

ACT SUBMISSION

REVIEW OF THE *DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC
TRANSPORT 2002*

Introduction

The ACT Government is committed to an efficient, affordable and accessible public transport service that meets the needs of all the community. The government welcomes the opportunity to provide a submission to the review of the *Disability Standards for Accessible Public Transport 2002*. (the Standards).

The *Action Plan for Accessible Public Transport in the ACT* was released in May 2000 followed by an *Updated Action Plan for Accessible Public Transport 2004-07*. The action plans established the ACT Governments commitment to meeting the Standards.

In addition, the Government introduced the *Road Transport Public Passenger Services) Act 2001* to regulate the provision of bus and taxi services with particular reference to services for people with a disability.

Public transport services in the ACT are restricted to bus services, provided by the government owned ACTION Bus Service, and three accredited taxi networks which have 270 affiliated taxis.

Public transport infrastructure is provided and maintained by the ACT Government Department of Territory and Municipal Services.

Specific information addressing the Issues Paper questions

Achievement of public transport accessibility

1. Has the accessibility of public transport improved since the introduction of the Transport Standards?

- *How has accessibility to conveyances (eg, buses, taxis) changed?*

Buses: Since the introduction of the Standards in 2002, ACTION Bus Services has progressively purchased new and replacement compliant buses. Twenty five percent of the fleet is accessible. The bus replacement program has been enhanced with the commitment of additional funds in 2007-08 and 2008-09 for the purchase of a further 18 new accessible buses which will comply with the Standards.

It is recognised that the height and positioning of ticket validation machines causes some problems for people of small stature and those in wheelchairs. Additional funds have also been committed to the purchase of a new ticketing system.

A fleet replacement strategy is being developed to guide the future acquisition of buses to meet the needs of the ACTION network and forecast patronage. The strategy will ensure compliance with the timetable for accessible buses under the Standards.

The accessible fleet is assigned to specific routes to provide surety and reliability for people with a disability using those routes. Current dedicated accessible routes include Route 34, 83 and five "Intertown" services (operating between the 4 major interchanges). ACTION is designing a new network to be introduced in early 2008 which will focus on maximising the benefit from the accessible fleet and will identify additional accessible routes.

In the long term all services will be fully accessible. The timing will depend on how quickly the fleet can be replaced. It is expected that the replacement will be in line with the Standards i.e. 100% by 2022. As more buses become available the accessible routes will be extended beyond the main trunk route and two special services. The new network design will identify those routes which if made accessible will provide the most benefit to the community. Most heavily patronised services are likely to be given priority, however feedback from the community and the disability sector in particular will be taken into account in designating services as accessible.

Free travel is available for carers accompanying a person with vision impairment.

Taxis: The ACT Road Transport Authority is working with the taxi industry in developing practical measures to enable compliance with the Standards, for example, improving information to enhance services provided to people with disabilities and providing financial support for the micro-management of the Wheelchair Accessible Taxi (WAT) fleet affiliated to one of the networks.

The ACT Government formed a Wheelchair Accessible Taxi Reference Group in March 2005 which had representatives from industry, peak community agencies and WAT users to provide government with short, medium and long-term recommendations to address problems with WAT services. All of the Group's recommendations have been accepted and work has commenced to implement the recommendations.

The ACT Government has released 26 WAT licences, of these 14 are currently operating. This represents about 6% of the total taxi fleet. The 12 WAT licences not currently in use were surrendered by the operators. It is planned that these 12 licences will be reissued, via ballot, towards the latter part of 2007 thereby boosting the WAT service to its full complement of WAT taxis.

Preliminary data from the micro-managed WAT services indicated that equivalent waiting times are being achieved.

The 2006 Taxi Customer Survey indicates that overall satisfaction with WAT services has improved. The level is at 53% compared with that for standard taxis at 67%.

The survey also indicated that satisfaction with response times for hirings for wheelchair-bound passengers has increased from 28% in 2005 to 57% in 2006. This satisfaction level is now equivalent to that for standards taxis.

Initiatives which should lead to further increases in satisfaction with the WAT service include:

- Re-issuing, via ballot, the 12 surrendered WAT taxi licences in the latter part of this year, thereby almost doubling the number of WAT taxi in operation.
- The possible introduction of single wheel chair taxis, similar to tarago-style vehicles, which provide greater levels of comfort, mechanical reliability, safety and passenger amenity.
- Investigation of options to improve the micromanagement of the WAT taxi service.

In the 2006-07 Budget, the ACT Government funded an expansion of the lift fee program, under which WAT drivers are paid \$11.25 for lifting a wheelchair. This initiative will provide a further subsidy to Taxi Subsidy Scheme members (as the waiting time fee cannot be charged while the wheelchair is being lifted) and should make WAT services more sustainable.

