them.
- Funding programs so people with disabilities on limited incomes can purchase and maintain mobility scooters or power wheelchairs.
- Locating affordable housing, including for seniors and people with disabilities, in walkable areas with good quality transit.

Many of these improvements would require cooperation between multiple levels of government, and involve considerable amounts of money. Other changes, such as concentrating health care facilities and employment in walkable areas with good quality accessible transit, will realistically happen only over decades.

Poverty and Access

People with disabilities tend to have much lower incomes than people who do not. This is largely related to the barriers to employment they face. About one in five people in BC who reported an activity limitation live in poverty, and individuals relying on the Persons with Disability benefit live well below the poverty line.

People with disabilities living in poverty need affordable transportation. Even regular transit fares for using HandyDART are a barrier. The half-price taxi saver coupons available from TransLink are far too expensive for many to use regularly, even for short trips.

People with disabilities face significant barriers in getting to potential employment locations, given that many cannot drive even if able to purchase and operate a reliable car or accessible van. As a result of weak regional planning, much of the recent employment growth has been located in automobile-dominated office parks with poor transit service. Even people without disabilities find accessing these new employment locations by transit a severe challenge.

Taxis seem to be providing a less demanding type of service to people with less severe disabilities at costs similar to dedicated services such as HandyDART

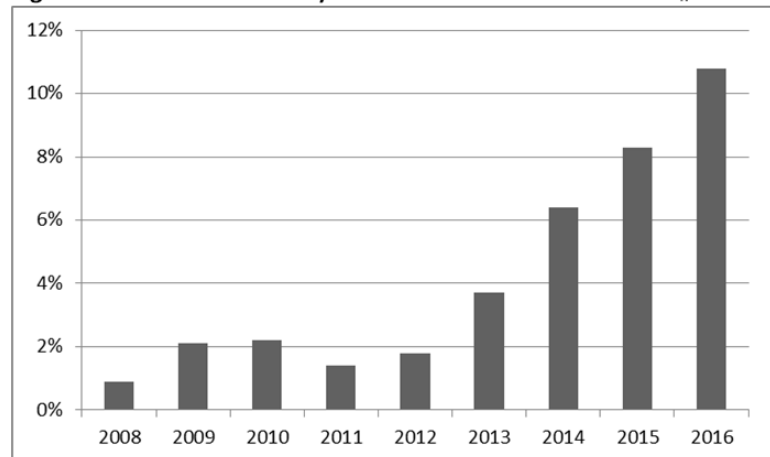
Lower income people, including people of all ages with disabilities, have a right to social activity and to access recreational facilities. Restricting HandyDART service, or imposing higher fares, would further isolate those in deep poverty. Social isolation is associated with a wide range of negative health impacts, so inadequate HandyDART service translates to increased health care costs and shorter lifespans for some of the most vulnerable.

TransLink's Move to Replace HandyDART service with Taxis

In 2012 the TransLink Commissioner's *TransLink Efficiency Review* recommended replacing some HandyDART service with taxis. The TransLink Commissioner's report claimed lower costs, but taxis seem to be providing a less demanding type of service to people with less severe disabilities at costs similar to dedicated services such as HandyDART.

Experience in Metro Vancouver and elsewhere shows that substituting taxis for dedicated custom transit vehicles results in sub-standard safety and service, often without any real reduction in costs. Incidents documented in this report include taxi drivers screaming at passengers, and refusing to let them out of the taxi. The low pay and resulting high turnover in the taxi industry creates intractable problems, as illustrated by the declining performance of taxis doing HandyDART service documented in TransLink's latest survey. Since 2012, TransLink has greatly increased the percentage of trips provided by taxi, as shown in Figure 1.2.

Figure 1.2 TransLink Greatly Increased Taxi Use After 2012



The Public Option

The shift of all TransLink HandyDART services from mainly non-profit contractors to a private corporation has had negative impacts on HandyDART riders, including poor service and a strike largely resulting from MVT's attempt to eliminate pensions for workers. The problems with privatized transit service worldwide suggest that this is a structural problem with for-profit contractors rather than an isolated incident.

In 2005 the Coalition of HandyDART Users (CHU) published a report calling for HandyDART to be operated as a subsidiary of TransLink rather than being contracted out. One of the main justifications for this proposed change was to improve staff retention, as experienced drivers provide better and more sensitive service. The accumulated evidence since then suggests that operating HandyDART directly as a public service is the best option. Given the poor track record that for-profit companies have for service quality and cost effectiveness, operating HandyDART as a subsidiary of TransLink should be seriously considered.

It is time to make the very considerable investments in public transit, including HandyDART, needed to make Metro Vancouver a livable and age friendly region.

1) Introduction

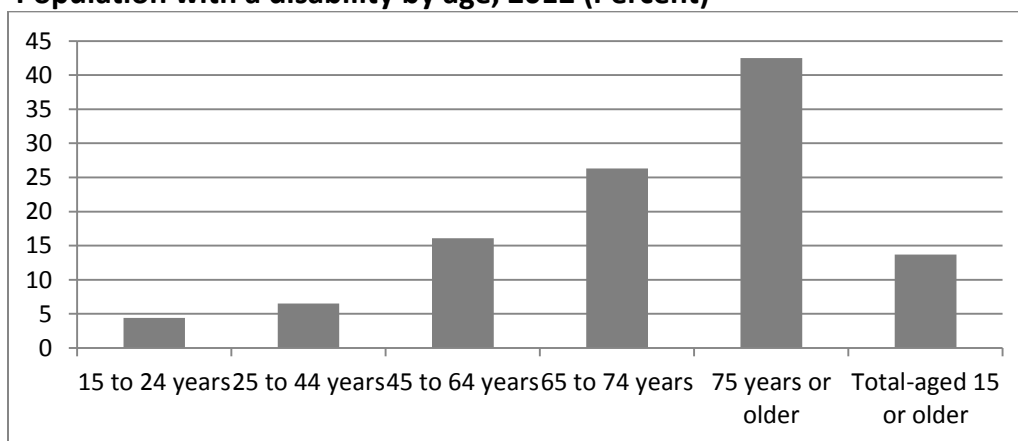
HandyDART is a custom transit service for people with physical and/or cognitive disabilities who cannot use the regular transit system for at least some trips.

HandyDART is not just for older seniors. The people who benefit from HandyDART include children on their way to school and specialized programs, young adults on their way to work and medical appointments, and middle aged people going to rehabilitation programs. Any one of us – even young able-bodied people – could be using these kinds of services next year on a temporary or permanent basis; however, the probability of needing custom transit service increases greatly with age.

Aging Population, Greater Need

As people age they become more likely to acquire disabilities. As shown below in figure 1.1, only about seven percent of Canadians 25-44 years old live with disabilities while over a quarter of people between 65 and 74 do, and this increases to 42 percent for those over 75. Not everyone living with a disability needs services such as HandyDART, but the probability of needing specialized services to live independently with a high quality of life increases greatly for those over 70 years old.

Figure 1.1
Population with a disability by age, 2012 (Percent)



Data Source: Statistics Canada - A profile of persons with disabilities among Canadians aged 15 years or older, 2012 (2015) statcan.gc.ca/pub/89-654-x/2015001/tbl/tbl02-eng.htm

Mobility disabilities, defined as “difficulty walking up and down a flight of stairs, standing in one spot for 20 minutes or moving from one room to another” are the most common disability type among seniors. In Canada, mobility disabilities are experienced by 24 percent of people aged 65 to 74, 41 percent of seniors aged 75 to 84, and 61 percent of seniors aged 85 and over.¹ Statistics Canada reports that the proportion of people needing

¹ HRDC 2011 *Federal Disability Report*. canada.ca/en/employment-social-development/programs/disability/arc/federal-report2011.html

assistance with transportation similarly increases with age, but notes that women are more likely to need transportation assistance than men of the same age.²

Over the last decade the number of people over 70 in Metro Vancouver has increased by 42% and 82,000 – over 8,200 people each year. In contrast, the total population only increased by 16% in the last decade. This aging trend is accelerating. The population of people over 70 in Metro Vancouver is projected to increase by some 53% and 147,000 in the next decade – almost 15,000 more people over 70 every year.³

In 2016 the oldest baby boomers turned 70, explaining the longer-term increase of older seniors. According to Human Resources and Skill Development Canada, due to an aging population, the number of people with disabilities in Canada will increase at almost twice the rate of population growth through 2036.⁴

The number of people with disabilities will increase at almost twice the rate of population growth over the next twenty years

The ongoing increase in the population of older seniors in Metro Vancouver will translate into a greater population of people with disabilities and a resulting increased need for HandyDART and other specialized services. Metro Vancouver has many of the specialized medical facilities in British Columbia, such as the G.F. Strong Rehabilitation Centre. Many with severe disabilities and serious medical conditions – particularly older people – will likely relocate here to access specialized healthcare in the coming years.

2) Creation of the HandyDART Crisis

When elected mayors and councillors sat on the TransLink Board from 1999 to 2007, they increased HandyDART service hours by about 5% per year to keep up with demand. But after then Premier Gordon Campbell and Transport Minister Kevin Falcon imposed an appointed board in 2008 everything changed. Then NDP Transport critic David Chudnovsky responded that the appointed board was a way "to get power away from our elected municipal politicians because once in a while they disagree with the aggressive privatization agenda of Mr. Falcon"⁵

² Profile of seniors' transportation habits: Table 4 Number and percentage of people needing assistance with transportation, 2009. statcan.gc.ca/pub/11-008-x/2012001/t/11619/tbl04-eng.htm

³ Data Source: BC Stats Sub-Provincial Population Projections - P.E.O.P.L.E. (2016) bcstats.gov.bc.ca/apps/PopulationProjections.aspx

⁴ HRDC (2011) *Federal Disability Report* Figure 1.9.

⁵ "Major TransLink overhaul coming". CBC. March 8, 2007. Qtd in [en.wikipedia.org/wiki/TransLink_\(British_Columbia\)](http://en.wikipedia.org/wiki/TransLink_(British_Columbia)) (retrieved Sept 28, 2017)

Once the appointed board was in place, HandyDART service hours were frozen and HandyDART trip denials soared. The situation for conventional transit was similar. In 2008, the Provincial Liberals unveiled a grandiose pre-election transit plan.⁶ After the election they reneged on many of their transit promises and cancelled planned conventional transit bus service increases.

The elected board was deposed for disagreeing with the provincial government's "aggressive privatization agenda" according to the NDP

This means that HandyDART service per-capita has been declining since 2008, at the same time as conventional transit has become more crowded and therefore less accessible for many. The decision to freeze HandyDART service was likely authorized by the provincial cabinet, as media reports suggest that the provincial Liberal government was micro-managing TransLink operations.⁷

Most transit agencies have long acknowledged that an aging population will require more custom transit service. For example, BC Transit's 2011 long range plan for the Victoria area states: "The aging population will increase the demand for handyDART and other custom transit services in the future. This will require an increase in resources."⁸ The same report notes that there is likely a hidden demand for HandyDART service by people who have given up on requesting service due to a lack of capacity. BC Transit did increase HandyDART service during the years of frozen service at TransLink, but not enough to keep up with the increasing demand.

The City of Vancouver's Persons with Disabilities Advisory Committee (PWDAC) responded to the service freeze and proposed that HandyDART funding and service be increased to meet the needs of the increasing population of people with disabilities. They also opposed invasive processes to screen HandyDART applicants as a way of reducing costs:

"Access Transit (TransLink) has been contemplating a new process to deal with increasing demand for HandyDART without increasing funding to meet the need. The process they are contemplating is an invasive, time-consuming, and upsetting process, which would discourage many people, especially persons with language issues, developmental disabilities, persons who are older, frail or confused, from

⁶ E.g. Kenneth Chan (2015) *The \$14 billion transit plan the B.C. Liberals conveniently forgot* vancitybuzz.com/2015/03/14-billion-transit-plan-b-c-liberals-conveniently-forgot

⁷ In March 2015, Frances Bula wrote in the *Globe and Mail* that according to "numerous politicians and TransLink employees, the agency's executives and staff are on the phone to the Transportation Ministry in Victoria several times a week, getting clearance for everything from news releases to new equipment." theglobeandmail.com/news/british-columbia/translinks-track-record-derailing-yes-vote-on-transit-plebiscite/article23462754/

⁸ BC Transit (2011) *Transit Future Plan: Victoria Region*. P30. transitbc.com/regions/vic/news/bpl/pdf/vic-bpl1731.pdf

applying for HandyDART. In essence, it solves the problem of not enough HandyDART rides by eliminating the most vulnerable of users.”⁹

The impact on people who need the service the most should be considered with regard to the type and quality of service offered, not just the formal screening process. If people with severe disabilities find that the service does not meet their needs, they will be screened out and not use the service. The cost of this silent screening process may not show up on TransLink's financial statements, but the individuals, families and the public health care system will pay the price.

The Liberal government attempted to cover up the crisis they created

The 2013 version of this report documented that trip denials soared by over 600% between 2008 and 2012. Shortly after the report was published, and the soaring trip denials were widely reported in the media, the contractor and TransLink re-defined trip denials – apparently to disguise the crisis.¹⁰ One headline resulting from TransLink and the contractor's re-definition of denial and misleading communications was “HandyDART trip denials plummet.”¹¹ Instead of increasing HandyDART service, the provincial Liberal government seemingly attempted to cover up the crisis they created.



In 2013 the TransLink Mayors Council released the *TransLink Governance Review* which found that the appointed board arrangement is “unique in the world and not in a good way.” The Review found the appointed board deficient “in relationship to the six major criteria of accountability, transparency, responsiveness, clarity of purpose, advocacy

and productive relationships. The most critical of these is accountability to the population being served, which is almost completely missing from the present arrangements.”¹² The HandyDART crisis is one symptom of this lack of accountability.

⁹ (2011) *Issues and Concerns about the Translink Report: “Moving Forward: Improving Metro Vancouver’s Transportation Network.”* p15

¹⁰ E.g. CBC (Nov 19, 2013) HandyDART trip denials up 670% since 2008, says group. cbc.ca/news/canada/british-columbia/handydart-trip-denials-up-670-since-2008-says-group-1.2433056

¹¹ Michael Mui, 24 Hours Vancouver (December 16, 2014)

¹² p i

translink.ca/~media/Documents/about_translink/governance_and_board/governance_review/TransLink_Governance_Review.ashx

HandyDART Riders' Alliance Creates Pressure for Increased Service

In 2013 the HandyDART Riders Alliance was formed. This group of HandyDART riders and allies greatly increased the media coverage of the freeze in HandyDART service, and the resulting crisis.

After the 2013 election, the provincial Liberal government imposed a referendum requirement on new funding for TransLink, but made the TransLink Mayors' Council responsible for developing the plan to be voted on. The provincial Liberal government also imposed a very rushed timeline, ensuring that through public consultation would be impossible. The HandyDART Riders' Alliance and allies had to scramble to mount a campaign to get the Mayors Council to include funding for increased HandyDART service in their plan. The Mayors' plan was released in June 2014 and included a 30% increase in HandyDART bus service hours over 10 years. The HandyDART Riders' Alliance campaigned for the yes side in the referendum on the basis of this commitment. The referendum did not pass, but the Mayors' hastily drafted plan became the de-facto transit plan for the region.



HANDYDART RIDERS CAMPAIGNED FOR YES SIDE IN TRANSIT REFERENDUM

The referendum did not pass, but the Mayors' hastily drafted plan became the de-facto transit plan for the region.

The HandyDART Riders' Alliance succeeded in keeping the HandyDART crisis in the public eye throughout 2014 and 2015. And after the HandyDART Riders' Alliance organized a large presence at the December 2015 TransLink board meeting, the TransLink board chair Barry Forbes was interviewed by the Vancouver Sun and said:

All of us were pretty moved by the comments from the folks . . . We are concerned. We had an offer to work with these folks more and we want to do that. We will consider (taking HandyDART) in-house.

**TransLink
committed to
considering
taking
HandyDART in-
house**

The Vancouver Sun also interviewed HandyDART riders:

At the meeting, Pam Winthrop said she drives her 20-year-old son from Ladner to Richmond every day so he can get a HandyDart to his Vancouver school. He never arrives on time. Bet Tuason, who is on kidney dialysis, said he has passed out three

times — and has had to be resuscitated — while waiting for HandyDart to show up, while Sandra Bryan has missed her medical appointments and claims she has been abused by the HandyDart call centre after she complained.

Beth McKellar, who suffered a spinal cord injury 16 years ago, urged TransLink to do the right thing, noting that many people are told to take taxis instead of HandyDart, and wind up stranded because there are none available.¹³

Public Sector Comparator Promised & Canceled

At this same TransLink board meeting I recommended that HandyDART riders be involved in selecting an outside group to conduct a participatory Multiple Accounts Evaluation Public Sector Comparator (PSC). I also suggested that public confidence in the results would be enhanced if the group doing the work was conducted by a smaller firm and led by professionals with a code of conduct requiring clear and accurate communications with the public, such as Registered Professional Planners.

In June 2016, TransLink CEO Kevin Desmond committed to involving HandyDART riders in designing a 'public sector comparator' to evaluate the costs and benefits of bringing HandyDART in-house as part of a "Custom Transit Service Delivery Review . . . in response to a number of questions that had been raised at TransLink Board meetings, particularly around responsiveness to customer concerns, and the standards and quality of HandyDART and taxi services, and the HandyDART service model." The "Stakeholder Advisory Committee [was supposed to help develop] evaluation criteria for service delivery models"¹⁴



HANDYDART RIDERS' ALLIANCE PUT QUALITY OF SERVICE ON PUBLIC AGENDA

The HandyDART Riders' Alliance media release in response stated that they were "very pleased with the significant commitments made by TransLink's CEO Kevin Desmond at today's board meeting."

The Custom Transit Service Delivery Review initially included a Multiple Accounts Evaluation (MAE) of service delivery models as recommended by Ecopath Planning and requested by the HandyDART Riders' Alliance. Multiple Accounts Evaluation allows multiple factors, such

¹³ Kelly Sinoski, Vancouver Sun (Dec 9, 2015) "TransLink to consider taking HandyDart in house" www.vancouversun.com/news/metro/translink+consider+taking+handydart+house/11577898/story.html

¹⁴ Custom Transit Service Delivery Review translink.ca/en/Plans-and-Projects/Custom-Transit-Service-Review.aspx (accessed Sept. 21, 2017).

as safety and quality of service to be evaluated (TransLink regularly uses MAE evaluations in evaluating projects such as rapid transit lines).

However, at some stage the MAE was terminated, and only a financial analysis was done. TransLink hired PricewaterhouseCoopers (PwC) to do the financial review, one of the firms the Canadian Centre for Policy Alternatives identifies as having “potential conflict of interest, because accurate auditing would sometimes speak against corporate practices that yield general consulting revenues” such as contracting out and ‘private public partnerships.’¹⁵ The names and qualifications of the people who did the financial analysis were not included in the report summary that was released to the public.

PwC was apparently not informed that the MAE had been cancelled and wrote this in their Public Sector Comparator (PSC) report: “The outputs from the PSC were incorporated into the final Multiple Account Evaluation (“MAE”) used by TransLink and the project Stakeholder Advisory Committee to prepare the final recommendation to the TransLink Board.”[sic]¹⁶

It is not clear if these decisions were made by TransLink or by the provincial Liberal government

The choice of a company with a potential conflict of interest, and the unexplained decision not to consider safety or quality of service via a MAE, raises some significant doubts about the integrity of the process. It is not clear if these decisions were made by TransLink or by the provincial Liberal government, as Frances Bula wrote in the Globe and Mail that TransLink “executives and staff are on the phone to the Transportation Ministry in Victoria several times a week, getting clearance for everything from news releases to new equipment.”¹⁷

Promised Increase Diverted to Taxis

In September 2016, the new TransLink CEO announced that \$820,000 was going to increase HandyDART service as an emergency top up to meet demand, and that 90% of this would go to HandyDART buses. In fact, the data provided by TransLink shows that slightly *less* than the ‘budgeted’ number of HandyDART bus trips were delivered (also slightly less than delivered in 2015), and instead taxi trips were increased by almost 30%.¹⁸ This resulted in a

¹⁵ Stuart Murray (2006) *CCPA. Value for Money? Cautionary lessons about P3s from British Columbia*. p 32 policyalternatives.ca/sites/default/files/uploads/publications/BC_Office_Pubs/bc_2006/P3_value_for_money.pdf

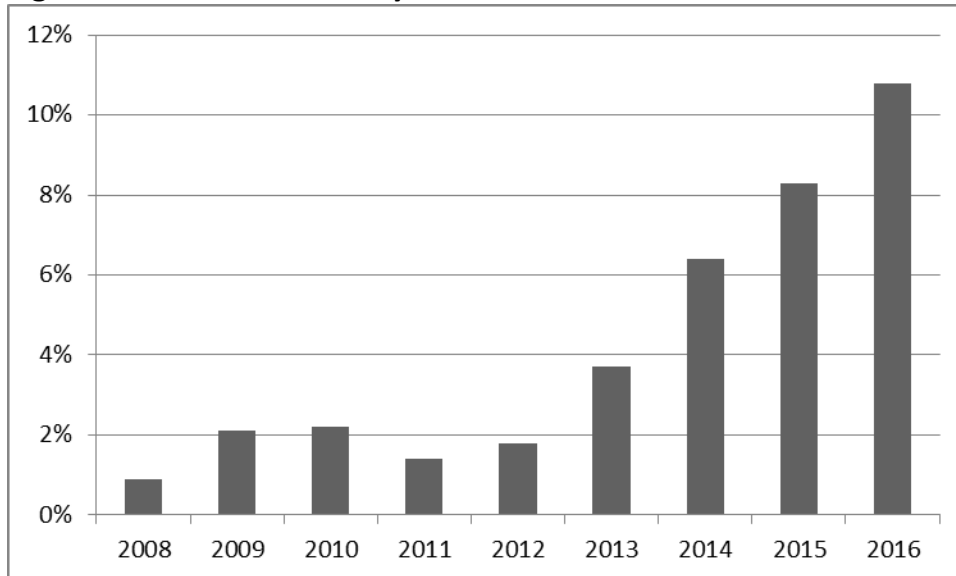
¹⁶ (March 2017) TransLink Custom Transit Service Delivery Review: Public Sector Comparator Executive Report for Public Board Meeting. P2 handydartriders.ca/wp-content/uploads/2017/03/TL-HandyDART-Public-Sector-Comparator-March-2017.pdf

¹⁷ (March 13, 2015) “TransLink’s track record derailing Yes vote on transit plebiscite” theglobeandmail.com/news/british-columbia/translinks-track-record-derailing-yes-vote-on-transit-plebiscite/article23462754/

¹⁸ Backgrounder - HandyDART Service Provision (Provided to HandyDART Riders’ Alliance by TransLink on Jan 25, 2017)

record high of 10.8% taxi trips, up from less than 1% in 2008 and 3.7% in 2013 as shown in Figure 1.2. This obviously raises questions of trust and accountability.

Figure 1.2 TransLink Greatly Increased Taxi Use After 2012



Data Source: *Backgrounder - HandyDART Service Provision* (Undated - Provided to HandyDART Riders' Alliance by TransLink on Jan 25, 2017)

In November 2016, the appointed TransLink Board and the Mayors' Council both voted unanimously to approve a 'Phase One Plan' which includes a 15% HandyDART increase over 3 years, starting in January 2017. This is a faster increase than what was originally in the Mayors plan, and is a recognition that the need for HandyDART greatly exceeds the supply. TransLink staff and executives assured the HandyDART Riders Alliance that this increase would be in the form of HandyDART bus hours, not trips using taxis; early indications are that this commitment may not be fully honoured.

TransLink Acknowledges HandyDART crisis

In March 2017 TransLink published documents revealing that TransLink provides less HandyDART service per capita than comparable transit agencies. One document states:

Demand for HandyDART Currently Outstrips Supply and is Anticipated to Grow: Up until late 2016, there had been no increase in HandyDART service since 2009 . . . we heard from many customers that it can be difficult to get a trip when needed and that many customers have stopped calling out of frustration. In addition, HandyDART is currently providing fewer trips per capita than our peer custom transit agencies, which indicates that there is likely latent demand for the service. Furthermore, recent BC Stats projections indicate the number of people in Metro Vancouver aged 70 or older will increase by 55% over the next ten years, which

could translate into a greater need for HandyDART service, as the incidence of disabilities increases at this age.

The same report states that HandyDART service “expansion in the Mayors’ Vision is expected to address the increased demand to some degree, but analysis shows that it is likely insufficient to catch up or keep pace with need.”¹⁹

TransLink’s Custom Transit Service Delivery Review had some positive outcomes beyond getting the need for more HandyDART service on the public record. The members of the Stakeholder Advisory Committee, which included HandyDART Riders’ Alliance members Tim Louis and Patrick Maxcy, succeeded in getting TransLink to handle complaints about HandyDART (including taxis in HandyDART service) directly. Previously, the US corporation contracted to provide HandyDART service handled complaints about their own service (it remains to be seen if this change will be an improvement). The deadline for booking HandyDART trips was also extended from noon to 4pm the day before travel; this could be a significant improvement if HandyDART service levels are greatly increased.

The next month, the Mayors’ Council chimed in with this statement:

“The 10-Year Vision will increase this service by 30% [but] will still leave Metro Vancouver with about half of the accessible transit trips per capita that are provided in other similar Canadian cities, including the Capital Region. This service shortfall is in large part a reflection of the lack of provincial support for this service which is a backbone of the provincially funded healthcare system. This represents a download of provincial costs onto regional taxpayers.

