TO: CHAIR AND MEMBERS
BOARD OF CONTROL
MEETING ON MARCH 25, 2009

FROM: TOM JOHNSON
DIRECTOR, CORPORATE MANAGEMENT SUPPORT

SUBJECT: CITY OF LONDON RESPONSE TO THE FINAL PROPOSED TRANSPORTATION ACCESSIBILITY STANDARD FOR PUBLIC REVIEW

RECOMMENDATION

That, on the recommendation of the Director, Corporate Management Support, the attached letter to the Minister of Community and Social Services (Appendix A) regarding the Final Proposed Transportation Accessibility Standard BE APPROVED for submission.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- London Transit Commission presentation to the joint meeting of the Community and Protective Services Committee and the Environment and Transportation Committee, July 17, 2006
- "City of London Accessibility for Ontarians with Disabilities Act Update" Report to Board of Control, August 23, 2006
- "Accessibility for Ontarians with Disabilities Act, 2005" Report to Board of Control, November 14, 2007
- "Accessibility for Ontarians with Disabilities Act, 2005 Update Report" Report to Board of Control, October 8, 2008
- "City of London Response to the Proposed Accessible Information and Communications Standard for Public Review" Report to Board of Control, January 28, 2009
- "London Transit Commission - Request for Endorsement, AODA Transportation Standard" Report to Board of Control, March 4, 2009

BACKGROUND

The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) received Royal Assent on June 13, 2005 and is now law. The AODA is the first legislation of its kind in Canada and envisions "a fully accessible Ontario by 2025." The Act provides for developing, implementing and enforcing standards in order to achieve accessibility for persons with disabilities with respect to customer service, transportation, information and communications, employment and the built environment. The AODA applies to both public and private sector organizations.

Public sector organizations including government ministries, municipalities, hospitals, school boards, colleges, universities and public transportation organizations are still legally required under the previous Ontarians with Disabilities, 2001 legislation to prepare annual accessibility plans and to make these plans available to the public.
As noted in previous reports there are five standards development areas: (1) Customer Service; (2) Transportation; (3) Information and Communication; (4) Employment; and, (5) Built Environment. Each of these standards are at different stages of development. Civic Administration has been actively involved in the standard development process by serving on the Employment Accessibility Standard Committee, the Built Environment Committee and the Transportation Standard Committee. In addition, City of London staff are either the Chairs or members of all AMO Resource Support Groups or AMCTO groups addressing the various accessibility standards. This active participation is critical for keeping current on the development of the standards and influencing the direction of the standards to the extent possible.

Transportation Accessibility Standard

The initial draft of the transportation standard was released for its mandatory public review period from June 27, 2007 to September 28, 2007. Following this review period, the Transportation Standard Development Committee made revisions and submitted a final draft for submission to the Minister of Community and Social Services for consideration as law in October 2008. The transmittal letter from the Committee encouraged the Minister to consider a second public review due to the substantive changes made following the public review period. Although the Minister opted against opening a second formal review period, the final proposed standard has been posted on the Ministry of Community and Social Services with an invitation to provide comment. The Final Proposed Transportation Accessibility Standard will be available online until March 31, 2009.

This report provides Council with the City of London response to this standard (see Appendix A). This response has been developed in consultation with all relevant City departments, the AODA Steering Committee, the Transportation Resource Group, the LTC, and citizen members of the Accessibility Advisory Committee.

The LTC has also prepared a submission which was endorsed by Municipal Council at its meeting on March 9, 2009. The City of London’s submission supports that of the LTC (Appendix B) with an additional section regarding taxis.

CONCLUSION

The City of London fully supports the spirit and intent of the AODA and the Final Proposed Transportation Accessibility Standard. Civic Administration, as well as the LTC Administration, believe that this proposed standard represents progress towards achieving fully accessible transportation in Ontario. However, in recognition of the cost and operational implications of the draft standard as written, it is critical to provide feedback to the Minister to ensure that forthcoming legislation encourages accessibility in a fiscally and practically responsible manner.

