



May 5, 2025

Submitted Electronically
Secretary Sean Duffy
Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

RE: Ensuring Lawful Regulation; Reducing Regulation and Controlling Regulatory Costs,
DOT-OST-2025-0026

Dear Secretary Duffy:

The undersigned co-chairs of the Consortium for Constituents with Disabilities (CCD) Transportation Task Force submit these comments on the proposed questions regarding existing transportation regulations and guidance in response. The CCD Transportation Task Force works to ensure access to high quality, accessible, affordable transportation for people with disabilities and complex conditions of all ages that meets their individual needs and enables them to live as independently as possible and participate in the community.

The Americans with Disabilities Act, the Air Carrier Access Act, and various funding opportunities administered under successive reauthorizations of the surface transportation programs have resulted in substantial progress toward achieving a more accessible transportation system for people with disabilities. The American Public Transportation Association reports that in 1993, only 51 percent of buses, 32 percent of commuter rail vehicles, 41 percent of light rail vehicles, and 85 percent of demand-response vehicles were accessible.¹ As of 2021, 100 percent of buses, 82 percent of commuter rail vehicles, 92 percent of light rail vehicles, and 94 percent of demand-response vehicles were accessible.² This is a significant and notable achievement that can be credited to the success of the Americans with Disabilities Act and its implementing regulations.

¹ American Public Transportation Association (2020). Americans with Disabilities Act Toolkit.
<https://www.apta.com/americans-with-disabilities-act-toolkit/>

² American Public Transportation Association (March 2024). 2023 Public Transportation Fact Book.
<https://www.apta.com/wp-content/uploads/APTA-2023-Public-Transportation-Fact-Book.pdf>

Such progress in providing accessible public transit, accessible intercity passenger modes (including air travel, buses, and rail), and safe, accessible pedestrian pathways has been vitally important to accessing everyday community living for the more than 44 million people living with disabilities. Many people with disabilities are nondrivers, who are exclusively reliant on transportation services and pedestrian access to get to work, school, healthcare, religious activities, and social events. Even when people with disabilities can drive, they benefit tremendously from accessible transportation infrastructure in their communities, including abundant accessible parking and curb cuts. It is worth noting that people with disabilities are not the only nondrivers who benefit from accessible, reliable, convenient, and affordable transportation services. In fact, in many states, about 30% of the population are nondrivers – these are our youth, people with disabilities, older adults, people who cannot afford a car, people who prefer not to drive, and people who lack a driver's license.³

Despite many successes, the United States still has a long way to go toward making accessible, reliable transportation available to all people from large urban areas to low density rural areas. The cost of not having adequate accessible public transportation is significant. For example, blind people are typically reliant on some combination of public transportation, taxis and rideshares, volunteer-driver programs, walking, and family to get to work or other daily activities. Silverman, Bell and Mendez (2019) reported that 79% of legally blind adult survey respondents experienced negative impacts on their employment due to transportation challenges. They also found that 30% of nonworking respondents cited a lack of reliable transportation as a primary reason for not working.⁴ Additionally, Crudden, McDonnall, and Hierholzer (2015) conducted a study of blind and low vision people, 38% of whom had turned down a job because of transportation concerns.⁵ This number is remarkable because many blind people and others with disabilities face extraordinary barriers getting even one job offer. Turning down a job offer can mean turning down financial independence. Finally, the American Foundation for the Blind (2020) found that 25% of blind older adults surveyed who were urban residents planned to move and cited a desire for more walkable neighborhoods as a primary reason for moving.⁶

³ See State of Wisconsin Department of Transportation (N.D.). Improving Transportation for Non-drivers. <https://wisconsindot.gov/Pages/projects/multimodal/nd.aspx>

⁴ Silverman, A., Bell, E., & Mendez, M.A. (2019). Understanding the Employment Experiences of Americans who are Legally Blind. *Journal of Rehabilitation*. 85:1, 44-52.

⁵ Crudden, A., McDonnall, M.C., & Hierholzer, A. (2015). Transportation: An Electronic Survey of Persons who Are Blind or Have Low Vision. *Journal of Visual Impairment and Blindness*. 109:6, 445-456.

