

August 17, 2026

Councilmember Charles Allen, Chair
Committee on Transportation and the Environment
1350 Pennsylvania Avenue, NW
Washington, DC 20004

RE: B26-0684, the “Autonomous Vehicle Deployment Authorization Amendment Act of 2026”

Dear Chair Allen and Transportation and Environment Committee Members,

Thank you for the opportunity to provide testimony during the July 13th hearing on B26-0684, the “Autonomous Vehicle Deployment Authorization Amendment Act of 2026”. I write on behalf of the Disability Rights Education & Defense Fund (DREDF) to provide detailed suggested amendments. These recommendations are also informed by my time as a former Chair of the Department of For-Hire Vehicle’s Accessibility Advisory Committee and a disabled Ward 4 District resident.

DREDF is a national civil rights law and policy center directed by individuals with disabilities and parents who have children with disabilities. Our mission is to advance the civil and human rights of people with disabilities through legal advocacy, training, education, public policy, and legislative development. My colleagues are based in the Bay Area and Los Angeles. We have extensive experience living amongst autonomous vehicles (AVs) and advocate for accessible and safe options.

A Decade of Accessible AV Policy & Stakeholder Discussions

DREDF demonstrated an early interest in the development of AV policy in its drafting of the 2015 National Council on Disability (NCD) report, *Self-Driving Cars: Mapping Access to a Technology Revolution*. In 2019, we participated with disability advocates and industry stakeholders in three days of AV accessibility workshops hosted by the Alliance of Automobile Manufacturers (an organization preceding the Alliance for Automotive Innovation) with government, industry and disability stakeholders, and U.S. Department of Transportation (USDOT) and U.S. Department of Labor (USDOL) listening sessions, and the USDOT Transforming Transportation Advisory Committee.^{1,2} In 2020, local disability advocates

¹ Autonomous Vehicles and Increased Accessibility Workshops (May 3, July 19, September 10, 2019). Hosted by the Alliance of Automobile Manufacturers (an organization preceding the Alliance for Automotive Innovation). Washington, D.C. Summary Report, agendas and presentations available at <https://www.autosinnovate.org/avaccessibility>.

² U.S. Department of Labor (October 2019). Autonomous Vehicles: Driving Employment for People with Disabilities. Available at <https://www.dol.gov/odep/topics/AV-Info-Guide-Revised.doc>.

submitted recommendations to the DC AV Interagency Working Group and the Office of the Deputy Mayor for Operations and Infrastructure regarding the need for increased mobility in the District and how AVs could assist in meeting that need with accessibility options.³

In 2022, DREDF published a brief on *Addressing Disability and Ableist Bias in Autonomous Vehicles*. There has been modeling and anecdotes of AV's failing to stop when they encounter a wheelchair or service animal user. AV software is trained to detect people outside the vehicle with sets of data that are often not inclusive of many people with disabilities, including wheelchair users, and AI has historically failed to correctly identify people with darker skin tones and gender non-conforming people.

In February 2026, SAE International, a widely regarded standard setting organization that is referenced in the proposed bill, released "J3261_202602 Recommendations for ADS-DVs to Accommodate the Needs of People with Disabilities".⁴ The recommendations provide clear and expert guidance for manufactures and operators to design and provide for the needs of disabled passengers, including wheelchair users.

Policymakers, advocates and the AV industry have acknowledged and discussed the need for AVs to be fully accessible for more than a decade though little progress has been made.

Without affordable, accessible public transit and private on demand transportation, people with disabilities are unable to travel to work, to school, to contribute to and participate in our communities, to support and spend time with family and friends, and live our lives to the fullest.

DREDF urges this Committee to consider including the following in a future version of the Autonomous Vehicle Deployment Authorization Amendment Act of 2026

Clear accessibility requirements and standards for AV operators in the District should be set, including adequate numbers of wheelchair accessible AVs in an operator's fleet in the future to ensure equal service (eg, wait times, service hours) is provided to all District residents, workers and visitors.

