

# 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 2010  
Issue XX

## Introducing: MBTA General Manager Richard Davey

Richard Davey was introduced as General Manager of the MBTA in April. The position carries with it the burden of facing severe financial debt and years of customer dissatisfaction. Despite the daunting challenges, General Manager Davey is excited and optimistic about the future of the MBTA.

At the MBTA, GM Davey hopes to have the same impact he had as GM of the Massachusetts Bay Commuter Railroad (MBCR). At MBCR, Mr. Davey left his mark by improving safety and customer service standards system-wide. Under GM Davey's watch from 2008 to 2009, complaints dropped by 40 percent.

According to GM Davey, "Safety is the MBTA's top priority." Recently the MBTA became the first transit system in the country to incorporate specialized emergency wheeled mobility devices and compatible motorized evacuation carts into its emergency evacuation system. In addition, the transit authority has increased employee emergency training and started random bag checks at stations to ensure safety.

In order to further reach the Greater Boston community, GM Davey hopes to "rebrand and remarket" the MBTA. The MBTA is introducing an Access Guide in the fall of 2010. The Guide, complete with step-by-step text, video, and picture instruction about how to use the fixed-route system, should soon be available to all passengers on the MBTA's website. And in an effort to improve regular service, the MBTA is also focusing on what GM Davey refers to as "non-sexy" projects such as track repairs and bus maintenance.

Looking forward, Mr. Davey is excited about a number of projects. According to the GM, the MBTA is committed to installing cameras aboard busses in an effort to combat illegal parking in bus stops. Despite an increased \$100 parking fine that was signed into law on January 7, 2009, the problem of people parking in bus stops has persisted. GM Davey hopes to further discourage people from parking illegally by issuing parking tickets using snapshots taken by bus drivers. Other projects that the GM is excited about include: a fully accessible Museum of Science Green Line stop (a place that Mr. Davey calls a "key cultural institution") and the repair of the much maligned Copley Green Line subway platform.

GM Davey is hoping to improve the MBTA through hard work and attention to detail. Mr. Davey is also looking forward to attacking and fixing problems rather than hiding them. "It's unfortunate that in the past it's taken litigation for the T to focus on all customers," the GM said, "but I'm excited to call people customers or riders instead of plaintiffs." For the MBTA and its new GM, the promises are in place. It remains to be seen whether or not these promises will be fulfilled, but there are reasons to be optimistic about the future.



## The 20<sup>th</sup> Anniversary of the ADA

On July 26, 2010, the City of Boston celebrated the 20<sup>th</sup> anniversary of the Americans with Disabilities Act with an event on the Boston Common. The event was hosted by a number of organizations including the Boston Center for Independent Living. Speakers at the celebration included Governor Deval Patrick, Mayor Thomas Menino, journalist John Hockenberry and comedian Jonathan Katz. In a moving speech, Governor Patrick called the ADA “one of the most significant pieces of civil rights legislation of the 20<sup>th</sup> century.” The event also showcased the newest low-level busses



that the MBTA has introduced into its fleet. Attendees were encouraged to board and examine the new busses, and the vehicles were largely applauded by the many guests.

*Joanne Daniels-Finegold, et al v. the MBTA* owes its victory in large part to the groundbreaking ADA.

In an effort to improve MBTA customer service, GM Davey is personally answering the questions of riders once a month at select subway and bus stations for his “Join the GM” campaign. The



General Manager Richard Davey answering questions at North Station.

next meeting occurs on Thursday, September 9 at the Riverside Green Line subway station. Locations and times of future meetings can be found on the MBTA website at: [http://www.mbta.com/about\\_the\\_mbta/news\\_events/?id=19191](http://www.mbta.com/about_the_mbta/news_events/?id=19191)

## Mobile Parking Payments

In July the MBTA introduced a new parking payment system that makes commuter rail travel much easier. By using a program called Parkmobile, customers can now pay for parking from anywhere using a smart phone application, text message, or phone call. The system, which is in place at 72 parking lots across the commuter rail system, will hopefully shorten riders daily commutes. Riders can register for free at <http://us.parkmobile.com/>.

## Joint Initial Assessment

The MBTA and the plaintiffs in the *Joanne Daniels-Finegold et al* case recently signed a Joint Initial Assessment that examines what the MBTA has done to improve accessibility and also what challenges remain. The document can be found in text or audio form at: [http://www.mbta.com/riding\\_the\\_t/accessible\\_service/default.asp?id=16903](http://www.mbta.com/riding_the_t/accessible_service/default.asp?id=16903)

### Barriers to accessing health care?

- Inpatient rooms without accessible bathrooms?
- Not being weighed at doctor's appointments?
- Service dog not allowed in hospital?

### Finding problems on the MBTA?

- Gaps between platform and train?
- No staff assistance available at stations?
- Problems boarding busses?

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:

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