

# 60-day Public Consultations on the Accessible Transportation Standard

## Project Overview

The Accessible Transportation Standard is the fourth standard under The Accessibility for Manitobans Act (AMA). Accessible forms of public transportation are vital to ensuring that people with disabilities can participate in all aspects of public life, be it work, education, attending medical appointments, socializing and more.

The purpose of the 60-day public consultation on this standard was to engage with Manitobans about their experiences with Accessible Transportation, including what is working well and what needs improvement. The goal of the standard is to ensure that public transportation address barriers Manitobans might encounter while getting to work or school, shopping, socializing and other aspects of daily life. Government has shared the findings from the consultations with the Accessibility Advisory Council (Council), and Council has used the findings from this engagement and other consultation activities to make recommendations to the Minister of Families, Minister responsible for Accessibility. The Accessible Transportation Standard is expected to be registered in regulation by the end of 2023.

## Engagement Overview

Council began planning a consultation in early 2019, with members completing pre-consultation meetings with a number of stakeholders to help identify general themes and to create a public consultation road map. To ensure Manitobans had many opportunities to express their perspectives on the standard, council launched a multi-pronged consultation plan, with multiple consultation activities.

In 2020, the Accessibility Advisory Council made their recommendations on an Accessible Transportation Standard to the Minister of Families. In developing their recommendations, the council sought advice from a standard development committee, as well as comments from the public and community disability organizations. As this standard applies to transportation in Manitoba, the council consulted the following groups:

- Persons disabled by barriers, including representatives from organizations of persons disabled by barriers
- Organizations required to comply with the standard, including small and large municipalities, public sector organizations, the Manitoba government, businesses and non-governmental organizations
- Other representatives of the government or government agencies that have responsibilities under the standard.

The second major consultation on the development of an Accessible Transportation Standard was organized by the Manitoba government, based on a draft standard that was informed by Council's recommendations. A 60-day public consultation was posted on EngageMB from February 17 to April 30, 2023 in English and French and made available in other formats by request. An email from EngageMB announcing the engagement opportunity was sent to approximately 67,000 registered users who had previously participated in an engagement project related to Manitoba's disability community or indicated an interest in related topics. The Manitoba Accessibility Office (MAO) also informed its contact list of over 3,000 professional associations and organizations about the consultation.

As part of the public consultation, the MAO held a webinar on March 22, 2023 with participants from the disability community, municipalities, the public sector, businesses and non-profit organizations, council and individuals from across Manitoba.

## **What We Heard**

We want to acknowledge all of the important feedback that was received regarding accessible transportation in Manitoba. We also would like to note that any feedback that did not directly relate to the Accessible Transportation Standard will be conveyed to the appropriate areas of government including feedback on funding and policy development. Other comments will be shared with the Accessibility Compliance Secretariat, and the department of Municipal Relations.

The main themes and feedback received during the 60-day public consultation period included criticism over recommendations from Council that were excluded from the proposed standard, and concerns about a lack of clarity around requirements covered in the standard. Related comments focused on cost and resource implications, questions about how the standard would affect rural municipalities and other forms of travel, as well as technical and operational aspects of conventional transit and paratransit transportation.

## Themes of What We Heard

**Compliance Framework:** This feedback focused on strengthening and improving the current compliance framework. To ensure that accessibility standards are met and that organizations are held accountable, a more robust compliance and enforcement process must be implemented.

It was noted that the proposed Accessible Transportation Standard regulation has no provisions for compliance or enforcement, and for accessibility legislation to be effective, there must be measures to ensure compliance. At a minimum, there should be an independent body responsible for arbitrating complaints, and tools for ensuring compliance by transportation providers, such as audits, inspections, and fines for non-compliance.

**Target public education:** Invest in public education related to the AMA and the inherent human rights of all persons, including persons with disabilities. Province-wide research indicates a significant need for targeted public education. Given the importance of education, as government's self-identified key driver to ensuring successful compliance with the AMA, concerted efforts to educate the public along with targeted information to businesses, organizations, and municipalities is imperative.

There were calls for more meaningful efforts by government to raise awareness about the AMA and its standards, and to encourage and enforce compliance. Ideas included creating a central registry to file accessibility compliance reports from organizations in all sectors, which would encourage more active participation in improving accessibility in all organizations. Another suggestion was to hire and train provincial enforcement officers who are empowered to write orders for contravention of the AMA and who are granted the power to levy fines for orders that are not complied with.

**Resources and supports for municipalities:** This feedback focused on assisting municipalities with additional resources, including financial supports, to implement the Accessible Transportation Standard. Offering the Manitoba Accessibility Fund (MAF) is a good start, but its current capacity (a yearly limit of \$50,000 per recipient) was seen as insufficient to address the significant needs and challenges faced by numerous municipalities in becoming compliant with the standard.