- To qualify for a permit under the Commercial Autonomous Vehicle Program operators should:
 - Provide proof of successful testing for detection and response to vulnerable road users, including wheelchair users;
 - Adopt zero tolerance antidiscrimination policies and complaint procedures citing the DC Human Rights Act.

³ See Appendix B. This 2020 letter to the DC AV Interagency working group and Office of the Deputy Mayor is provided in honor of advocates like Dennis Butler and other signatories whose voices are missed today.

⁴ SAE International J3261_202602 - Recommendations for ADS-DVs to Accommodate the Needs of People with Disabilities. Issued February 16, 2026. https://www.sae.org/standards/j3261_202602-recommendations-ads-dvs-accommodate-needs-people-disabilities

- Upon approval of a permit, permittees should:
 - Provide accessible infrastructure data;
 - Provide safe and accessible service.
 - Engage with District disability advisory committees.
- The comprehensive plan submitted before operating an on-demand AV network must include how the company will provide accessible, equitable service
 - A plan should also include strategies for how the permittee will ensure equitable service is provided to people with a variety of disabilities.
- Efforts to facilitate seamless multimodal travel must take into account all District travelers, including wheelchair users. Any collaboration with transit agencies should include how service will be provided to wheelchair users.
- Permittees should include in quarterly reporting data reflecting safe, equitable, accessible service provision
- In addition:
 - The DDOT AV program should include equity and inclusion staff as well as staff with expertise regarding the needs of the disability community and accessible vehicles.
 - An accessible autonomous vehicle fund should be established and impacts on existing accessible taxi and rideshare service should be studied.
 - Clear and prompt claims processes should be established for mobility devices damaged in a crash involving an AV.

Failure to comply with antidiscrimination policies, provision of equitable service such as wait times, meeting their own timelines, or consulting with the community should result in suspension of the permit or other compliance measures. [See Appendix A for detailed suggested language].

Finally, tech companies choosing to profit off of providing transportation as a service should not be rewarded for discriminating against wheelchair users. AV operators refusing to provide wheelchair accessible AVs must not be granted partnership contracts with paratransit or transit.

The District Must Prioritize Access for All Disabled District Residents and Visitors

Ensuring access to transportation for people with disabilities has never been easy. In the 70's and 80's the transit industry fought back against demands for lifts on buses and government stalled, often claiming that lifts were impossible or too expensive, and that separate service for people with disabilities would be cheaper. Rideshare operators have similarly failed to provide consistent service free of discrimination for disabled travelers, including wheelchair users or blind passengers with service animals.

History has taught us that access is possible, and separate service is neither cheaper nor equal. Research and partnerships over the last decade like SecureRide Coalition, an AV stakeholder partnership dedicated to identifying automated securement solutions, the Auto Innovators

workshops and the SAE standards all point to the possibility of fully accessible AVs.⁵ Engineers and policymakers can work together to design and manufacture fully accessible AVs. AV operators need only commit to accessibility. Ensuring access to on demand transportation options for people who are historically ignored and underserved is too important to ignore.

We urge this Committee to hold the industry accountable and send a clear message to the disability community that access for all is a priority in the District of Columbia.

Thank you for the opportunity to provide testimony. DREDF looks forward to ongoing discussions and supporting your efforts to ensure equal access to all modes of transportation. Please submit questions to CT Tyson, ctyson@dredf.org.

Sincerely,

CT Tyson
DREDF Government Affairs Liaison

⁵ Learn more about the SecureRide Coalition at <https://unitedspinal.org/secureride/>

APPENDIX A: AV BILL ACCESSIBILITY AMENDMENT RECOMMENDATIONS

The promise and safety of AVs will only be realized if the vehicles and the surrounding infrastructure are fully accessible, and the safety elements consider the needs of all people with disabilities. Testing and deployment timelines of AV manufacturers and operators has consistently failed to mention accessibility, especially wheelchair access.⁶ Legislation at the federal and local levels has not included accessible vehicle requirements for people with mobility disabilities. The DC Council and agencies can right past wrongs, and improve the lives of residents and visitors with disabilities by prioritizing and requiring access.

Please find below suggested amendments to B26-0684, the “Autonomous Vehicle Deployment Authorization Amendment Act of 2026”. [SAE Standards J3261 202602: Recommendations for ADS-DVs to Accommodate the Needs of People with Disabilities](#) are referenced and can be provided.

To qualify for a permit under the Commercial Autonomous Vehicle Program operators should:

1. **Provide proof of successful testing for detection and response to vulnerable road users, including wheelchair users.** AV software is trained to detect people outside the vehicle with sets of data that are often not inclusive of many people with disabilities, including wheelchair users, and artificial intelligence systems have historically failed to correctly identify people with darker skin tones and gender non-conforming people. AV operators should provide technical documentation establishing that vulnerable road users are not treated as edge cases.

Suggested Language:

On page 6, line 129, insert “(iii) *Is capable of detecting and responding to vulnerable road users outside a vehicle, including wheelchair users and service animals.*”

2. **Adopt zero tolerance antidiscrimination policies and complaint procedures citing the DC Human Rights Act.** Applicants for permits should commit to upholding zero

⁶ Hawkins, Andrew (September 2018). Self-driving pods are slow, boring, and weird looking – and that’s a good thing, *The Verge*. <https://www.theverge.com/2018/9/17/17859112/self-driving-cars-shuttle-podsdelivery-services>. Laris, Michael (October 2018). From Model T to driverless: Ford to launch fleet of robot cars in Washington, DC, *Washington Post*. https://www.washingtonpost.com/local/trafficandcommuting/from-model-t-todriverless-ford-to-launch-fleet-of-robot-cars-in-washington/2018/10/21/6d98119e-d2f6-11e8-b2d2-f397227b43f0_story.html. Sage, Alexandria and Paul Lienert (November 2017). GM plans large-scale launch of self-driving cars in US Cities in 2019. *Washington Post*. https://www.washingtonpost.com/local/trafficandcommuting/from-model-t-todriverless-ford-to-launch-fleet-of-robot-cars-in-washington/2018/10/21/6d98119e-d2f6-11e8-b2d2-f397227b43f0_story.html. Haddad, CJ. (March 2025). Waymo will launch Washington, D.C., robotaxi service in 2026. *CNBC*. <https://www.cnbc.com/2025/03/25/waymo-will-launch-washington-dc-robotaxi-service-in-2026.html>. Kim, Sarah Y (July 2026). For some D.C. disability advocates, accessible self-driving vehicles sound too good to be true, *WAMU*. <https://wamu.org/story/26/07/29/dc-disability-advocates-self-driving-vehicles-waymo/>

tolerance discrimination policies, including complying with existing DC policy prohibiting additional charges for disabled passengers or requiring an attendant. These policies are consistent with existing requirements for private for-hire-vehicles.

Suggested Language:

On page 6, line 137, insert, *“(iii) Establish a policy of zero tolerance for discrimination or discriminatory conduct on the basis of a protected characteristic under section 231 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law2-38; D.C. Official Code § 2-1402.31), while providing on demand service with an AV or vehicle with a driver. Discriminatory conduct may include:*

(1) Refusal of service on the basis of a protected characteristic, including refusal of service to a wheelchair user or an individual with a service animal unless an operator has a documented serious medical allergy to animals on file with the applicant;

(2) Using derogatory or harassing language on the basis of a protected characteristic;

(3) Refusal of service based on the pickup or drop-off location of the passenger;

(4) Additional or special charges on an individual with a disability for providing services to accommodate the individual; or

(2) Requiring an individual with a disability to be accompanied by an attendant;

(c) For a human driven vehicle, refusal to stow a passenger's mobility equipment in the vehicle if the vehicle is capable of stowing the equipment, or provide service to a passenger with a service animal.

(iv) Upon receiving a written complaint from a passenger submitted through regular mail or electronic means containing a reasonable allegation that the operator violated the zero-tolerance policy established by subparagraph (A) of this paragraph; the permittee shall:

(v) Conduct an investigation when a passenger makes a reasonable allegation that a permittee's autonomous or human driven vehicle violated the zero-tolerance policy established by subparagraph (a) of this paragraph;

(vi) Maintain records relevant to the requirements of this section for the purposes of enforcement;

(vii) Submit to the Department for the purposes of registration:

(A) Proof that human driven wheelchair accessible vehicles providing service through the permittee's digital dispatch are licensed to do business in the District;

(B) Proof that the human driven wheelchair accessible vehicles providing service through a permittee's digital dispatch maintains a registered agent in the District;

(E) A written description of how the permittee's digital dispatch for wheelchair accessible vehicles operates;

(F) Proof that the human driven wheelchair accessible vehicles have secured insurance policies required by section #;

(G) An up-to-date registry of the permittee's human driven and autonomous wheelchair accessible vehicles;

(H) Proof that permittee wheelchair accessible vehicle drivers are trained to properly and safely handle mobility devices and equipment and to treat an individual with disabilities in a respectful and courteous manner. Completion of a public vehicle-for-hire driver's training course approved by the Department of For-Hire Vehicles shall satisfy the operator training requirement of this subsection.

(viii) Provide the following information on its website and app:

(A) The permittee's customer service telephone number or electronic mail address;

(B) The permittee's zero tolerance policy established pursuant to paragraphs (1) of this section;

(C) The procedure for reporting a complaint about a ride request or trip during which a passenger reasonably suspects the permittee or human driven operator violated the zero-tolerance policy under paragraphs (#) of this section;"

Upon approval of a permit, permittees should provide data that would ensure the District's infrastructure and travel options improve for people with disabilities

3. **Provide accessible infrastructure data.** In addition to providing GPS coordinates of potholes and pavement degradation permittees should also submit data on public rights of way.

Suggested Language:

On page 10, line 219, "(1) The precise GPS coordinates and timestamps of identified potholes, sinkholes, or significant pavement degradation" add "**broken sidewalks, or barriers to curb cuts or bus stops.**"

On-demand autonomous vehicle networks should include requirements for safe and fully accessible service and disability community engagement

4. **Accessible service options must be provided.** AV network vehicles should provide an accessible human user interface that enables people with a variety of disabilities to request and receive services. Drivers of wheelchair accessible vehicles providing service through an AV operators digital dispatch must be trained in compliance with existing vehicle-for-hire requirements and a registry of WAV vehicles and drivers must be maintained.

Suggested Language:

On page 11, line 251, edit “(B) Provide a user interface, available through a browser-based or mobile device application, that enables individuals with disabilities to request and receive transportation services” to

(B) Provide service to individuals with disabilities by;

(1) “Providing an accessible user interface, available through a browser-based or mobile device application, that enables individuals with disabilities, **including wheelchair users**, to request and receive transportation services;

(2) Dedication of a portion of its fleet to wheelchair accessible vehicles. The percentage of wheelchair accessible vehicles in the fleet shall be determined by the operator to meet equal wait times, service hours, and costs as inaccessible vehicle service.

5. AV network operators must engage with District disability advisory committees.

Operators must report to and interact with the Department of For-Hire-Vehicles Accessibility Advisory Committee (AAC) and the Department of Transportation Multimodal Accessibility Advisory Council (MAAC) with meeting attendance requirements, response to recommendations requirements, and ongoing consultation.

Suggested Language:

On page 12, line 279, edit “To facilitate seamless multimodal travel, a permittee operating an on-demand autonomous vehicle network” to

*“To facilitate seamless **accessible** multimodal travel, a permittee operating an on-demand autonomous vehicle network”*

One page 13, line 188 insert (3) Operator disability community engagement.

(A) Operators of on demand autonomous vehicle networks shall attend meetings of the Department of For-Hire-Vehicles’ accessibility advisory committee and the Department’s multimodal accessibility advisory committee at least twice a year to receive feedback on operations in the District for people with disabilities.

(B) Engagement, including actions taken to improve service based on feedback, shall be submitted to the Department of For Hire Vehicles and Department per request and when submitting permit renewal requests.

(C) The Department may withhold or suspend permits at any time for operators that do not meet the requirements of this subsection.

The comprehensive plan submitted before operating an on-demand AV network must include how the company will provide accessible, equitable service

6. **Equitable service.** In addition to ensuring the fleet will be rebalanced and service provided in all Wards, a plan should also include strategies for how the permittee will ensure equitable service is provided to people with a variety of disabilities.

Suggested Language:

On page 12, line 270 insert *(4) Provide equitable service to people with disabilities with respect to wait times, service hour availability and trip cost;*

(a) with human driven wheelchair accessible vehicles and;

(b) with wheelchair accessible AV service and when and how the service will be provided;

(c) and how the human machine interface will be accessible for individuals with sensory and cognitive disabilities.

7. **Accessible transit collaborations.** Efforts to facilitate seamless multimodal travel must take into account all District travelers, including wheelchair users. Any collaboration with transit agencies should include how service will be provided to wheelchair users.

Suggested Language:

Edit page 13, line 284 *“(2) Collaborate with the Washington Area Metropolitan transit Authority and other transit agencies in the region to explore the feasibility of a transit incentive program that allows enrolled commercial AV customers to receive credits or discounts for commercial AV rides that connect to public transit” to*

*“(2) Collaborate with the Washington Area Metropolitan transit Authority and other transit agencies in the region to explore the feasibility of a transit incentive program that allows enrolled commercial AV customers, **including wheelchair users**, to receive credits or discounts for commercial AV rides that connect to public transit”*

Permittees should include in quarterly reporting data reflecting safe, equitable, accessible service provision

7. **Permittees are required to submit quarterly reports including vehicle miles traveled. These reports should include data to ensure safe, equitable, accessible service is being provided.** Reports should document damage to mobility devices, the numbers of accessible ride requests, rides fulfilled, wait times and days of times for each, as well as comparable data for inaccessible rides requested to ensure equitable service is provided.

Suggested Language:

Edit page 14, line 309 *“(5) The number of crashes involving a vehicle within its commercial AV fleet that resulted in property damage, bodily injury, or death; and” to*

*“(5) The number of crashes involving a vehicle within its commercial AV fleet that resulted in property damage, **damage to a wheelchair or other assistive device**; bodily injury, or death; and”*

Insert on page 14, line 315, *“(7) The total number of fulfilled requests made to the company for wheelchair-accessible service and non-wheelchair accessible service, including*

- (i) the zip code where each request originated and terminated;*
- (ii) the manner in which each trip was requested;*
- (iii) the type of vehicle provided and if it was operated by a human driver;*
- (iv) the wait time between the request and pick up;*
- (v) the day and time service was provided; and*

“(8) The total number of instances in which an individual requested a trip for wheelchair-accessible service and an operator was not able to fulfill the request, including the zip code where each request originated, and the manner in which each trip was requested; and

“(9) The total number of instances a trip was cancelled by the passenger, operator or human driver including the zip code where each request originated, the day and time and the manner in which each trip was requested;

General provisions to ensure accessible service

8. **DDOT AV program equity and inclusion staff.** DDOT’s Commercial AV Program should engage with staff of the Equity and Inclusion Division and the Office of Disability Rights. Program staff should include persons with expertise regarding the needs of the disability community and accessible vehicles.

Suggested Language:

On page 5, line 114, insert *“(2) The Commercial Autonomous Vehicle Program shall engage with staff of the Equity and Inclusion Division and shall include persons with lived experience and expertise regarding the needs of the disability community, including wheelchair users, and accessible vehicles.”*

9. **Establishment of an accessible autonomous vehicle fund.**

On page 20, line 441 insert *“Sec 3j. Autonomous Vehicle Accessibility Improvement Fund.*

- (a) An Autonomous Vehicle Accessibility Improvement Fund shall be established.*
- (b) The District shall levy an operator tax on the number of autonomous vehicles inaccessible to wheelchair users traveling in their wheelchairs.*
- (c) The rate shall be \$0.05 for each vehicle trip.*
- (d) Funds collected through section 3j(b) shall be deposited into the fund and used to support improvement of accessible for hire vehicle and autonomous*

vehicle network service as deemed by the Department of For Hire Vehicles in consultation with the Department's Accessibility Advisory Committee.

