

The RIDE Advocacy Project

RAP a project of Boston Self Help Center

How THE RIDE Violates the Americans with Disabilities Act

The RIDE Advocacy Project (RAP) is a grassroots community-organizing effort aimed at bringing THE RIDE, the MBTA's paratransit service for people with disabilities, into compliance with Title II of the Americans with Disabilities Act (ADA). The ADA was passed to prohibit discrimination against some 43,000,000 Americans who "have one or more physical or mental disabilities." The ADA is the most important civil rights law protecting a person with disabilities that has ever been enacted.

The ADA states that "individuals with disabilities are a discrete and insular minority who have been faced with restrictions and limitations, subjected to a history of purposeful unequal treatment, and relegated to a position of political powerlessness in our society, based on characteristics that are beyond the control of such individuals and resulting from stereotypic assumptions not truly indicative of the individual ability of such individuals to participate in, and contribute to, society. . . . The Nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals. . . ."

Title II of the ADA and the regulations interpreting it address transportation. RAP believes that THE RIDE violates a series of criteria on paratransit services such as . . .

Response Time. The entity shall schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day. . . .

- The entity may negotiate pickup times with the individual, but the entity shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual's desired pickup time.

Capacity Constraints. The entity shall not limit the availability of complementary paratransit service to any ADA paratransit individuals by any of the following:

- Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons;
- Substantial numbers of significantly untimely pickups for initial or return trips;
- Substantial numbers of trip denials or missed trips;
- Substantial numbers of trips with excessive trip lengths.

It is time for the MBTA's RIDE to meet the standards of this landmark law.

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