Regular updates will be provided to Board of Control and City Council as the standards become law and the City of London works towards compliance.

This report was prepared with the assistance of Kate Graham, Municipal Management Intern.
March 31, 2009

The Honourable Madeleine Meilleur  
Minister of Community and Social Services  
80 Grosvenor Street, 6th Floor  
Toronto Ontario  
M7A 1E9

Dear Minister Meilleur:

Feedback on the Final Proposed Transportation Accessibility Standard

On behalf of the City of London, I am pleased to submit our comments on the Final Proposed Transportation Accessibility Standard. As noted in previous correspondence, the City of London fully supports the principles of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). We commend the Ministry of Community and Social Services for demonstrating leadership in making Ontario’s great communities more accessible for everyone. Furthermore, we appreciate the Ministry’s attitude of inclusiveness and public engagement in seeking additional input to this proposed standard. The City of London is pleased to have further opportunity to review and provide feedback on behalf of our organization and our community.

We believe that this proposed standard represents progress towards achieving fully accessible transportation services by 2025. We encourage the Ministry to continue in this effort to provide effective and sustainable direction which balances the needs of all citizens and stakeholders.

The City of London has actively followed and been engaged in the development of all standards under the AODA. We would like to take this opportunity to offer recommendations for improving the process for developing and implementing standards that would improve the effectiveness of this legislation.

AODA Standard Development Process

First, we firmly believe that all standards under the AODA need to be harmonized, preferably prior to becoming regulation. The current approach creates unnecessary confusion and limits the ability of organizations to develop holistic accessibility implementation plans. Specifically, we recommend:

- That draft standards should not be finalized until a common framework and set of definitions has been established;
- That definitions of “class” should give consideration to the different sizes, operational capacities, and budgets between small and large public sector organizations as done with private sector organizations;
- Given that the standards have linked requirements, that compliance dates should also be linked and aligned; and,
That the cumulative financial impact of all standards be considered, particularly in determining compliance dates.

Similar to the harmonization of all AODA standards, the standards also needs to be harmonized with related existing legislative requirements such as the Ontario Building Code, the Highway Traffic Act, and the Ontario Human Rights Code. Reconciliation of competing requirements should not be left to the judicial process subsequent to the standards being legislated. The need for harmonization is consistent with the objective of your Government's "Open for Business" initiative which is intended to eliminate obsolete, duplicate, contradictory and/or competing requirements in provincial regulations.

Second, the process for assessing compliance needs to be defined and communicated as soon as possible, and prior to the standards coming into force. The deadline for compliance with the Customer Service Standard for public sector organizations is January 1, 2010, and to date no details regarding how compliance is determined have been provided by the Ministry.

Finally, we appreciate that the AODA envisions a fully accessible Ontario by 2025. This timeframe allows for a phase-in of incremental improvements which would provide organizations the opportunity to fiscally plan for implementation in a responsible and sustainable manner. Longer compliance timeframes will reduce the financial impact and allow for long-term implementation budgeting. Should organizations be forced to meet unreasonably aggressive compliance timelines in several AODA standards, degradation of services may occur. We recognize that this is not the intention of the Ministry, and for this reason strongly recommend that the compliance dates for all draft standards be harmonized over a reasonable phase-in period.

Final Proposed Transportation Accessibility Standard

General

With respect to the Final Proposed Transportation Accessibility Standard, the City of London generally supports the proposed standard as written.

Public Transit

The primary impact of this standard for the City of London will be on public transportation, provided by the London Transit Commission (LTC). The LTC has submitted a separate response to this standard which has been endorsed by City Council and is supported by the City of London. A copy of City Council’s resolution and LTC response is attached.

On-demand Taxi Services

The City of London, as a licensing authority, is responsible for the regulation of on-demand taxi services within its borders. The draft final standard as written remains vague on numerous requirement definitions, hindering our ability to fully assess the impact of this section on our licensing processes. For example, the standard does not define what constitutes “accessibility features” on a standard taxicab, and fails to identify minimum accessibility features for standard taxicabs other than the
provisions outlined in section 8.2. Additionally, the draft standard is silent on the proportion of standard to wheelchair accessible taxicabs. We recommend that municipalities should be granted the discretion to provide an equivalent level of service as determined based on the needs of the local community.

The City of London supports the provision of wheelchair accessible taxicabs as part of the taxicabs licensed by the City. At the present time, the City is the process of doubling the number of wheelchair accessible taxicabs available in London. We recommend that municipalities, as licensing authorities and the bodies responsible for the enforcement of taxicab requirements, be given authority to determine the appropriate proportion of standard taxis with accessibility features to wheelchair accessible taxis based on user needs in the community. Wheelchair accessible taxis are more expensive to purchase, insure, and operate than standard taxis, an additional cost which will fall on the taxpayer or, failing an increase in authorized fares by the municipality, on the individual taxi driver. This increased cost could result in a reduction of service on the part of the independent operators, brokerages and dispatch services, affecting all citizens of Ontario. Municipalities are in the best position to make determinations to ensure that services are provided in a way that meets the needs of all citizens and community members.

The City of London supports the ideal captured in the draft standard and is committed to the long-term objectives of the AODA. We are also confident that accessible transportation in Ontario can be achieved in a financially and practically sustainable manner.

Thank you for the opportunity to submit feedback on Final Proposed Transportation Accessibility Standard. We trust our comments and recommendations will be considered and look forward to a resulting standard that comprehensively addresses accessible transportation in Ontario.

Sincerely,

Anne Marie DeCicco-Best
Mayor
City of London

cc. Chris Bentley, MPP - London West
Deb Matthews, MPP - London North Centre
Khalil Ramal, MPP - London-Fanshawe
Steve Peters, MPP - Elgin-Middlesex-London
Dwight Duncan, Ontario Minister of Finance and Minister of Revenue
Jim Watson, Ontario Minister of Municipal Affairs and Housing
Accessibility Directorate of Ontario
Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
London Transit Commission
London Transit Accessible Public Transit Services Advisory Committee
Grant Hopcroft, Director, Intergovernmental and Community Liaison
March 10, 2009

London Transit Commission
450 Highbury Avenue
London ON N5W 5L2

I hereby certify that the Municipal Council, at its session held on March 9, 2009, resolved:

20. That the attached response from the London Transit Commission to the Minister of Community and Social Services with respect to the Final Proposed Transportation Standard as developed under the Accessibility for Ontarians with Disabilities Act (AODA) BE ENDORSED as being representative of The Corporation of the City of London’s position regarding the public transit component of the Final Proposed Transportation Standard. (A09-03) (20/9/BC)

The Corporation of the City of London
Office: 519 661-2500 ext. 4598
Fax: 519 661-4992
webmaster@london.ca
www.london.ca
February 26, 2009

The Honourable Madeleine Meilleur
Minister of Community and Social Services
80 Grosvenor Street, Hepburn Block 6th Floor
Toronto, Ontario
M7A 1E9

Dear Madam Minister:

Re: Final Proposed Transportation Standard

Thank you for the opportunity to provide comments respecting the Final Proposed Transportation Standard (Standard) as developed under the Accessibility for Ontarians with Disabilities Act (AODA) and currently posted on your website. As indicated in previous correspondence, London Transit is committed to helping to build a fully accessible Ontario, a commitment which is predicated on providing clear, measurable and sustainable progress in the delivery of accessible public transit services, while balancing the needs and expectations of all customers and stakeholders.

Throughout the Standard development process, London Transit’s Accessible Public Transit Service Advisory Committee was consulted and kept apprised of the issues, challenges and progress respecting Standard development. The overall feedback received from committee members is reflected in and supportive of this response.

On balance, when viewed in its entirety, the London Transit Commission (LTC) considers the Standard requirements respecting the delivery of public transit services to be a comprehensive first step toward fully accessible services by 2026.

While the LTC considers the overall Standard a good first step, a number of issues respecting the AODA in general and the Standard specifically warrant further commentary. With respect to the AODA standards collectively, and the associated standard development process, the following commentary is provided.