10. **Analyses of impacts on accessible service.** Analyses of the impacts of AV service on taxi and rideshare industries should include impacts on the availability of wheelchair accessible taxis and rideshare.

Suggested Language:

Edit page 19, line 431 "(A) Analyzes the impact of the deployment of autonomous vehicles on the taxi and ride-share industries, including any lost jobs or displaced workers;" to

*"(A) Analyzes the impact of the deployment of autonomous vehicles on the taxi and ride-share industries, including any lost jobs or displaced **workers and availability of wheelchair accessible taxi and rideshare service;**"*

11. **Liability and claims for prompt wheelchair repair.** Many wheelchair users rely on their mobility device to accomplish activities of daily living, travel to work, school, the grocery store, medical appointments and engage in the community. Wheelchairs may be custom fit for an individual with a disability. Clear and prompt claims processes should be established for an individual's mobility devices damaged in a crash involving an AV.

Suggested Language:

On page 21, line 467, edit "(3) An ADS manufacturer shall maintain a publicly accessible claims process through which any person harmed in a crash involving an autonomous vehicle with its autonomous driving system engaged may initiate a claim directly without first initiating a claim against the vehicle owner or operator" to

*"(3) An ADS manufacturer shall maintain a publicly accessible claims process through which any person harmed, **or a person's wheelchair or assistive mobility device damaged,** in a crash involving an autonomous vehicle with its autonomous driving system engaged may initiate a claim directly without first initiating a claim against the vehicle owner or operator*

(i) Once a company becomes aware of a damaged wheelchair, they must notify the individual of their rights.

(ii) The company must provide a reasonable timeframe to inspect the wheelchair for damage and file a claim for the damage.

(iii) If damaged the company must promptly repair or replace the wheelchair or scooter, with a device of equivalent or greater function and safety, and pay the cost of repair or replacement

(iv) If the initial repairs were insufficient, the company must promptly repair or replace the device to the individual's satisfaction

(v) While the wheelchair is being repaired or replaced, the company shall provide a loaner wheelchair or assistive device that meets the individual's functional, mobility-related and safety-related needs, to the maximum extent possible.

12. **Accessible emergency communication.** AV network operators should ensure that passengers with disabilities are able to communicate with the in-vehicle's customer support in case of an emergency.

Suggested Language:

On page 3, line 70, insert "(F) How the AV operator emergency call and triage operations between the in-vehicle's customer support and 911 emergency services meets the 21st Century Communications and Video Accessibility Act compliance requirements and call functions with emphasis on functional testing with people with disabilities including people with sensory, cognitive and physical disabilities."

13. **Definitions** could be amended to include:

"Vulnerable road users" means individuals with disabilities, including wheelchair users, children and seniors, and pedestrians travelling by foot, bicycle or other mobility device that lack the physical protection of an enclosed vehicle,

An "accessible autonomous vehicle" means a vehicle that

- (a) Accommodates wheelchair and personal mobility devices up to 30 inches in width;*
- (b) Has rear-entry or side-entry ramps or lifts that enable a passenger to easily and comfortably gain access to the interior of the vehicle upon entry and exterior upon drop off;*
- (c) Has safety devices to secure the wheelchair or personal mobility device to the vehicle and protect the passenger; and*
- (d) Displays the international wheelchair insignia or other insignia approved by the DFHV that identifies the vehicle as a wheelchair-accessible vehicle in a minimum of 2 prominent locations on the exterior of the vehicle.*
- (e) Has additional features intended to ensure accessibility for people with disabilities guided by SAE Standards J3261_202602: Recommendations for ADS-DVs to Accommodate the Needs of People with Disabilities.*

APPENDIX B – DMV DISABILITY & SR COMMUNITY ADVOCATES 2020 AV TESTING RULES LETTER

December 11, 2020

Via electronic mail

Jonathan Rogers

ATTN: DC AV Interagency Working Group

Office of the Deputy Mayor for Operations and Infrastructure

John A. Wilson Building

1350 Pennsylvania Avenue, NW, C-Level, Suite C-06

Washington, DC 20004

Dear Mr. Rogers,

DMV Disability & Sr Community (DMV Group) members and friends write in response to the DC Autonomous Vehicle (AV) Interagency Work Group's request for recommendations regarding AV testing rules. The undersigned seek to ensure that the program is accessible, safe and equitable, and consistent with the DC Autonomous Vehicles Principles Statement.

The DMV Group is a diverse alliance of advocacy-minded, seniors, people with disabilities and allies in the DC region who came together at the beginning of the COVID pandemic. We have sought to create and maintain a communal, remote space of uplift and support for one another, in a fluid and ongoing manner that is affirmatively anti-racist.

In order to ensure equitable and accessible AV service the undersigned recommends the following be included in any testing permits:

1. Access, Equity and Safety Plan Requirements, Including Community Engagement
2. Safety, Access and Equity Elements
3. Performance Measurement Requirements & an Accessibility Fee
4. Equivalent, Accessible AV Service Expectations for Deployment, and
5. Potential Incentives

I. Background

The Need for Increased Mobility in the District

There are roughly 80,000 non-institutionalized people with disabilities and 120,000 residents 60 and older living in DC (11% and 17% respectively).^{1,2} Affordable, accessible transportation is critical for the Districts' residents and visitors with disabilities and seniors to travel to work, to school, to contribute to and participate in their communities, to support and spend time with family and friends, and live our lives to the fullest.

Manufacturers and transportation providers are racing to develop, test and deploy autonomous shuttles and passenger vehicles. AVs have the potential to drastically improve access for seniors and people with disabilities, including members of the blind and low vision, Deaf and hard of hearing, intellectual, developmental and cognitive disability communities, people with physical disabilities, including wheelchair users, and people with neurological conditions including epilepsy and seizure disorders. However, the promise and safety of AVs will only be realized if the vehicles and the surrounding infrastructure are fully accessible, the safety elements consider the needs of *all* people with and without disabilities, and equitable service provision is ensured.

Upholding the Promise: DC's Stated Commitment to Equity and Accessibility

We are pleased with the DC AV Principles Statement and its commitment to safety, accessibility and equity. We expect the statement to be used to leverage support for increased access to mobility and equitable planning, and look forward to seeing these principles reflected in permitting requirements. We agree with the statement that "AVs are merely a means to achieve our broad goals." We are heartened by the DC government's statement that, "the rollout of AV technology should help decrease mobility inequity in DC." And, "DC should strive to ensure that AVs have accommodations that can help improve the mobility of disabled populations, elderly populations, and other mobility-limited populations." Though we believe that DC government should *require* AVs that are inclusive of people with disabilities, including those who use wheelchairs and other mobility devices. And we echo the AV Statement's claim that AV policies, "are long-term decisions and changes, so should take into consideration the effects upon different populations of residents, including mobility options for different populations."

In order to fulfill the commitment in the AV statement, DDOT must make clear to stakeholders that access and equity are required at the outset. Safety, accessibility and equity should be included in permit requirements for testing, and ultimately deployment, and permit renewals. Allowing companies to test and deploy AVs without safety, accessibility and equity in mind will likely lead to discriminatory service provision and would violate the rights of DC's residents under the DC Human Rights Act and the Americans with Disabilities Act.