The Mayors’ Council is calling on all B.C. political parties to . . . commit to improving service above and beyond the 30% increase proposed in the 10-Year Vision, so our residents have access services at a level comparable to other major Canadian cities.”²⁰

The 10-Year Vision would still leave Metro Vancouver with half the service provided in similar Canadian cities

NDP Promises Action

The HandyDART Riders’ Alliance is a member of the Metro Vancouver Alliance (MVA), a broad based alliance of civil society groups including faith groups and unions. The MVA also played an important role in pushing for more HandyDART service. At the MVA provincial electoral assembly in April 2017, NDP leader John Horgan committed to providing funding

¹⁹ Custom Transit Service Delivery Review: Outcomes and Recommendations (March 22, 2017) handydartriders.ca/wp-content/uploads/2017/03/HandyDART-Service-Review-March-2017.pdf

²⁰ mayorscouncil.ca/wp-content/uploads/2017/04/Backgrounder-HandyDART-1.pdf

through a special grant to increase HandyDART service hours by 5% per year (above previously planned increases) for four years starting in 2018 for both TransLink and BC Transit HandyDART services.²¹

In June of 2017, after the provincial election but before it was certain which political party would form government, the HandyDART Riders' Alliance filed a class-action complaint with the B.C. Human Rights Tribunal alleging discrimination in the form of inadequate HandyDART service. The complaint alleges inferior transit service is provided to people with physical and mental disabilities compared to people who can use conventional public transit. All of the specific incidents in the complaint take place in 2016 and 2017.

NDP leader John Horgan committed to increase HandyDART service hours 20% above previously planned increases

The complaint states that

"People are being denied access to transit because they are unable to use conventional transit without assistance. Dignity & self-esteem are damaged. Safety is put at risk. . . . We are unable to access physiotherapy appointments, specialist's appointments and other medical or recreational events. We are being disconnected from our communities and our families and friends. We are being isolated. This in turn causes depression, anxiety, fear and loneliness."

Some of the incidents and patterns documented in the complaint include:

- An elderly and disabled client who was picked up at 8 am in Burnaby for an appointment in Surrey and did not get home until 6 pm.
- A client the HandyDART contractor took to dialysis treatment, but then abandoned to make his own way home on the bus at 9 pm in the snow.
- Riders forced to pay twice when the trip involves transferring from HandyDART bus to taxi.

The complaint quotes a number of individual riders, family members and health professionals. Quotes include:

- "During the summer, the taxi service could not be depended upon to pick up HandyDART clients as they would take passengers from the Cruise ships as priority as that is where the money is. This is a taxi driver's priority. Our client had to wait until 6pm or later for a taxi to finally show up."

²¹ Metro Vancouver Alliance. (no date) *Over 800 delegates heard commitments from provincial party leaders. Our Provincial Election Accountability Assembly was a success!* metvanalliance.org/assembly_wrap_up

- “This client is 15 years old with the mental capacity of a 4 year old. They attend dialysis at BC Children’s Hospital three times weekly. They live in Burnaby. Their problem is that HandyDART has been denying them return trips home from BC Children’s as their trip does not fall between the hours scheduled by MVT for Service between Vancouver and outlying communities.”
- “No bus showed up and when I called to ask ‘where’s my ride’, dispatch indicated that a taxi is on its way – for some reason a taxi never showed up till about 10:15 am and I had missed my physio appointment”

The HandyDART Riders’ Alliance complaint was accepted by the Human Rights Tribunal, and mediation is scheduled for December 2017. (Problems regarding taxis are discussed in more detail in Section 5 of this report.)

In September 2017, the NDP provincial government announced that they would reinstate the B.C. Human Rights Commission. The Commission will be proactive, rather than exclusively complaints driven as the Tribunal is. Once the Commission is in place, it may well have an important role in monitoring HandyDART service.

The BC NDP platform released in April 2017 slammed the BC Liberal takeover of TransLink, stating: “The BC Liberals made a mess of Metro Vancouver’s transportation governance, by undermining the mayors [and] giving power to Liberal appointees over elected officials” They promised to “work with Metro municipalities to develop a new TransLink governance model that provides the structure, the funding model and the certainty to make good transportation decisions to manage the system well”²²

**The BC NDP
slammed the
Liberal
government for
giving power to
an appointed
board over
elected officials**

John Horgan became Premier of BC in July 2017. It remains to be seen if Premier Horgan and the BC New Democratic Party will fulfil their commitments to put TransLink back in the hands of elected officials and to increase HandyDART service.

3) The Benefits of Quality Custom Transit

There are many benefits to providing good quality transit service that is accessible to all, and poor quality paratransit is never a good deal. Accessible transit, including HandyDART, evolved as our society acknowledged the benefits of allowing people with physical and/or cognitive disabilities to live and participate in society rather than being physically segregated in institutions or isolated at home.

²² 2017 BC NDP PLATFORM p47-48. action.bcndp.ca/page/-/bcndp/docs/BC-NDP-Platform-2017.pdf

A report by the Canadian Urban Transit Association (CUTA) asserts that even a small reduction in the barriers to employment and education for people with disabilities would have annual economic benefits in the hundreds of millions of dollars. The study also suggests that reductions in health care costs with improvements to accessible transit would be substantial.²³ There are economic benefits of freeing family care-givers to seek employment and costs borne by the public health system to forcing people with disabilities into institutions.

This CUTA report also identifies substantial safety benefits to accessible transit improvements. People 70 and older get into more crashes per kilometre than any other group except young males.²⁴ Without good options, people will be tempted to keep driving even when their ability to do so safely is impaired.

With an aging population, it will be essential to have high quality programs, and transportation to these programs, so that older people with disabilities can fully participate in their communities. The Council of Senior Citizens' Organizations of BC (COSCO) asserts that "Accessible transportation services are a key component in helping seniors to stay active, involved and engaged in their communities."²⁵ Custom

Accessible transportation services are a key component in helping seniors to stay active, involved and engaged in their communities

transit services such as HandyDART are essential for meeting the growing demand not met by regular transit service.

Quantifying the economic and social benefits of improving HandyDART service, along with improvements to the rest of the transit system, are beyond the scope of this study. But, given the costs and negative social consequences of inadequate service, improving HandyDART service is a very good investment.

Failing to increase the amount of high-quality door-to-door custom transit service would impose substantial costs on the public health system and family care givers, as well as infringing on the rights of the increasing population of people living with disabilities.

4) Accessible Transportation for Age Friendly Communities

It is tempting to think that the answer to providing accessible transportation is simply to force some of the people who now use HandyDART onto the regular transit system, which is now equipped with low-floor buses and other features to reduce barriers for people with

²³ CUTA (2013) *Value Case for Accessible Transit in Canada*.

cutaactu.ca/sites/default/files/cutareport_valuecaseforaccessibletransitincanada.pdf

²⁴ Statistics Canada (2011) *Profile of seniors' transportation habits*. statcan.gc.ca/pub/11-008-x/2012001/article/11619-eng.htm

²⁵ (April 2013) *COSCO News*. P 10

disabilities. This approach is seriously flawed, as it would likely result in many of the most vulnerable HandyDART passengers becoming isolated and unable to access transit.

Improving the conventional transit system, the sidewalk network, and numerous other features of our communities is essential to creating the 'age friendly communities' that most governments now claim to be working towards. And there is considerable potential to moderate the increase in HandyDART service that will be required, with adequate investment and re-allocation of road space. Some of these changes can also increase the efficiency of HandyDART service.

Some of the measures that have the potential to increase accessibility and moderate the need for HandyDART service increases include:

- Increasing regular transit service frequencies, and using larger buses, to reduce overcrowding. Overcrowding makes accessing transit very difficult, and even dangerous, for many people with disabilities.
- Improving transit priority measures, including transit lanes that can be used by HandyDART vehicles.
- Installing accessible public washrooms at rapid transit stations and major transit transfer points.
- Creating more spaces on buses for wheelchairs, mobility scooters and baby carriages. Most buses have only two spaces, and these are often full on some routes.
- More voluntary training and assistance for seniors and people with disabilities who want to use regular transit services.
- Building and improving sidewalks and crosswalks region wide. Transit is not accessible without good quality sidewalks all the way to and from the transit stop. One dangerous street crossing can make a trip dangerous and terrifying for a frail senior with mobility disabilities.
- Improving bus stops, with more transit shelters with spaces to sit and park wheelchairs out of the rain.
- Making bus stops accessible to wheelchairs. Significant progress has been made in making bus stops accessible, but about a quarter of bus stops are still not accessible.



**MOBILITY SCOOTER ON
PROTECTED BIKE LANE**

- Creating more cycling paths and protected bike lanes, with changes in regulations and signage to clarify that people riding power wheelchairs and mobility scooters are permitted and encouraged to use these facilities.²⁶
- Funding programs so people with disabilities on limited incomes can purchase and maintain good quality mobility scooters or power wheelchairs.
- Locating the services used by people with disabilities, including medical facilities, on major transit routes. And improving transit service and reliability to existing facilities.
- Locating affordable housing, including for seniors and people with disabilities, in walkable areas with good quality transit.

Many of these improvements would require cooperation between multiple levels of government and funding agencies. For example, in the case of neighborhood accessibility, TransLink cooperates with municipalities on planning bus stops but like most transit agencies normally has little involvement in what the a Transportation Research board report called the “big remaining challenge facing transit agencies in increasing the accessibility of fixed-route service” – improving the sidewalk and crosswalk network.²⁷ It is not clear if TransLink, or any level of government, has any serious ambition to improve the sidewalk networks connecting to bus stops in Metro Vancouver.