1) The LTC firmly believes that all standards developed under the AODA need to be harmonized, preferably prior to any becoming regulation. The current status of the Transportation, Employment and Information & Communications standards provide the opportunity for your Ministry to take a second, collective look at the three standards prior to any becoming regulation. This position is supported by the following:

- the need to ensure consistency (or reconciliation) of "class" definitions for respective standards
- the need to ensure consistency in compliance dates for linked standards
- the need to ensure consistency in the many potential compliance reporting and administrative tasks that will be associated with the common and sector specific standards
- the need to ensure consistency in terms of terminology, definitions, requirements and presentation for all standards
- the clear connections and interdependency of the standards, noting compliance requirements under the transportation standard are linked or influenced by requirements.
under the information and communication standard, and may also be linked to the built environment standard

- the need to consider the cumulative financial impact of all standards, particularly in determining compliance dates and class definitions, and the expected resulting need to prioritize competing standards.

2) Similar to the harmonization of all AODA standards, the standards also needs to be harmonized with related existing legislated requirements/standards, e.g. Ontario Building Code, Highway Traffic Act, Ontario Human Rights Code. Reconciliation of competing requirements should not be left to the judicial process to be determined subsequent to the standards being legislated. The need for harmonization is consistent with the objective of your Government's "Open for Business" initiative which is intended to eliminate obsolete, duplicate, contradictory and/or competing requirements found in various Provincial regulations.

3) The process for assessing/determining compliance with all standards has to be defined and communicated. This needs to be completed sooner than later. Those expected to comply with AODA standards need to be provided with a clear understanding of what the process entails prior to the standards coming into force. The deadline for compliance with the Customer Service Standard (Ontario Regulation 429) for public sector organizations is January 1, 2010, and to date, no details with respect to how compliance is to be validated has been provided by your Ministry.

4) Further, compliance with the various Standard has to be balanced:
   - against the fiscal capacity of those expected to comply, noting the competing demands for resources and the requirement to comply with all common standards as well as sector specific standards.
   - against the issue of "safety", which cannot be compromised in interpreting and/or applying the standards, particularly with respect to the provision of services to the public?

5) The transmittal letter from the Transportation Standards Development Committee encouraged you to consider having a representative task force of the Committee review, in confidence, the draft regulation associated with the transportation standard to ensure that the regulatory wording is reflective of the intent of the clauses as proposed by the Committee. London Transit is supportive of this approach, noting those preparing the regulatory language were not part of the discussion leading up to the proposed requirements, and as such would benefit from hearing the perspective of the Committee members.

6) In support of providing maximum transparency, clarity and a common understanding, both the transit industry (represented by CUTA and OPTA) and AMO should be provided the opportunity for a final review of the draft "transportation standard" regulation, prior to same coming into effect.

7) Standard implementation guidelines need to be developed and distributed in consultation and cooperation with respective stakeholders prior to any Standard coming into force. The guidelines associated with the Customer Service Standard were not released for some time after the regulation came into force, which resulted in a significant number of organizations making assumptions and duplicating efforts in attempt to ensure compliance within the prescribed timeframes. This waste of resources would be mitigated if the appropriate guidelines are released concurrently with the regulation. London Transit is committed to assist with the development of such guidelines in respect of the Transportation Standard.

8) The AODA clearly contemplates a phase in of incremental improvements in achieving full accessibility by 2025. With an objective of gradual phase in, business and organizations are provided the time to plan for and implement solutions. The "phase in" approach is supported by the mandatory 5 year review of all AODA standards. The proposed compliance timeframes for the standards that have been released for public review contain very aggressive compliance timeframes, which is counter to the intended phase in objective, and cannot reasonably be achieved individually or collectively in a fiscally responsible and sustainable manner.