Until the most recent provincial budget, grants to municipalities were frozen at 2016 levels, which has left many communities stretched to provide basic services. One comment mentioned "the freezing of municipal operating funding at 2016 levels does not recognize inflationary increases, while provincial initiatives and program funding decisions affecting municipalities are often announced following the municipal budgetary process." We heard that provincial government must invest in a more accessible Manitoba with dedicated funding for implementation of the AMA and project funding for accessibility improvements for transportation.

**Meaningful consultation:** Consultations undertaken by the provincial government on previous accessibility standards as well as the proposed Accessible Transportation Standard were criticized as not providing enough opportunity for feedback. There were suggestions that the province should engage in more meaningful consultations with people living with disabilities, including more advertising, and offering consultations at more locations across the province, at a variety of times.

**Feedback on conventional transit, paratransit and vehicles for hire:**

- Holding annual public accessibility meetings on conventional transit and paratransit may be too onerous.
- Posting emergency procedures in paratransit vehicles may create additional administrative burdens. Policies and supporting documentation can be posted online or be made available at municipal offices.
- Mandating comparable hours of operation and days of service for conventional transportation services and paratransit services may not be feasible.
- A three-hour booking stipulation for paratransit may not be long enough, especially for rural municipalities.
- Bus driver support: Ensure bus drivers assist passengers with securement devices and that they manually deploy ramps when necessary.
- Equipment: Ensure accessibility equipment on vehicles are functional at all times (supported by a preventative maintenance/testing program), that vehicles with non-functioning equipment are not placed in service.
- Transit stops/amenities: Ensure transit stops and amenities are fully accessible.
- Mobility aids: Ensure mobility aid spaces can be used by other passengers (strollers, baggage) when needed, but such spaces must be available to a person with a disability whenever needed. Further, ensure that if a passenger has already waited for another vehicle with mobility aid space, alternative transportation should be arranged right away.
- Priority seating and courtesy seating: Ensure courtesy seating for seniors, small children, and expectant mothers, in addition to priority seating for persons with disabilities; ensure that bus drivers assist when other passengers are refusing to vacate spaces.
- Paratransit: Ensure coordination of paratransit services between adjacent municipalities; and ensure paratransit services cannot be denied to persons with disabilities within city limits.
- Support persons: Ensure support persons are accommodated in public transportation vehicles should a person with a disability declare that they require support.

- Vehicle-for-hire: Ensure vehicle-for-hire operators display identification on rear bumper, and ensure municipalities regulate vehicles-for-hire, including background checks for operators.
- Rural municipalities: The proposed Accessible Transportation Standard was criticized as being Winnipeg-centric, and it is not clear what its impact will be for rural municipalities and the persons with disabilities who live in rural communities and/or wish to travel to and within rural communities. There is significant concern among persons with disabilities and disability-serving advocates that the Accessible Transportation Standard will have no teeth in rural communities, especially in municipalities that do not have a vehicle-for-hire bylaw.
- Paratransit: The definition of a paratransit provider remains unclear and requires additional explanation. Further, the eligibility requirements for paratransit remain require further clarity, including an appeals process.
- Blending fixed-route and paratransit services: A family of services model as proposed under the Winnipeg Transit Master Plan was not included in the proposed Accessible Transportation Standard.
- Booking paratransit: On-hold wait times for booking paratransit services should be considered in the proposed Accessible Transportation Standard, as well as digital on-line booking applications.
- Cross-disability accommodations: Additional consideration and clarity should be included for persons who live with multiple disabilities and require cross-disability accommodations.
- Inter-municipal transit coordination and long-distance travel: A lack of planning to address this important issue is a significant concern, especially among persons with disabilities who live in, or wish to travel to/within, rural communities and First Nations communities. Inter-municipal transit coordination is fundamental to the success of an Accessible Transportation Standard.
- Vehicles for hire: The section related to vehicles for hire does not include details for limousines, town cars, tour buses, tour-charter boats, shuttle services and ride sharing; nor does it articulate important considerations such as low floors, ramps, lifts, and securement systems.
- Systems for providing feedback about transit services must be accessible to all users. These include both online/digital portals as well as local call centres.
- Transit providers must establish and regularly consult with transit accessibility advisory committees and passengers with disabilities.
- Transit providers must communicate in the planning stages prior to any major policies/service delivery changes, such as relocating bus stops, construction, and redesigning bus stops.

- Customer service component: The Standard should address how to best to assist people, including respectful and effective communication, the use of proper sighted guide technique, definitions of different types of aids and what they mean (mobility and ID cane, guide dogs vs service animals)
- Transit mobile applications must use accessibility application programming interfaces (APIs) to ensure accessibility for all application users.
- Pre-journey planning information on the website should include points of interest, service disruptions (reasons, how long, alternate method of service) and a general service telephone line.
- Many technical and design aspects were recommended for conventional and paratransit vehicles.

## Next Steps

The Accessibility Advisory Council has used the consultation feedback collected to prepare final recommendations to the Minister of Families. The Manitoba government expects to enact the Accessible Transportation Standard by the end of 2023.

If you have questions or comments, or require this information in an alternate format, please contact [MAO@gov.mb.ca](mailto:MAO@gov.mb.ca).