⁶ O'Day, B., Chanes-Mora, P., & Roth, M. (2020). Visually Impaired Seniors' Independent Travel Opportunities and Resources (Project VISITOR): Phase Two. American Foundation for the Blind. <https://www.afb.org/sites/default/files/2020-04/Project-VISITOR-Phase-Two-Report-Final.pdf>

In addition, transportation access affects the cost and availability of life sustaining food and medications. Many people with disabilities who cannot drive are dependent on delivery services or on family to get their groceries and other supplies. This reliance reduces their individual choice about what they eat or buy. Private delivery services can add significant costs to a weekly grocery budget, while publicly funded services, like Meals on Wheels, are often overburdened with wait lists. Insufficient and inaccessible transportation has direct negative economic effects on millions of Americans.

There are numerous opportunities to improve accessibility and access through funding priorities or regulation. Indeed, the barriers to transportation that exist today are many and varied. Some of the problems or opportunities available for the Department to address are listed below:

- Many localities still lack comprehensive sidewalk networks while many existing sidewalks lack curb cuts, are not wide enough for wheelchair users, or are impassable due to damage or disrepair.
- Many cities are actively expanding their cycling network but have failed to consider whether blind pedestrians can safely use a transit boarding island or distinguish between cycle tracks and sidewalks that lack tactile separation. Additionally, on many cycle lanes, people who use wheelchairs face a loss of accessible parking availability and the inability to deploy a ramp or to cross from parking to the sidewalk.
- Many people with cognitive or sensory disabilities have difficulty navigating confusing and loud transportation facilities.
- People who are Deaf or blind benefit from audible and visible stop announcements, but only 78% of buses have automated stop announcements,⁷ and often either the audio or visual announcement is missing.
- Wheelchair users cannot access the whole length of many trains, making using the restroom or buying food difficult.
- Paratransit services, which must be requested in advance, often deliver inefficient routing and leave riders waiting for extended periods of time, jeopardizing employment, medical appointments, and time spent with family.
- When there is insufficient accessible parking, many people with mobility disabilities are unable to access stores, restaurants, or other businesses.
- Elevator outages or the lack of elevators altogether on public transportation prevent mobility device users from reaching their destination.

⁷ American Public Transportation Association (March 2024). 2023 Public Transportation Fact Book. <https://www.apta.com/wp-content/uploads/APTA-2023-Public-Transportation-Fact-Book.pdf>

- Service animal users face frequent denials when attempting to use rideshare, while many wheelchair users have no access at all to wheelchair accessible on-demand services, including emerging autonomous vehicle services.

The rules that the Department of Transportation has issued related to accessibility and consumer protections, including the recent adoption of the Accessibility Standards for Pedestrian Facilities in the Public Right-of-Way, have resulted in increased opportunity and economic independence for people with disabilities. Removing these regulations would have demonstrable harm on our communities and prevent many Americans from all walks of life from obtaining employment, healthcare, and education and from participating in the family, social, and religious life of their choice. There is much work that remains to be done, and we encourage the Department to focus on those opportunities rather than on removing regulations or reducing the enforcement of regulations that benefit millions.

Before making any changes in response to these executive orders, we strongly urge you to reach out to communities of people who will be affected by deregulation, including but not limited to the members of the CCD Transportation Task Force. Our members have real world experience living with disabilities and chronic conditions, as well as supporting loved ones who rely on accessible transportation services on a daily basis to work and live in their communities. We believe that those with lived experience, such as the communities that we represent, are best suited to explain the importance of the existing regulations and protections.

Moreover, we urge the Department to follow the law and engage in full notice and comment rulemaking procedures before removing any regulation. It is vital to consider the costs of deregulation for people with disabilities and the benefits of existing regulations that provide means of living in the community. Rather than increasing efficiency in government, eliminating existing accessibility regulations would create new barriers, result in less transportation access, and, ultimately, inhibit participation of people in their communities. When people with disabilities cannot live independently or in a way that they choose in their community, they are less likely to be financially independent, more likely to be dependent on caregivers, and more likely to use medical and other resources that bear a great cost to individuals, their families, and the government.

Conclusion

Thank you for your consideration of our input to help ensure transportation access for people with disabilities. We hope to have the opportunity to work with the Department to solve transportation problems effectively. If you have any questions, please contact Tyler Beck (tbeck@efa.org) or Sarah Malaier (smalaier@afb.org).

Sincerely,

CCD Transportation Task Force Co-Chairs

Tyler Beck, Epilepsy Foundation of America

Sarah Bellish, Cure SMA

Olivia Keller, Amputee Coalition

Sarah Malaier, American Foundation for the Blind

CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society free from ableism, racism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance.