

# MBTA ACCESSIBILITY LAWSUIT UPDATE

Greater Boston Residents Working Together for ADA Compliance by the MBTA  
Daniels-Finegold Et Al. v. MBTA  
Federal Court: Civil Action No. 02 CV 11504 MEL

Spring 2008  
Issue XV

## Going up: The MBTA's elevator service

Out of service elevators left passengers out of luck and out of a ride far too often at T stations, which was one of the plaintiffs' main complaints in Joanne Daniels-Finegold et al. v. MBTA. These days, passengers can rely less on luck and more on working elevators. After the MBTA improved their elevator maintenance to meet the terms of the settlement, elevators have been out of service less frequently. At the time of the settlement, only 90% of the MBTA's elevators were operational on average, with some days falling well below the average. The current elevator availability rate is about 99%, a noticeable difference.

Because the MBTA is planning ahead for future elevators, passengers can also look forward to a better elevator ride. Based on the input of MBTA officials, external consultants and plaintiff representatives, the MBTA has developed an Elevator Design Requirement Specification for all new elevators being built in the MBTA system. Accessibility requirements are mapped out in detail, from the placement and labeling of elevator buttons to the size of the elevator cab. Chris Hart, technical advisor to both parties during negotiations and consultant working on elevators, says, "Brand new cabs will be much, much larger than typical elevators." Hart also points out that new elevators will have more transparent panels in the elevator cab walls for riders' safety.

For passengers trying to access stations with limited or no elevator access, the most significant improvement will be the construction of new elevators. Multiple elevators have already been guaranteed in the settlement. "While it is a long road, the goal is to address vertical access needs at every station throughout the system for modifying elevators and adding new ones," Hart says. The MBTA inventoried all of its existing elevators and evaluated the current accessibility of each station. This information is being used to rank which existing elevators need to be replaced and where additional elevators could be built.

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### Elevators already in the works

Planning is well underway for the new elevators already guaranteed in the settlement:

- Downtown Crossing – 4 additional
- Park Street – 2 replacement, 2 additional
- Porter Square – 2 replacement, 2 additional
- Harvard Square – 1 replacement, 1 additional
- State Street – 1 replacement
- Central Square – 1 replacement

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### Replacing existing elevators

The MBTA is looking at a number of factors to decide which existing MBTA elevators need to be replaced:

- Elevator age
- Expected elevator lifespan
- Availability of replacement parts for elevators with older equipment
- Number of service calls
- Compliance with the new design standards

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### Building additional elevators

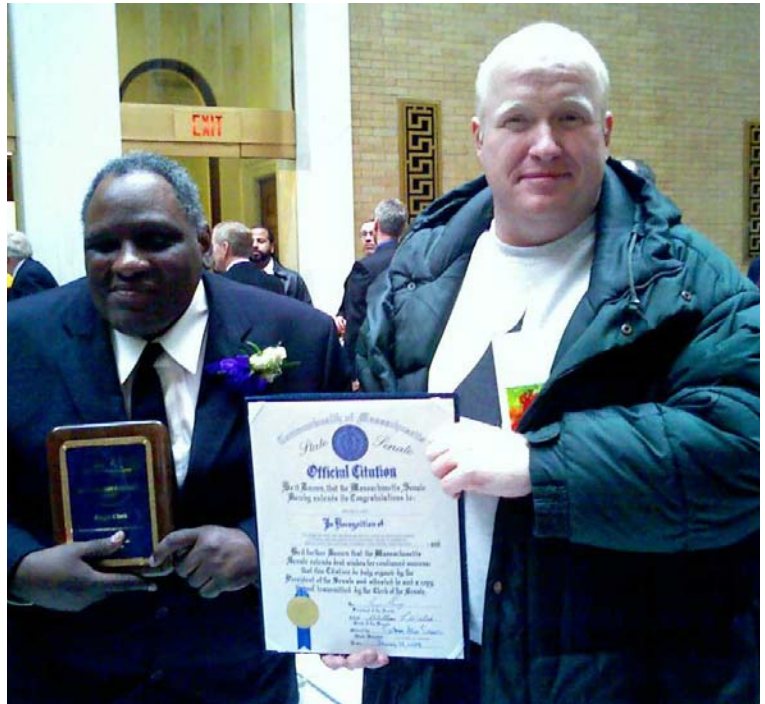
To prioritize which stations need additional elevators, the MBTA is ranking each station based on several criteria, including:

- Accessibility of all station entrances
- Station located near major destinations, like housing, hospitals, or retail
- Number of transfer options at a station to other subway lines, buses or commuter rail
- Possibility of future construction at a station

## Advocacy Award for Reggie Clark

Reggie Clark, one of the named plaintiffs in the MBTA lawsuit, was recently honored with a Distinguished Citizen Award from the ARC of Massachusetts. He was recognized for his advocacy efforts, which include serving on several advisory boards and community committees. When asked about the importance of being an advocate, Reggie says, "I think more people should do more things in the community because it helps them." As he points out, "If you don't like what's going on, you should change it."

(Right) Reggie stands with his friend and fellow MBTA plaintiff Tom Gilbert at the State House award ceremony, displaying his award and a commendation from the state senate.



## Want to improve access to MBTA bus services?

### Participate in bus driver training sessions

Curious about how the MBTA is preparing all bus drivers to provide more accessible service? People with disabilities are welcome to join the bus driver training sessions on accessibility, which will be on-going for the next several months. Participants can spend a couple hours being involved in the training held on buses, where bus drivers are taught how to assist passengers with disabilities and how to use securement equipment, ramps and lifts. The classroom portion is also open to observers and covers topics like stop announcements, boarding procedures and customer service.

Training sessions are currently being held on Mondays and Wednesdays at the Charlestown Bus Garage. To learn more about the bus driver training or to join a training session, please contact:

Sandra Belhaimer, Office of System-wide Accessibility, [SBelhaimer@mbta.com](mailto:SBelhaimer@mbta.com), 617-222-1666

### Be an access monitor for MBTA bus services

The MBTA's Office of System-Wide Accessibility is hiring paid monitors to evaluate the quality of bus services for people with disabilities. For more information about applying, please contact:

Laura Brelsford, System-Wide Accessibility Coordinator, [lbrelsford@mbta.com](mailto:lbrelsford@mbta.com), 617-222-1688

### Problems while hospitalized?

- No accessible inpatient showers or bathrooms
- Not being turned to prevent pressure sores
- Repeatedly asking for assistance eating

### Barriers to riding the MBTA?

- Gaps between the platform and train
- No stop announcements
- Difficult to find assistance at stations

GBLS and BCIL are working together to improve accessibility at health care facilities and the MBTA for individuals with disabilities. To share your experiences, please contact:

Laura Keohane, GBLS, 617-603-1564; 617-371-1228 (TTY); [lkeohane@gbls.org](mailto:lkeohane@gbls.org)

Karen Schneiderman, BCIL, 617-338-6665 ext. 216; [kschneiderman@bostoncil.org](mailto:kschneiderman@bostoncil.org)