- *How has accessibility of information (eg, maps, timetables, announcements, etc) changed?*

ACTION has accessibility statements on its timetables and makes available information in different formats including large print and audio. Other changes include improvements to signage at interchanges.

Alternate information services include the ACTION web site and a dedicated phone number for route information and timetables.

ACTION has also provided information sessions for people with a disability to practice using accessible buses. These active demonstration sessions are aimed at improving confidence in the use of public transport by providing an opportunity to practice boarding, mobility of a wheelchair within the vehicle and disembarking.

A dedicated phone number is provided for taxi wheelchair hirings for all taxi networks, with the phone number recorded with White Pages Directory Listings.

- *How has accessibility of infrastructure (eg, access to stops, interchanges, etc) changed?*

Bus Stops: 28% of bus stops have received treatment to provide accessibility consistent with the Standards. A recent scoping study of 19 routes has identified the level of upgrade work across a range of standards that is required to meet the relevant disability standards by 2012. Additional funds were identified in the

2007-08 Budget to continue the upgrade of bus stops. This work will be closely aligned to the introduction of designated accessible route services.

Interchanges: The ACT has four (4) bus interchanges for regular route services. Each interchange has received treatment to enhance services for people with a disability. These include tactile ground surface hazard and directional indicators, information in braille indicating bus bays and three of the interchanges are designed with unconfined layouts on street level which enables unhindered access to and through the interchanges.

A scoping study undertaken in 2005 identified the remaining parts requiring upgrade for two of the interchanges. This work will be completed by December 2007. In the longer term the remaining two interchanges will be redeveloped. Pending this work, further investigation of the outstanding accessibility work required at these interchanges will be undertaken for inclusion in future capital works programs.

2. Have these changes matched your expectations of the implementation and uptake of the Transport Standards?

- *Do you consider that the changes have matched (1) the compliance requirements and (2) your expectations?*

The Standards are factored into any action that impacts on public transport conveyances, premises and infrastructure. It is likely that a review of the *2004 – 2007 Action Plan for Accessible Public Transport in the ACT*, to be conducted in 2008, will determine the progress that has occurred in the past 3 years to address accessibility issues around public transport for people with varying disabilities.

- *If the changes have fallen short of your expectations, can you provide examples?*

See comment immediately above.

3. Do you consider that the level of compliance required at the end of the first five year period is sufficient to have had an impact on accessibility?

By concentrating the use of accessible bus services to specific routes, it has been possible to provide a higher level of service reliability on those routes. With the continued purchase of accessible vehicles and the upgrade of bus stops there will be an incremental increase in the number of accessible routes over time. Until such time as the majority of the ACTION fleet is accessible, there will remain a significant number of routes which do not provide an accessible service, however the capacity to provide a reliable service on dedicated routes is considered to be more beneficial to service users in the meantime.

The increase in the number of active WAT licences and the introduction of micro-management of the WAT fleet should improve service delivery to the point that equivalent waiting times will be achieved. Data on waiting times from taxi networks operating in the ACT will be assessed and made publicly available to show the level of progress achieved against the waiting time standard.

4. To what extent do you consider current data on accessibility are reliable? Can you provide examples of problems with data that you are aware of?

Data in regard to the bus fleet, bus interchanges, bus stops and information are considered very reliable, but less reliable in regard to response times for accessible taxis. The ACT has established performance standards for waiting times for WATS and other taxis for peak and off-peak periods. A recent audit of WAT bookings indicated that 40% were received through the network with the remainder privately booked direct with the operator. Reports from users of private bookings indicate shorter waiting times than network bookings. However, private booking makes the task of micro-managing hirings more complex and distorts waiting time data.

5. How could reporting of accessibility data be improved for future stages of the implementation of the Transport Standards?

It has been difficult at the national level to devise a suitable tool to report on progress in a consistent manner. The ACT supports the Australian Transport Council position that jurisdictions provide accessibility data to HREOC in a format of their choosing.

6. Are you aware of examples where improved accessibility of public transport has led to increased patronage?

There has been a growth in ACTION bus patronage however it is difficult to assess how much the improvements in access have contributed. No specific data has been collected from bus users with a disability.

The taxi industry has advised that since the introduction of micro-management, there has been an increase in demand for WAT services.

Questions for Public Transport Users [Q7 – Q9]

Not applicable.

Clarification of rights and obligations

10. Has the introduction of the Transport Standards clarified your obligations as a public transport operator or provider?

ACTION now ensures that its procurement tenders for replacement buses comply with all the relevant Standards.