These changes also involve considerable amounts of money – for example providing increased transit capacity and building sidewalks will likely cost billions in capital costs alone. In the case of transit overcrowding at peak periods, on some routes improved HandyDART service might be more cost effective than increasing regular service enough to allow reasonable and reliable access for vulnerable riders.

Bus stops are only accessible if the neighbourhood has good sidewalks and crosswalks

Other changes, such as concentrating health care facilities and employment in walkable areas with good quality accessible transit, will realistically happen only over decades and only with much stronger commitment from governments, including municipalities and the province. So far, the implementation of regional plans has been inconsistent – making it more difficult for people with disabilities to get where they need to go. A detailed examination of options for funding transit in the region is beyond the scope of this paper, but the Canadian Centre for Policy Alternatives report *Transportation Transformation*:

²⁶ E.g. BC Cycling Coalition (2013) Better Cycling Facilities Means Mobility for Everyone – Not Just Cyclists (Media Release) bccc.bc.ca/press-release-mobility-for-everyone; In 2017 the City of Victoria Active Transportation Advisory Committee recommended that wheel chairs and mobility scooters be allowed on AAA bicycle routes

²⁷ David Chia (2008) *Policies and Practices for Effectively and Efficiently Meeting ADA Paratransit Demand*. Transportation Research Board. P25 nap.edu/download.php?record_id=14154

Building Complete Communities and a Zero-Emission Transportation System in BC outlines options for funding and improving transit while respecting social justice principles.²⁸

5) Poverty and Access

People with disabilities tend to have much lower incomes than people who do not. This is largely related to the barriers to employment they face, resulting in both lower income during working years and lower retirement income. According the Disability Without Poverty Network, about one in five people who reported an activity limitation live in poverty. Individuals relying on the Persons with Disability benefit live well below the poverty line – the Statistics Canada Low Income Cut Off.²⁹

People with disabilities living in poverty need affordable transportation. Even regular transit fares for using HandyDART are a barrier. The half-price taxi saver coupons available from TransLink are far too expensive for many to use regularly, even for short trips; the social expectation to tip taxi drivers poses an additional barrier.

People with disabilities face significant barriers in getting to potential employment locations, given that many cannot drive even if able to purchase and operate a reliable car or accessible van.

Failure of Regional Planning

One of the acknowledged failures of regional planning in Metro Vancouver has been the failure to coordinate transportation and land use planning to concentrate employment and residential development in transit and pedestrian friendly areas. For example, the provincial government is \$4.2 billion in debt for the expansion of Highway 1 and the Port Mann Bridge. The project was funded despite being opposed by the Regional District Board on the basis that it conflicted with regional transit-oriented land use objectives and would stimulate automobile dependant residential and commercial land use.

While employment is an important issue, so is the ability to participate fully in society. People with disabilities have a right to social activity and to access recreation facilities

As a result of this failure of regional planning, much of the recent employment growth has been located in automobile-dominated office parks or other locations with poor transit service and incomplete sidewalk networks. Even young people without disabilities find accessing these new employment locations by transit and

²⁸ Patrick Condon, Eric Doherty, Kari Dow, Mark Lee & Gordon Price (2011) policyalternatives.ca/transportationtransformation

²⁹ Disability Without Poverty Network (2012) *Overdue: The Case for Increasing the Persons with Disabilities Benefit in BC*. P5. inclusionbc.org/income-security/whats-new/overdue-case-increasing-persons-disabilities-benefit-bc

walking a severe challenge. Given that many older buildings are not wheelchair accessible, this means that many of the newer accessible worksites are inaccessible without custom transit – even for the proportion of people with disabilities who can use regular transit.

While employment is an important issue, so is the ability to participate fully in society. Lower income people, including people of all ages with disabilities, have a right to social activity and to access recreation facilities. Restricting HandyDART service, or imposing higher fares, would further isolate those in deep poverty. Social isolation is associated with a wide range of negative physical and mental health impacts, so inadequate HandyDART service translates to increased health care costs and shorter lifespans for some of the most vulnerable.

In an ideal world Metro Vancouver would rapidly be transitioning to an age-friendly region with greatly improved access for people with disabilities. But the fact is that people with disabilities are living and looking for work where many recently developed areas are inaccessible without an automobile or custom transit. Improved HandyDART service is essential for overcoming the barriers exacerbated by recent regional planning and transportation infrastructure decisions.

6) Unsafe Move to Replace HandyDART Service with Taxis

Safe and good quality HandyDART service that meets the needs of the most vulnerable riders should not be negotiable, it should be the baseline. However, once the elected TransLink board was removed in 2008, TransLink and/or provincial government officials seem to have decided that safety and quality of service was not important.

In March 2012 Martin Crilly, then TransLink Commissioner, released the *TransLink Efficiency Review* by Shirocca Consulting of North Vancouver.³⁰ Shirocca Consulting concludes that:



TAXI VAN CRASH IN VANCOUVER

“Increasing the use of non-dedicated vehicles, such as taxis, could be done relatively quickly and would offer cost savings. While it is acknowledged there may be concerns over service quality, these can be managed.”³¹

³⁰ Martin Crilly's term as TransLink Commissioner ended April 30, 2013

³¹ p 92

As discussed below, safety and service quality problems with taxis in custom transit service are extremely difficult to overcome so this unsupported assurance that these problems “can be managed” should be viewed with scepticism. Unsupported claims of cost savings should be viewed with similar scepticism.

Following the Shirocca report, TransLink announced cuts of 10,000 hours in HandyDART service, about 2% of the service, with the stated intention of re-allocating the money to taxis. In a letter to the Vancouver Sun, TransLink's Chief Operating Officer claimed to “expect an overall addition of 7,000 customer trips” with this funding re-allocation.³² In response to a freedom of information request, TransLink explained that the claimed ‘expectation’ of 7,000 additional trips is based on comparing “low-productivity HandyDART runs” – with the fewest trips per hour – to “average taxi trip cost.”³³ Comparing the highest cost HandyDART trips to the average taxi trip cost as appears to have been done in this case seems to be poor methodology at best. Accurately estimating the taxi cost for these trips would be fairly complex since factors such as traffic congestion affect taxi fares; it should be expected that some of the low-productivity HandyDART runs operate in heavy traffic.

Taxis seem to be providing a less demanding type of service at costs similar to dedicated services such as HandyDART

The Shirocca report relied on data from Canadian Urban Transit Association (CUTA) reports. But instead of analyzing the CUTA data from all 29 custom transit systems serving centers with populations over 150,000 Shirocca only examined four systems in addition to TransLink.

A basic analysis of CUTA data from all 29 custom transit systems shows taxis costing more than dedicated vehicles per service hour and per kilometer. However, this same data set shows that the type of service is very different – on dedicated services one in three passengers uses a wheelchair or mobility scooter whereas only one in eight taxi trips involves loading a wheelchair or scooter. The average trip distance in a dedicated vehicle, such as HandyDART van, is about three times as long as the average taxi trip. The cost per trip appears lower for taxis because the taxi trips are so short on average.

In the past TransLink has also used a simplistic ‘cost per trip’ analysis to conclude that taxis would cost less than HandyDART.³⁴ But calculations that leave out costs per hour and per kilometre can lead to misleading results. The costs per unit of time and distance for contracted taxis are also missing from TransLink's custom transit data for 2010, as reported by the Canadian Urban Transit Association.³⁵

³² Doug Kelsey (June 6, 2013) “HandyDart pilot project an attempt to better meet demand” *Vancouver Sun*.

³³ Liina Marshall (Sept. 9, 2013) *FOI Request 2013/172*. TransLink – Access Transit. TransLink withheld all actual cost information on the basis that it could “harm the financial or economic interests of a public body.”

³⁴ Martin Lay (March 25, 2011) *FOI Request 2011-041*. TransLink - Access Transit.

³⁵ CUTA (2011) *Specialized Transit Services Fact Book: 2010 Operating Data*. P54.

The assertion that taxis provide much less expensive service is not borne out by the available evidence. Instead, taxis seem to be providing a less demanding type of service to people with less severe disabilities at costs similar to dedicated services such as HandyDART. Anecdotal reports suggest that taxis contracted by HandyDART often provide only curb to curb service rather than the reliable door to door service required by many of the HandyDART users.

Even if taxis were substantially less expensive, unsafe and poor quality service is never a bargain.

Are Taxis Cheaper & Good Enough?

There is a history of simplistic and misleading claims regarding the cost of HandyDART service compared to taxis in Metro Vancouver. For example, in 1995 a group calling itself Fair Access to Custom Transit (F.A.C.T.) proposed replacing HandyDART service completely with taxis as a cost saving measure. In response to assertions that taxis would be about half the cost of HandyDART, BC Transit staff pointed out significant errors in F.A.C.T.'s analysis

BC Transit staff pointed out that the taxi proposal had the highest cost and lowest evaluation score

and noted that Maple Ridge Cabs had recently lost a HandyDART contract and that Yellow Cabs of Vancouver had recently submitted a proposal with the "highest cost (about 18 percent higher than the successful proposer) and lowest evaluation score of all four proposals"³⁶

The BC Coalition of People with Disabilities (BCCPD) rejected the F.A.C.T. taxi proposal and any privatization of HandyDART, stating that it would "leave the most vulnerable consumers isolated and disempowered [and] make it very difficult to monitor the system to ensure that standards of safety are being met and abuses are not occurring".^{37 38} The BCCPD raised an important point about the most vulnerable HandyDART riders: lowering standards through increased contracting to taxis may create a system that is not suitable for the people who need it the most. The Amalgamated Transit Union noted in its analysis of the F.A.C.T. proposal that "Poor service from the taxi industry is not the fault of the taxi drivers, but how those drivers are rewarded for their service. They are rewarded for speed over safety."³⁹

³⁶ Glen Leicester (May 2, 1995) *F.A.C.T. Report on Taxi Service*. BC Transit. P5

³⁷ The BCCPD has since changed its name to Disability Alliance BC

³⁸ BCCPD (June 1995) *Response to the FACT Brief*. P 3.

³⁹ Craig Wright (1995) *Cheaper equals better??? A comparison of accessible, door to door transportation services for persons with disabilities in BC*. Canadian Council of the Amalgamated Transit Union. P13

Experience in the US also shows that substituting taxis for dedicated vehicles with specially trained drivers results in sub-standard service to passengers with disabilities. For example, a 2008 US Transportation Research Board report notes that using dedicated vehicles rather than taxis results in better trained drivers “providing a better quality of service to paratransit passengers” (p 22). The same report suggests that metered taxis are often available for custom transit only when other taxi business is slow.⁴⁰

The HandyDART Riders' Alliance claims that taxis are often completely unavailable at peak demand times, and when anything is going on that increases the demand for taxis (such as a major sporting event or the arrival of a cruise ship). The union representing HandyDART drivers has confirmed this information.

TransLink executives have repeatedly claimed that training for taxi drivers has greatly improved safety and quality of service. However, TransLink's own survey show that taxi drivers only ensured seatbelts were secured 44% of the time in 2016, which is 1% worse than in 2014 and the same as 2015. Their report states: “Many of the specific taxi service attributes have shown a directional decrease in their performance in 2016. In particular, the proportion of taxi users who report receiving door-to-door service has dropped from a year ago (65%, down from 72%).⁴¹

**TransLink's
survey shows taxi
performance
getting worse**

TransLink's 2017 *Custom Transit Service Delivery Review: Outcomes and Recommendations* report discusses some of these persistent problems:

Persistent and significant concerns have been raised about the customer service provided by taxis. Training of taxi drivers that provide custom transit trips is currently inconsistent and not on par with the training for HandyDART drivers. As such, we have heard reports from customers that safety protocols and general good customer service practices are not always followed. Furthermore, customers are not informed that their trip will be provided by a taxi and the advance notification call is often not provided or is inaccurate. In addition, taxis often neglect to display appropriate HandyDART signage and it can be difficult for customers to discern, particularly in busy locations, if the arriving taxi is for their trip.

Taxi Drivers under Financial and Time Pressure

Taxi drivers are not normally paid by the hour; instead they are paid a percentage of the fares they collect plus tips and have to pay their expenses from this income. This means that taxi drivers need to be maximizing the income they bring in by quickly moving on to

⁴⁰ David Chia (2008) *Policies and Practices for Effectively and Efficiently Meeting ADA Paratransit Demand*. Transportation Research Board. P25 nap.edu/download.php?record_id=14154

⁴¹ Ipsos / TransLink 2016 HandyDART Customer Service Performance

collect their next fare; it is not surprising that customers who take extra time and may not have extra money for a tip are often not welcome:

"Any person with a disability who uses taxis knows that some taxi drivers do not welcome passengers with disabilities during busy periods. Some drivers see the extra loading time as time they could be using for other fares."⁴²

In Toronto, taxi drivers were routinely charging far more than the legally permitted fares for wheelchair trips. Only the threat of a Human Rights Tribunal order convinced the taxi companies to take action to reduce this illegal practice.⁴³ However, given the deep-rooted problems in the taxi industry it is unlikely that even this will really address the problems with underpaid taxi drivers caught in a struggle to make a living where every minute and opportunity for a tip counts.

A US Transportation Research Board (TRB) report points out that the skills and personality traits that make for a successful taxi driver are very different from those that make for a good custom transit driver providing safe door-to-door service for people with severe disabilities. "Taxicab drivers tend to be independent contractors. Finding people who have the entrepreneurial skills to be independent contractors and who meet all the requirements of a paratransit driver is an even more difficult task."⁴⁴

A June 2013 survey by the Vancouver based Parent Support Group for Families of Mentally Handicapped Adults Society produced responses describing the problems encountered when taxis are substituted for HandyDART:

After an hour and a half . . . the cab had still not arrived. This meant the staff person could not go home and my son was very upset

"My son, G. is non-verbal [when HandyDART] sent a cab for him the driver tried to find out from him where he lives and drew a blank. [HandyDART] drivers are trained and familiar with G's unique needs and provide a safe and relaxed ride for him."

"After an hour and a half . . . the cab had still not arrived. This meant the staff person could not go home and my son was very upset . . . I definitely told Handydart that a taxi would not work for my son but my request was ignored. It seems that Translink

⁴² Ann Vrlak (2005) *Engaging the Future: Making HandyDART a TransLink Subsidiary*. Coalition of handyDART Users. P 16. handydartriders.ca/wp-content/uploads/2014/04/Engaging-Future-2005.pdf

⁴³ Patty Winsa (Apr 16 2013) *Toronto Star* "Toronto cab companies agree to stop illegal extra charges for wheelchair passengers" thestar.com/news/gta/2013/04/16/toronto_cab_companies_agree_to_drop_illegal_extra_fees_for_wheelchair_users.html

⁴⁴ Roy Lave & Rosemary Mathias (2000) *State of the Art of Paratransit*. Transportation Research Board. Pp 3-4.

is determined to subject my son to the unnecessary stress and uncertainty by substituting his regular Handydart ride with a taxi"

"'Door to door' service is essential"

A coordinator for a day program for older adults in Metro Vancouver described in a June 2013 letter how substituting taxis for regular HandyDART service puts clients at risk and creates extra work for hospital staff.

"On three separate occasions a specific client was dropped off at the emergency entrance as opposed to the planned drop off area which is the Day Program for Older Adults entrance . . . It was fortunate that staff in emergency approached our client and took him down to the Day Program. This client has dementia . . . and several other complex medical conditions. This client would not have been able to navigate his way through the hospital to get to the Day Program. . . We are very concerned about the use of taxis with our clients who mostly have been diagnosed with some form of dementia or Alzheimer's disease."

There have also been repeated instances where taxi drivers pick up HandyDART passengers, but then demand the full taxi fare instead of a transit ticket. One 2015 CBC report states:

"The driver, when we got to the destination which was home, refused to let me out of the cab because he stated I needed to pay the full 20 dollar fare." When Calibete refused, she says the driver started screaming at her and threatening to take her back to the pick up point. He wouldn't let her out of the taxi. "I was in the cab for about 15, 20 minutes," she said. "They're picking up people with disabilities and this is how they're treating them or ripping them off. It's just not fair."⁴⁵

**The driver
started
screaming at
her . . . He
wouldn't let
her out**

In November 2016, another female HandyDART rider reported that a male taxi driver "locked me in the car till I paid him" the cash transit fare, even though the taxi picked her up at a transit station and she had already paid the transit fare.⁴⁶

In 2017, the HandyDART Riders' Alliance filed a class-action complaint with the B.C. Human Rights Tribunal alleging discrimination in the form of inadequate HandyDART service. The complaint alleges inferior transit service is provided to people with physical and mental

⁴⁵ Taxi drivers picking up HandyDART riders need more training say disability advocates: The taxi driver refused to let her out of the cab says Joy Calibete (Oct 16, 2015) cbc.ca/news/canada/british-columbia/taxi-drivers-picking-up-handydart-riders-need-more-training-say-disability-advocates-1.3273739

⁴⁶ Complaint dated November 21, 2016

disabilities compared to people who can use conventional public transit. One quote from the complaint regarding taxi service is:

We got to 29th Station at 7:00am we waited for 3 hours for a Handydart and were 2 hours late for my appointment. On repeated calls to dispatch I was told a Yellow cab was on its way, and later a Blacktop was coming. Eventually a HandyDART [bus] arrived. Several times other days I have been told a taxi was on its way and they don't arrive. On the occasions the taxis do arrive they take off too quick to put on seatbelts.