9) The Standard requires new long term supportive sustainable related funding, or at the very least, clarification on how existing Provincial funding programs are to be amended to accommodate the new costs associated with the Standard; including identifying the impacts of the amendments on the current programs.
On balance, the LTC considers the Standard as currently drafted a good start and is particularly supportive of the fact that the Standard recognizes:

- the concept of providing/developing a family of accessible public transit services versus simply promoting the historic view of delivering conventional transit and paratransit as separate and individual services; and

- the recognition of the unique differences and/or capacity of municipalities across the province, and the corresponding challenges each will have in addressing the Transportation Standard as well as all common standards to be developed under the AODA.

The recognition of these issues results in a Standard that provides municipal jurisdictions with much needed flexibility, working in concert with local advisory committees and other stakeholders, to determine how best to address the issues of accommodation with respect to the delivery of accessible public transit services in their respective communities. This is particularly critical given the Standard, as drafted, will present significant challenges to certain (particularly smaller ones) municipalities (transit systems).

While the LTC considers the overall final proposed Transportation Standard a good first step, there are a number of issues that warrant further commentary, noting more detailed comments respecting specific requirements of the final Standard are set out in the attached enclosure. The Standard, sets a number of compliance timeframes that are shorter than set out in the initial proposed Standard, while others have been removed completely. It is understood that, with respect to those timelines that have been removed, it was as a result of the standard development committee being unable to reach consensus, and as such, final determination will be left to your discretion. The LTC would caution, that while any of the requirements, when assessed on a stand-alone basis, appears to be achievable in the short term, in order to assess a reasonable timeframe for compliance, it is imperative that all standards be looked at as a collective, noting as envisioned by the AODA, it is not one provision of standard that supports full accessibility but rather the collective impact of all the standards. Given that the Information & Communication Standard as well as the Employment Standard is close to being finalized, it is recommended that no decisions with respect to timeframes be made until such time as all standards can be reviewed collectively to assess the potential impact on organizations.

The requirements with respect to eligibility criteria and assessment process for specialized services will require a reasonable amount of time for implementation. In London's case, it is anticipated that the required expansion of eligibility criteria will result in a growth in registrants of approximately 30%. An expansion of this magnitude will require a phasing-in period in order to ensure that sufficient new capital and operating infrastructure is put in place to adequately address the growth without disenfranchising other specialized and/or accessible conventional transit customers. The compliance timeframe for this requirement should be no less than 6 years, noting that while full compliance would not be required for 6 years, London Transit, in consultation with its Advisory Committee would develop a phase-in plan, supporting the six year objective.

The other major area of concern is the potential that the requirements which were removed from the final standard as a result of the voting process (i.e. greater than 25% of the committee tabled a dissenting vote) may be included in some form in the final regulation. Given the existing requirement for mandatory 5 year reviews of all AODA standards, we strongly encourage you, during your review of the Standard, to focus on those requirements forwarded to you via committee consensus, and defer the removed clauses to the five year review process. Consideration of the removed clauses, as well as progress on the clauses included in the regulation should be left to the committee that will conduct the 5 year review.

Over the past number of years, London Transit has made significant strides in furthering accessibility within existing means in a sustainable and affordable manner, balancing the needs of all customers. If Provincial regulations are going to direct not only the approach to the delivery of accessible services, but also the timeframes in which same are to be implemented, related, long term sustainable funding needs to be provided. Given the current economic reality facing all organizations resulting in difficulty maintaining the status quo, coupled with the Provincial position that AODA standards must be met within existing funding envelopes, it is incumbent upon the Province to strongly reconsider the immediate to short term compliance timeframes being put forth from all AODA standard development committees. The absence of such consideration will serve only to further the fiscal imbalance faced by the City of London and limit progress in the delivery of an effective and efficient public transit service for all Londoners.
For London Transit, based upon 2009 dollars, the cost of implementation of all requirements in the final Transportation Standard relating to the provision of public transit services is estimated to be $1.5 million, followed by annual ongoing operating costs of approximately $1.5 million. The annual ongoing operating costs represent an approximate 3% increase in overall operating expenditures each year. The incremental cost excludes consideration of London Transit's significant investment to date in developing and growing accessible public transit services covering such areas as fare parity, low floor buses, upgrades to stop and passenger amenities, and the implementation of Smart Bus Technology, allowing for the provision of automated stop announcements (verbal and visual) on all buses.