As mentioned earlier, ACTION recognises the special needs arising from specific disabilities and has included accessibility statements on its timetables and makes available information in different formats including large print and audio, has improved signage at interchanges and has provided sessions for people with a disability to practice boarding and disembarking from accessible buses.

11. Are the Transport Standards sufficient, or have you needed to consult other sources? What other sources have you consulted? How did you find out about these sources?

The current referenced standards applying to infrastructure, eg: AS1428-4, are open to interpretation and are somewhat inconsistent. Also, it is difficult to determine which requirements are meant to be mandatory and which are desirable. The distinction between these two is critical when determining the extent of works required when upgrading existing bus stops to meet compliance criteria and avoid disproportionate levels of funding for some elements.

To assist in the correct interpretation and implementation of the standards, it would be helpful if the guidelines to the Standards identified mandatory and desirable criteria, and the reasons/intent of the various requirements. The guidelines also need to recognise that whereas most, if not all, of the requirements of the standards could be implemented when constructing new bus stops, there are significant physical and economic constraints to implementing the requirements on existing bus stops. The guidelines need to recognise this, and provide realistic guidance to users in this regard.

Consultation has been necessary with specialist advisors on disability matters and in some cases this has not been able to resolve issues (there is even some confusion amongst disability experts as to what criteria is considered to be mandatory and what is desirable). Consultation has also been necessary with other State government bodies to determine their practices as a way of achieving the presumed required end results. This has been only partially successful in clarifying some of the issues.

12. Are you aware of other operators or providers of public transport, who appear to be unaware of their obligations? Can you provide examples? How could this lack of awareness be addressed?

The ACT Government has regularly informed all ACT accredited bus operators, taxi operators and taxi networks about the Standards through correspondence, promotion of relevant web sites and distribution of the recently released “Information Paper for Public Transport Operators and Providers of Infrastructure and Premises for Compliance with the Disability Transport Standards for Accessible Public Transport”, developed by the Queensland Transport and amended to address ACT services.

13. Are there areas of the Transport Standards that you consider unclear in terms of the adjustments operators and providers need to make?

The following comments relate to the referenced Australian Standards and specific clauses as set out in the Standards and concern difficulties which have become apparent when upgrading bus stops.

As mentioned above at Question 11, the referenced AS1428 is inconsistent in its applications and difficult to interpret. An outline of the reasons behind some of the specified requirements would certainly enhance the understanding of the document and assist in their application. For example, why are Tactile Ground Surface Indicators (TGSIs) required to be placed 300mm +/- 10mm adjacent to one side of a bus stop sign? How critical is this dimension? Is this just a desirable criterion which could be easily implemented for new bus stops? However, should we relocate an existing bus stop sign which is 400mm or 600mm from the TGSIs? Can this be economically justified on every existing bus stop? Explanation of the intent of these requirements would provide greater understanding of each component of work needed to ensure that a bus stop is fully compliant. This additional information should be included in the Disability Standards for Accessible Public Transport Guidelines.

The ACT has and will continue to ensure that all new bus stops are constructed to meet all the relevant Standards. However, this poses difficulties on new or existing bus stop routes where the gradient of the road and surrounding landscape is on a significant slope. The specified longitudinal gradient of 2.5% (1 in 40) for bus stop pads is not possible to achieve when the slope of the road is in excess of this grade. It is estimated that in the ACT the 2.5% longitudinal grade requirement cannot be physically achieved in approximately one third of existing bus stops.

The abovementioned 2.5% slope requirement also applies to the transverse grade of bus stop pads. In the majority of cases this requirement should be able to be implemented for new bus stops. However, in the case of existing bus stops, this requirement will, in many cases, result in significant cost to the community.

The ACT Government supports equitable access for all and is not proposing any diminution of current standards which would compromise wheelchair accessibility and safety. The feasibility of amending the relevant part of the Standards to apply a reasonable tolerance in longitudinal and transverse slope requirements to existing bus stop pads should be explored. For example, is the 2.5% slope criteria the maximum grade above which wheelchair safety is compromised, or is this a desirable requirement? Is it intended, for instance, that an existing 2m long bus stop pad which may have a slope of (say) 2.6% to 3.0%, be reconstructed to 2.5% when the outcome is a lowering or raising of one extremity of the pad by 2mm to 10mm? Guidance should also be provided in the guidelines to the Standards in this regard.

Another measure that is still being assessed is appropriate lighting at bus stops with shelters. The relevant standard requires that where lighting is provided it must comply with the minimum level of maintenance illumination. eg; 150lux. This measure is one that most jurisdictions are experiencing difficulty with, as existing bus shelters do not have specific lighting provided. It is anticipated that this measure will be reassessed as part of this Review.

14. Have the exemptions allowed under the Transport Standards, reduced the clarity of obligations under the Transport Standards?

No.

Flexibility of approach

15. To what extent do the Transport Standards allow operators and providers a choice of ways in which they can demonstrate compliance?

Maximising benefits for people with a disability by concentrating accessible conveyances and infrastructure to specific routes has provided an improvement in services during the first compliance timeframe. The ongoing replacement of buses with compliant vehicles will provide the critical mass to identify an expanding number of accessible routes.

16. Where Australian Standards or other technical requirements are specified, are these appropriate? Please provide examples where you believe the use of Australian Standards is not appropriate.

References to Australian Standards and guidelines are considered essential, however as noted at Question 13, further clarification relating to the upgrading of existing infrastructure should be considered.

17. Are there requirements that have proven to be impractical or difficult to implement?

Refer to Question 11 and 13.

18. Poses a question for public transport users.

Not applicable

Consistency of approach

19. Do you consider that the requirements in the Transport Standards have been applied consistently across different modes of public transport?

Not an issue in the ACT. Ferry and tram services are not provided and the rail service is operated under licence by NSW.

20. This question relates to the issue raised in question 19.

Not relevant to the ACT situation.

21. Do you consider that the current exemptions granted are appropriate? Should these exemptions be reduced over time?

No exemptions have been granted in the ACT to date. The ‘unjustifiable hardship’ test set out in the Standards appears reasonable.

22 This question relates to the issue raised in question 19.

Not relevant to the ACT situation.

Compatibility of approach

23. To what extent do the requirements in the Transport Standards address all of the accessibility requirements for people with disability? Are there gaps in the coverage of requirements?

Although the Standards include specific provisions for people with a sight or hearing impairment or in a wheelchair, the needs of people who are not able to read or write as a result of their disability are not provided for. Part 27 of the Standards provides for access to direct assistance if information cannot be supplied in a passenger’s preferred format and equal access to information during a public transport journey. Access to information issues are particularly relevant for children and young people, particularly those who may, as a result of a disability or other factors, not be able to read the written information provided. Access to information may be addressed through direct assistance although for children and young people this could mean disclosing their inabilities.

24. Does the compliance timetable provide for a gradual improvement of accessibility over the 30 year implementation period? Are there aspects of this timetable that present compatibility problems? How could these requirements be improved?

Matching the introduction of additional accessible bus routes with the upgrade of bus stops on those routes will continue to present problems. Depending on the number of stops on the route it is proving difficult to ensure that all stops are upgraded in time to meet the provision of accessible buses along the route. See comments at Questions 11 and 13 regarding a possible solution.

25. Are providers meeting their obligations across all aspects of accessibility, which ensures compatibility?

The ACT Government through its bus replacement program and Capital Works program is progressively making the ACTION bus fleet and public transport infrastructure accessible. The transport regulator regularly informs all ACT accredited bus operators, taxi operators and taxi networks about the Standards through letters, promotion of relevant web sites and distribution of updated information to address ACT services.

26. Do the requirements of the Transport Standards need to more explicitly recognise the potential other regulatory constraints that impede the capacity of transport providers to deliver the objects of the Transport Standards?

This has not been an issue at present, however it is considered appropriate for the Standards to acknowledge this potential conflict and clarify what processes would be available to transport providers in such circumstances.

Certainty of process

27. How well are the current arrangements for making complaints about accessibility understood by the public?

We are not aware of any concerns about a lack of knowledge by the public of complaint-making processes.

ACTION has a complaints handling process in place, where customers can lodge a complaint by telephone through ACTION's call centre (13 17 10) or Canberra Connect; by feedback forms at ACTION's bus interchanges and Canberra Connect Shopfronts; by email (ACTION@act.gov.au); and by post.

Complaints are investigated by a customer service manager. Appropriate action is determined and the customer is advised of the outcome.

Members of the public who consider that they have been discriminated against by a transport service or transport provider may also lodge a written complaint with the Human Rights Commission. On receipt of the written complaint, the Commission will assess the merits of the complaint. If it is a case of discrimination by an ACT based transport service/provider the Commission will investigate and determine an appropriate course of action.

The Human Rights Commission's web site provides the following contact details:

Telephone:

Ph: 02) 6295 2222

Fax: 02) 6207 1034 or 6207 0587

TTY: 02) 6207 0525

Computer:

Email: human.rights@act.gov.au

Internet: <http://www.hrc.act.gov.au>

Postal Address:

GPO Box 158

CANBERRA ACT 2601

Office Address:

Level 2, 12 Moore St

CANBERRA ACT 2601

28. Are the current processes sufficiently responsive to complaints, or requests for information or advice on the Transport Standards?

There is no evidence to suggest that the current processes are not sufficiently responsive to such requests.