Crash Safety Problems with Taxis in Custom Transit Service

The extreme time pressures taxi drivers operate under make it very tempting for them to skip basic safety precautions such as properly securing wheelchairs, even when they have been trained how to do so and operate accessible vans often enough to maintain their proficiency.

In a 2011 report the City of Vancouver's Persons with Disabilities Advisory Committee (PWDAC) identified severe safety problems with the taxi system in Metro Vancouver. They reported that in the BC taxi industry:

Lack of appropriate training and safety regulations has resulted in significant injuries for persons with disabilities. For example, a former Vancouver City Councillor recently fractured his ankle due to an improperly secured wheelchair. A member of the City of Vancouver Persons with Disabilities Advisory Committee was recently injured and was told the driver was not "required" to secure wheelchairs.⁴⁷

The same PWDAC report expresses optimism that the improved training and enforcement for taxi drivers implemented in Manitoba, after a woman was killed as a result of a taxi driver failing to properly secure her wheelchair, would be effective. However, not surprisingly, when CBC TV did a hidden camera investigation in March of 2013 they found that little had changed, and people with disabilities were still being routinely endangered by being denied safety belts and wheelchair securement even when they clearly request that safety procedures be followed.⁴⁸

One Burnaby resident describes her close call caused by a taxi driver who did not properly secure her wheelchair:

⁴⁷ PWDAC (2011) *Issues and Concerns about the Translink Report: "Moving Forward: Improving Metro Vancouver's Transportation Network"* p15

⁴⁸ CBC News: Winnipeg (Mar 28, 2013) *Wheelchair taxi drivers caught on hidden camera: Some wheelchair taxi drivers in Winnipeg are not properly securing wheelchairs and not offering safety belts to passengers, a hidden camera investigation by the CBC News I-Team has found.*

“Previously, while riding in a wheelchair taxi, the driver failed to tie down my wheelchair resulting in the power chair and myself tipping over inside the taxi. This is why I am on a NO TAXI list.”

Safety problems experienced by people with disabilities in taxis are not limited to Canada. An Irish study found that “wheelchair users do not have access to a reliable, safe taxi service . . . and people are being injured as a result.”⁴⁹

In Manitoba, a woman was killed as a result of a taxi driver failing to properly secure her wheelchair

The issues that lead to safety problems for people with disabilities in taxis are complex, so simple remedies should not be expected to be effective. Optimism that minor changes to the taxi system will greatly improve safety and service quality for people with disabilities seems to be common among both transit professionals and members of the public, but documented examples of long-term improvements are hard to find.

Other Safety Issues with Taxis

Many of the people who need HandyDART service have physical and/or cognitive disabilities that make them extremely vulnerable to crime and abuse. While most taxi drivers are honest and responsible people trying to make a living in difficult circumstances, including being vulnerable to violent crime themselves, there are safety concerns inherent to this low-pay and high turnover industry.⁵⁰

In Toronto, a media investigation discovered that taxi drivers convicted of serious criminal offences committed while on the job – including assaulting passengers — were still working.⁵¹ In B.C. the situation has not been investigated to the same degree, but media reports include instances of taxi drivers convicted for sexually assaulting passengers.⁵²

No industry is completely free of on the job misconduct, but careful screening and ongoing training is much easier with long term employees. The low pay and resulting high turnover

⁴⁹ Cooney M, Walsh D, Gannon S. (2007) “An evaluation of the taxi service available to wheelchair users.” *Ir Med J.* 2007 Jun;100(6):498-500

⁵⁰ CBC News (May 3, 2012) Cab driving riskier than police work: Taxi drivers twice as likely as police to be victims of homicide while working. cbc.ca/news/canada/story/2012/05/02/f-taxi-cabbie-safety.html

⁵¹ Emily Mathieu & Mary Ormsby (Feb 5, 2013) *Toronto Star* “Assault, drunk driving, death threats: The cab drivers the city can’t get off the road” thestar.com/news/investigations/2013/02/05/assault_drunk_driving_death_threats_the_cab_drivers_the_city_cant_get_off_the_road.html#

⁵² Bethany Lindsay (July 22, 2010) ctvbc.ca “Cab driver raped passenger and stole her ATM card; Tom Zytaruk (April 5, 2012) *Surrey Now* “Surrey cabbie gets 18 months in jail for sex assault on teen passenger; Louise Dickson (December 15, 2016) *Victoria Times Colonist* “Vancouver Island taxi driver jailed for sex assault on unconscious passenger”

in the taxi industry exposes vulnerable passengers to increased and unnecessary risk. Safe and good quality service for vulnerable passengers requires living wages and good working conditions for drivers.

7) The Public Option

Given the financial pressures and increased demand for HandyDART service, it can be tempting to believe that quick fixes such as contracting out to taxi companies or multinational corporations will provide relief. But the track record of privatization in custom transit has been mixed at best. Generally, the expected cost savings have proven to be illusions, and the service quality problems are never really resolved.

Problems with Outsourcing to Corporations

The shift of all TransLink HandyDART services from mainly non-profit contractors to the Canadian branch of MV Transportation (MVT) has had decidedly mixed results. The consolidation to one contract may have reduced some of the previous problems with trips between zones served by different contractors. However, other problems emerged with service quality and efficiency. The 2012 TransLink Commissioner's report states:



HANDYDART RIDERS' ALLIANCE MEMBER SPEAKS TO MEDIA

"The consolidation of operations to one contractor does not appear to have produced any economies of scale. Instead, slippage has occurred in service cost efficiency and effectiveness, as well as productivity."⁵³

The privatization of HandyDART services also had a negative impact on HandyDART riders, including poor service and a strike largely resulting from the contractor's attempt to eliminate pensions for workers.⁵⁴

Privatization in conventional public transit service has a poor track record – most notably the disastrous experience from the UK, including the London Underground 'public private partnership' which cost the public billions and went bankrupt in 2007.⁵⁵ The problems with trying to create and enforce contracts that create financial incentives for providing good

⁵³ Shirocca Consulting (2012) TransLink Efficiency Review. P 42.

⁵⁴ Matthew Burrows (Nov 25, 2009) *Georgia Straight* "HandyDart strike leaves disabled passengers out in the cold"

⁵⁵ E.g. Todd Litman (2011) *Contrasting Visions of Urban Transport - Critique of "Fixing Transit: The Case For Privatization"* Victoria Transport Policy Institute vtpi.org/cont_vis.pdf; CUPE (2008) *Metronet P3 failure 'spectacular'*; Centre for Civic Governance (2016) *Back in House: Why local governments are bringing services home*. civicgovernance.ca/back-in-house/

service have proven to be immense, and the failures have been extremely costly both in terms of financial cost and the impact of poor transit service on individuals and society.

In the conventional transit sector, like other large for-profit operators, MV Transportation has a history of performance issues that affect riders and consume large amounts of transit agency staff time – including problems related to low wages and resulting staff turnover. As one former public sector manager with experience with MV Transportation put it:

“If you had a contractor that wanted to run the business and not maximize their profit at every turn, then it would be fine . . . As it tends to work out, you’re spending 85 percent of the time making sure that they’re doing everything in the contract instead of doing the things you need to be doing”⁵⁶

A contract that covered all aspects of quality service would be enormously complex and difficult to enforce

The Milwaukee Mental Health Task Force identified the following problems with MV Transportation custom transit (paratransit) services in US cities:

- “Washington D.C. - issues with timeliness of rides, riders stranded, GPS system malfunctions, increase in accidents when they took over, inexperienced drivers, rude dispatchers
- Dallas - when MV took over paratransit there was problems with timeliness of rides, rides not showing up, long waits on dispatch phone calls
- Gainesville , Fla. - riders filed a civil rights complaint with the federal Department of Transportation against MV because they did not provide rides at schedule times, the reservation system was not working properly and their vehicles were not safe
- Belchertown, MA - paratransit riders forced the city to cut contracts with MV transportation because of poor treatment of disabled riders”⁵⁷

There are many media reports of problems with MV custom transit service in the US. A 2008 Chicago article quotes Fancie Moeller, an Americans with Disabilities Act adviser to the state of California saying that MV “treat the disabled like they're cattle.” The same article quotes a Washington DC transportation planner stating that MV’s modus operandi is “to be the low-bid contractor and outbid the other competitors and then actually end up getting more money because it turns out they can't operate within the bid.”⁵⁸ While MVT

⁵⁶ Zusha Elinson (March 9, 2013) “MV Transportation woes go beyond Tahoe” *Lake Tahoe News*.

laketahoenews.net/2013/03/mv-transportation-woes-go-beyond-tahoe

⁵⁷ (2013) *MV Paratransit Concerns*. milwaukeeemhtf.org/wp-content/uploads/2013/07/MV-paratransit-concerns1.pdf

⁵⁸ Jessica Pupovac (August 13, 2008) “Chicago paratransit operator no stranger to complaints” *Chi Town Daily News*.

has a long record of problems, its track record seems to be fairly typical of large for-profit companies providing custom transit service.

