

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
SUMMER (AUGUST) 2007
ISSUE XIII

Case Update—Bridge Plate and Tether Strap Trial Programs

The T has been collaborating with BCIL, GBLS, and consumers on two trial programs, both of which are aimed to improve system-wide accessibility.

Platform gaps, both vertical and horizontal, exist at a number of stations and make it difficult for people with wheelchairs and scooters to board and deboard trains. While the T's engineering department devises a long-term plan to solve the problem of gaps, the T has made bridge plates available on a trial basis.

The plates, which are made of rubber and stored in locked boxes at stations, are, at a rider's request, manually placed down to create a bridge between the platform and the train. Since the trial started in the spring, the T has made bridge plates available on the Orange and Blue Lines.

Within the coming months, bridge plates will be available at all Orange, Blue and Red line stations. If anyone is interested in using a bridge plate, all they need to do is ask either a Customer Service Agent or a train conductor for assistance. The T employee will not only retrieve the plate and place it down but he or she will also radio the station to which you are headed so that someone will be waiting there with a bridge plate.

The other trial that has been ongoing has been of a more limited scope. The T provided about a dozen volunteers with tether straps to attach to securement points on their wheelchairs and other mobility devices. The tether straps, which are used in other transit systems, are meant to facilitate securement on buses and lessen the chance that a mobility device will be harmed during securement.

Thus far, the responses to the tether strap trial have been almost uniformly positive. As a result, the T is expanding the trial to others who are interested. If

anyone is interested in obtaining a set of tether straps, contact Karen Schneiderman at BCIL at 617-338-7665 x216, kschneiderman@bostoncil.org.

Spotlight on Gary Talbot

In early 2007, Gary Talbot was contentedly working for Disney Corporation helping to make it possible for vacationers with disabilities to gain access to all areas of the theme park. Then, completely out of the blue, he received a phone call asking him if he would be interested in becoming the MBTA's first-ever Assistant General Manager for Systemwide Accessibility. At first, he thought it was a joke. "Honestly," he said, "I wondered if I was on the MBTA's 'short list' of candidates just so that they could brag about having included somebody with a disability on their list."

In his first telephone conversation with G.M. Dan Grabauskas, Gary realized how serious Grabauskas and the T were about accessibility and about the possibility of him coming on board. He began to seriously consider the job. He knew it would be the most complex job he had ever had but he also knew that it would provide him with a once-in-a-lifetime opportunity to make a difference. It was for this reason that Gary applied for and accepted the job as AGM for Systemwide Accessibility.

It is very important to Gary that the plaintiffs and other class members continue to report problems with the system. "As a community," he said, "we can be our own maintenance system by looking out for one another and speaking out when we see problems." He believes strongly that a strong community consisting of people with and without disabilities is vital to improving public transit in Boston.

The most difficult part of the job, Gary believes, is challenging the way people think. Though the Americans with Disabilities Act was passed in 1990, Gary believes that there are still many people, businesses, and groups who have a lot to learn about the civil rights of persons with disabilities. Once a

few of these people begin to realize how certain persons with disabilities are disenfranchised, Gary believes that there will be a tidal wave of behavior change. He knows that the transit system and society at large will probably never be perfect, but Gary Talbot is committed to doing his part to move both the system and society towards full accessibility.

The Importance of Wayfinding

Wayfinding refers to what people see, think about and do to find their way from one place to another. It is often described as signage, but signage is only one component of an effective wayfinding system. An effective wayfinding system should clearly identify accessible paths of travel as well as the locations of train tracks, bus stops, elevators and escalators. It should also include station announcements and visual indications regarding service, delays, temporary access problems and emergency communications.

Paragraph 45 of the Settlement Agreement calls for the T to “develop and implement an improved and standardized system for signage, wayfinding and navigation in MBTA stations...” A more effective wayfinding system will not only benefit current users of the T but it might also convince nonriders that there is a place for them on the T’s buses and trains. Moreover, a dramatically enhanced, effective wayfinding system is in line with the mutual commitment and desire of both the plaintiffs and the MBTA to comply not only with the letter but also with the spirit of the Americans with Disabilities Act.

Other transit system across the country and the world will serve as models for the T’s new wayfinding system. This new system will help make possible the Agreement’s commitment to make our transit system state-of-the-art.

Plaintiff Spotlight

Dan Larkin

Dan Larkin is a named plaintiff in the lawsuit Joanne Daniels-Finegold et al. v. MBTA. He is legally blind and uses a cane for mobility. Along with a lifetime of service to his community, Dan has

been one of the most pragmatic voices in the lawsuit. He participated in the formation of the final Settlement Agreement and believes the Settlement will help not only the parties involved, but everyone who rides the T.

Dan acknowledges that the MBTA *was* wrong in that they hadn’t addressed these issues earlier, but he feels that there is no sense in pointing fingers or assigning blame. As he says, “It is not about who is right and who is wrong.” What’s important, he believes, is addressing the underlying problems.

Dan feels that the most significant problems with the MBTA system arise from physical and technological issues. For example, he hopes that the MBTA will improve its public announcement systems, making them easier to hear and understand. Dan recognizes that many people think that the MBTA’s problems arise from poor worker attitude. However, Dan thinks that attitude swings both ways. I’ve seen passengers being very rude to MBTA employees as well,” he says, “For my part, I find MBTA employees can be very helpful at times.”

Dan is happy to report that he has already noticed some improvements from the MBTA. The public announcement system on the Green Line is improved, making it easier to hear. However, this is truly just the first step in a process that will take years. Dan says now is the time to come together and work on the problem as a team. With patience and fairness, Dan is confident the MBTA will make the necessary changes to improve the lives of everyone who rides the T.

Have You Encountered ANY Barriers to Either Access to the MBTA or Access to Health Care?

**If You Have Encountered Barriers to MBTA Access and/or Health Care Access,
We Want to Hear Your Story!**

Please Contact:

Karen Schneiderman, BCIL

617-338-6665 x216; kschneiderman@bostoncil.org