The attached enclosure sets out commentary on individual components of the Standard identified for further review and clarification.

In closing, again thank you for the opportunity to provide input to the Standard development. Should you have any questions regarding the above, I would ask that you contact London Transit's General Manager, Mr. Larry Ducharme.

Encl.

Chair, London Transit Commission

cc: Steve Peters, MPP - Elgin Middlesex - London
Chris Bentley, MPP - London West
Deb Matthews, MPP - London North Centre
Khalil Ramal, MPP - London - Fanshawe
Honourable Jim Bradley, Minister of Transportation
London Transit Accessible Public Transit Service Advisory Committee
Municipal Council – City of London
Accessibility Directorate of Ontario
Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
As previously referenced, on balance when viewed in its entirety, the LTC considers the final transportation standard reasonable, noting the particulars set out below. Specific to the clauses that were removed from the standard as the result of the voting process, the LTC would encourage you to hold assessment of same in abeyance until the mandatory 5 year review.

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<td>4.1</td>
<td>Training</td>
<td>The proposed timeline that was voted on was not deemed to be attainable given the current focus on attempting to provide the adequate training to all employees to comply with Regulation 429, noting the deadline of January 1, 2010. As such, it is unreasonable to expect that the additional training requirements set out in the transportation standard can be achieved in a two year period. It would be a much more prudent fiscal approach for the Ministry to provide organizations the opportunity to harmonize the training requirements in the four remaining standards, and cycle employees through one additional session, versus the potential of four additional sessions, each attempting to meet a competing timeline requirement.</td>
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<td>5.5</td>
<td>Support Person Fares</td>
<td>The LTC is supportive of this requirement, given that it provides the opportunity for transit systems to ensure the provision is not being abused (i.e. recognized by the transportation provider), however, in order for systems to get such a recognition system in place and ensure that all front line staff are trained to recognize support persons, a period of greater than one year is required.</td>
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<td>5.6</td>
<td>Availability of Accessibility Equipment and Features</td>
<td>The timeline of 1 year is not reasonable given the requirements of the initial Information &amp; Communication standard with respect to the provision of information in various accessible formats.</td>
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<td>7.3</td>
<td>Eligibility</td>
<td>The timeline of 6 years, as voted on by the T-SDC, while challenging, would provide systems with the opportunity to phase in the necessary changes to their eligibility criteria. From London’s perspective, it is anticipated this change will result in an increase of registrants by approximately 30%. An increase of such magnitude will require a phased-in approach in order to mitigate any negative impacts on existing customers (i.e. if service levels are not adjusted at the same rate as registrants, degradation in service will occur). This requirement is viewed by the transit industry as one of the most significant in terms of overall impact on operations, and in light of the many other requirements with compliance dates in the 1-2 year timeframe, it is reasonable to allow systems 6 years to phase in the required changes.</td>
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<td>7.4</td>
<td>Eligibility process</td>
<td>Same rationale as 7.3, noting the process and the changes to the eligibility criteria need to be implemented simultaneously.</td>
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<td>7.10</td>
<td>Reservations</td>
<td>The timeline of 6 years, as voted on by the T-SDC, is reasonable given the operating and procedural changes that will have to be implemented in order to comply, and in light of the many other requirements with compliance dates in the 1-2 year timeframe.</td>
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**Clausess Removed Via Voting Process**

<p>| Removed | Courtesy Seating | The transit industry is supportive of the requirement for Courtesy seating, noting it is currently provided for in varying degrees on a large number of systems. Further, the industry |</p>
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<td>believes that in order to avoid confusion for passengers on the vehicles, there should be one category of courtesy seating, that can be applied to not only those passengers with disabilities, but also seniors, expectant mothers, etc.</td>
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<td>However, given that courtesy seating requirements are not enforceable, and that many disabilities are invisible, it is unreasonable to have an operator ask anyone to vacate the courtesy seating area. Further, there are increasing situations of violence in the workplace which have resulted in the Ontario Government currently assessing whether to include “the perception” of violence in the workplace a reason for work refusal under the Occupational Health and Safety Act. This requirement would be in direct conflict noting that it would require an operator to place themselves in a position of conflict between two passengers.</td>
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<td>Removed</td>
<td>Support Person Seating</td>
<td>This requirement is inequitable and unnecessary, given that if a support person is not a person with a disability, they are provided reserved seating that would not be available to the general public. An able-bodied support person can stand next to the allocated seating area should they need to be in close proximity to the disabled passenger. If a vehicle is at capacity, a support person that is not a person with a disability should be expected to stand just like any other customer.</td>
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<td>Removed</td>
<td>Location of Service Animal</td>
<td>This requirement is inequitable and unnecessary given that guide dogs are trained to sit and/or lie in close proximity to their master. Further, a requirement of this nature would result in blind passengers with a guide dog being relegated to one specific seating area on the bus, versus allowing them to choose their seating.</td>
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<td>Removed</td>
<td>Service Disruptions</td>
<td>The transit industry is supportive of part a) of the requirement, noting this is the current practice in most systems in the Province. However, given the requirements with respect to the manner in which public communication is provided as set out in the Information and Communications standard, part b) of the clause would require bus operators to be trained in communication in a number of accessible formats including ASL. It is unreasonable and impractical to suggest that bus operators will be able to be trained to communicate in a variety of manners should a situation or event occur while in service. This item is a prime example of the need for the Ministry to carefully examine all remaining standards collectively, to ensure items such as this have been given consideration, prior to standards being adopted into regulation.</td>
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<td>Removed</td>
<td>International Symbol of Access</td>
<td>All public transit vehicles utilized to provide service to persons with disabilities are required, under Ontario Regulation 629 to adhere this symbol to in-service vehicles. There is no opportunity for this symbol to be removed from a vehicle that is not in full compliance with this standard without contravening an existing law. Further, given the long-time use of this symbol as per Regulation 629, the transit industry believes the modification of use to illustrate compliance with something else will do little more than confuse the public.</td>
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| Removed | International | When technology of this nature is installed, it is done so on a
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<td>Symbols Blindness and Hearing Loss</td>
<td>fee wide basis (versus one-off) and as such, the entire fleet will become compliant at the same time. The use of a sticker/symbol in this manner is redundant. If the Province is concerned with respect to the communication of this feature to the general public, money would be better invested in Provincial marketing of the AODA standard requirements.</td>
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<td>Removed</td>
<td>Fare Payment and Validation Equipment</td>
<td>The LTC is supportive of a requirement to ensure that transportation providers ensure they have an accessible means to accept fares, should the passenger be unable to interact with the fare payment equipment, however, the clause as worded provided no indication of what features would deem such equipment to be in compliance. The committee did jurisdictional research on this issue, and found there are currently no technical specifications in place dealing specifically with fare payment equipment. As such, the industry recommends that CSA be approached to establish a technical committee to develop same for consideration by the Province, noting there should be no standard for equipment that is discretionary in terms of being accessible on an individual basis.</td>
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<td>Removed</td>
<td>Guaranteed Trips</td>
<td>The provision of conventional public transit services in municipal jurisdictions across the province is a service that is provided to residents, but is not guaranteed. There are any number of issues that can result in a transit customer not being provided a trip they anticipated based on the schedule, including weather, road conditions, fleet availability, labour disruptions, overcrowding, etc. A requirement for the guarantee of trips on specialized services would result in a level of service far exceeding “equivalent” given that service is not guaranteed on conventional transit. Further, it would be counter-intuitive to the goal of improving fleet accessibility on the conventional service to allow more disabled customers to make use of same versus the more costly specialized services, noting there would be no incentive for a customer to make use of conventional services when a trip on specialized is guaranteed, can be scheduled to the customer’s liking, and is provided at the same fare.</td>
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