The idea that the poor treatment of employees and poor service to riders goes hand in hand is illustrated by the fact that some full time paratransit drivers in the US have to rely on food stamps to eat and feed their children. For example, speaking at an event organized by the Washington Interfaith Network (an affiliate of the Metro Vancouver Alliance) Karen Reed spoke about how her and her daughter rely on social services and were homeless for three months despite her working far more than full time hours for First Transit.⁵⁹ Corporations that pay less than living wages and impose miserable working conditions when they can get away with it cannot be expected to treat vulnerable riders with any more consideration.

Poor treatment of employees and poor service to riders goes hand in hand

Private Contracts Impractically Complex

In the book *A Very Public Solution* the Australian transportation planning professor Paul Mees puts forward a compelling and well documented case that for-profit companies should not be involved in coordinating and planning functions in conventional public transit. Mees explains that it is impractically complex to align public service with the profit motive in large public transit systems.⁶⁰ The same argument applies to custom transit – a contract that covered all aspects of quality service would be enormously complex and difficult to enforce.

The Public Solution

In 2005 the Coalition of HandyDART Users (CHU) published a report calling for HandyDART to be operated as a subsidiary of TransLink rather than being contracted out. One of the main justifications for this proposed change was to improve staff retention, as they believed that experienced drivers provide better and more sensitive service:

“The two things that handyDART users care about the most are:

- 1) expanding the availability and flexibility of rides, and
- 2) a safe and professional service with well-trained drivers.

CHU's recommendation that HandyDART be operated as a publically owned subsidiary of TransLink should be seriously considered

⁵⁹ Video by ATU Local 689 (Jan 10, 2015) *Metro Access Operator Karen Reed tells Mayor Bowser of Perils of Outsourcing Buses in the District*. <https://youtu.be/NybfVVtwaA>

⁶⁰ (2000) *A very public solution: Transport in the dispersed city*. Melbourne University Press.

Custom transit employees are the people we interact with every day. Drivers have a job that is very distinct from that of conventional bus drivers, including:

- Experience, training and sensitivity with a range of disabilities, conditions and impairments.
- Provision of a door-to-door service.
- Planning custom routes.
- Safety and securement of passengers.
- One-on-one attention for passengers.

For those of us using handyDART, the employees we most appreciate are those with experience and sensitivity. These are qualities and abilities that drivers develop through serving customers with a variety of needs over time. This is why it is CHU's position that longevity and training of employees is crucial to a safe, quality service for us – and why we are proposing a permanent subsidiary. The instability of the current contracting process undermines staff longevity.”⁶¹

Custom transit drivers facing poor pay and working conditions quit as soon as they find better jobs, and the only way to overcome this is to improve wages, benefits and working conditions. A TRB report asserts that the “difficulty in hiring, training, and retaining qualified paratransit drivers will continue to be a problem in the paratransit industry until the industry finds a way to compensate quality drivers.”⁶²

Given the poor track record that for-profit companies have for service quality and cost effectiveness, CHU's recommendation that HandyDART be operated as a publically owned subsidiary of TransLink should be seriously considered, as TransLink promised and failed to do.

As Washington D.C.-area disability rights advocate Carol Tyson said at a transit forum in 2015, “the system that encourages privatization and discourages ensuring workers are paid living wages and benefits is intertwined with the system that denies the supports and services that people with disabilities need to remain in the community.”⁶³

TransLink failed to seriously consider operating HandyDART as a publicly owned subsidiary as promised

Examples of shifts to In-house provision

The intractable problems with contracting out custom transit services, and the recognition of the benefits of living wages and decent working conditions, have resulted in a number of jurisdictions directly providing the service as a public service. Some examples include:

⁶¹ Ann Vrlak (2005) *Engaging the Future: Making HandyDART a TransLink Subsidiary*. Coalition of handyDART Users. P 13. handydartriders.ca/wp-content/uploads/2014/04/Engaging-Future-2005.pdf

⁶² Roy Lave & Rosemary Mathias (2000) *State of the Art of Paratransit*. Transportation Research Board. Pp 3-4

⁶³ (Oct 14, 2015) DC Fair Transit Forum https://youtu.be/fVV-rextu_0?t=3m36s

- In 2015, Calgary HandiBus was taken over and amalgamated with Access Calgary. The HandiBus operators become Calgary Transit employees.⁶⁴
- The City of Ottawa took over the operation of Para Transpo in 2007 after numerous problems with the service First Bus Canada was providing.⁶⁵
- After a scathing audit, in 2015 the Alberta municipality of Wood Buffalo (Fort McMurray) announced it would terminate its 15 year contract with Tok Transit after only two years and deliver both conventional and Paratransit in-house.^{66 67} According to one media report “many of the complaints the auditors heard centred around specialized transit provided to seniors and people with disabilities.”⁶⁸
- In 2016 the Santa Clara Valley Transportation Authority took over managing the VTA Paratransit service directly after the FBI raided the offices of the company operating their paratransit service, to investigate allegations of over billing.⁶⁹

These are examples of the “growing international trend” of ‘insourcing’ services that were previously contracted out.⁷⁰

High quality conventional transit provides numerous benefits, as does high quality HandyDART service. And good quality public transit requires adequate funding, which only comes when public transit is a high priority for governments. There is no way around the need for increased funding.⁷¹

8) Conclusion

There is no denying that the increased numbers of older seniors will translate into a greater population of people with disabilities and a resulting need for HandyDART and other services. The question is how to respond to this need.

⁶⁴ City of Calgary (May 6, 2015) *Calgary HandiBus employees joining Calgary Transit family* newsroom.calgary.ca/calgary-handibus-employees-joining-calgary-transit-family

⁶⁵ Hugh Adami (Sept 2, 2013) Ottawa “For disabled mom, Para Transpo’s a tough call” ottawacitizen.com/Public+Citizen+disabled+Para+Transpo+tough+call/7940480/story.html

⁶⁶ Regional Municipality of Wood Buffalo (2015) *FAQ: New Era For Transit in Wood Buffalo*. rmwb.ca/Municipal-Government/municipal_departments/Public-Operations/Wood-Buffalo-Transit/New-Era-FAQ.htm

⁶⁷ Centre for Civic Governance (2016) *Back in House: Why local governments are bringing services home*. civicgovernance.ca/back-in-house/

⁶⁸ Rebekah Benoit (2015) “RMWB commits in-house transit services will be better after terminating contract” fortmacconnect.ca/2015/02/rmwb-commits-in-house-transit-services-will-be-better-after-terminating-contract

⁶⁹ NBC Bay Area (Nov. 3, 2016) *FBI Raids Paratransit Operator Prompting VTA to Scramble to Help Disabled Riders* nbcbayarea.com/news/local/FBI-Raids-Paratransit-Operator-Prompting-VTA-to-Scramble-For-Alternate-Plans-399884971.html

⁷⁰ Keith Reynolds, Gaetan Royer and Charley Beresford (21 Sep 2016) *Like London and Paris, Sooke BC Is Voting Privatization Out of Style*. theyee.ca/Opinion/2016/09/21/Sooke-Voting-Privatization-Out/

⁷¹ E.g. Amalgamated Transit Union (20 17) *ABANDONING PARATRANSIT SERVICE TO SAVE IT?* www.atu.org/atu-pdfs/fieldmobilization/ParatransitandTNCs.pdf

It is time to recognize the benefits of providing good quality transit service that is accessible to all. These benefits include reduced barriers to employment and education, reductions in health care costs, and allowing people with disabilities to fully participate in their communities.

Improving the conventional transit system, the sidewalk network, and numerous other features of our communities is also essential to creating the 'age friendly communities' that most governments now claim to be working towards. And there is considerable potential to moderate the increase in HandyDART service that will be required, with adequate investment and re-allocation of road space. Some of these changes, such as 24/7 bus lanes, can also increase the efficiency of HandyDART service.

The assertion that taxis provide much less expensive service is not borne out by the available evidence. Instead, taxis seem to be providing a less demanding type of service to people with less severe disabilities at costs similar to dedicated services such as HandyDART.

The evidence points to operating HandyDART directly as a public service as the best way to provide safe and quality service. Contracting out to any of the large corporations that provide management services to transit agencies will likely compromise quality of service without any real cost saving. However, despite promises from the TransLink board and executives, operating HandyDART as a direct subsidiary of TransLink does not seem to have been seriously considered.

Increasing the supply and improving the quality of HandyDART service will involve investing considerable amounts of money in both capital and operating costs, as will the other changes needed to create age friendly communities. But the benefits far outweigh the cost. It is time to make the very considerable ongoing investments in public transit, including HandyDART, needed to make Metro Vancouver a livable and age friendly region.



Then Premier Christy Clark's chair stayed empty at the Metro Vancouver Alliance electoral assembly where NDP leader John Horgan promised to increase HandyDART service by 5% per year in 2008-2021. Photo courtesy Metro Vancouver Alliance.