II. Recommendations

Access, Equity and Safety Plan - The DC Municipal Regulation 3314.4 requires dockless sharing vehicle operators to provide traffic management plans before issuance of a permit for testing, and for deployment. We recommend requiring an access, equity and safety plan that includes community engagement before the issuance of a permit. The plan should also include a timeline and method by which the operator will provide safe, fully accessible and equitable service with AVs - based on community engagement and before implementation. The plans should be publicly available and standards for access, equity and safety - including timelines - should be developed with community input.

Safety, Access and Equity Elements - Potential elements of these plans could include the accessibility features of the vehicle, and whether people with disabilities were consulted as part of the design and testing in order to ensure the safety, accessibility and usability. Consumers and public transportation users will benefit greatly from knowledge of accessibility features ahead of time. A clear understanding of the vehicle's capacity could make the difference between being left at the curb because the vehicle is inaccessible to a wheelchair user, or unidentifiable to a low-vision, blind, or cognitively disabled passenger; or limited usability in case of an emergency. Features could include, but are not limited to:

Human Machine Interface Features

- Usability of accessible apps to hail a car. The apps must be Section 508 compliant.
- Use of multiple forms of communication (eg, print, audio, plain English and symbols) with the vehicle, when requesting a ride, identifying the correct vehicle, and inside the vehicle to change the route, unlock doors, etc.
- Accessible controls inside the vehicle to change the route, unlock doors, etc.
- Accessible output to provide directions and other pertinent data; such information should be provided in a myriad of channels (eg, large print, auditory output, and pictures)
- Minimally complex directions and control identifiers for all levels of understanding
- Compatibility with portable devices (phones, tablets, 'smart-glasses') with customized assistive technology
- Accessible operating surfaces that are within reach and have tactile cues
- Software to ensure accessible drop off points for access (eg, near curb ramps)
- Information provided about the environment surrounding the vehicle to assist blind or visually impaired passengers to orient themselves once they have vacated the vehicle
- Features to assist passengers with disabilities for when requesting a ride so that they can identify the correct vehicle and not mistake another car as their ride
- Identifying how the car will communicate in an emergency, which should include multiple channels of communication (eg. lights, auditory output, tactile vibrations)

Vehicle Hardware Features

- Space to stow wheelchairs for those transferring to a seat
- Lower floors to accommodate manual and power wheelchairs
- Lifts or ramp and a securement system, or support for aftermarket modification
- Accessible door handles, storage spaces, seat-belts (opening and closing the trunk or hood)
- Door height and available turning radius

Equity Features

- Payment options for people who are unbanked or without smartphones
- Community engagement in all Wards, prioritizing traditionally underserved neighborhoods

Safety Features

- Automatic emergency breaking
- Cybersecurity and emergency protocols
- Detection of pedestrians, bicyclists, mobility device users and people of all skin tones outside the vehicle³

Please note, any specific accessibility features should be developed in consultation with disability community members and the US Access Board.

Performance Measurement Requirements & Accessibility Fee - The terms and conditions for the dockless bikes and scooter operators include requirements to be met in order to expand (see Article II.B, Performance-Based Fleet Expansion). The terms include required proof that dockless bike and scooter companies are meeting their equity and accessibility goals and commitments during the permit period.

We recommend similar performance-based fleet expansion **and** permit maintenance requirements that ensure progress towards the operators' safety, equity and access plans over time, and include community engagement. Requirements should be determined in collaboration with the DC MultiModal Accessibility, Pedestrian and Bicyclist Advisory Committees, the DFHV Accessibility Advisory Committee and stakeholders and advocates of DC's Black, Brown and traditionally underserved communities. In addition, as long as operators are not testing and deploying accessible AVs, they should contribute to a District accessible mobility fund.

Equivalent, Accessible AV Service Required when Deployed – As previously stated, allowing companies to test and deploy AVs without safety, equity and accessibility in mind will likely lead to discriminatory service provision and would violate the rights of DC's residents under the DC Human Rights Act and the Americans with Disabilities Act. DDOT must make clear in any permitting that when vehicles are deployed for public use equivalent service must be provided with AVs to all people with disabilities, including wheelchair users. In addition, should AV operators partner with DDOT or WMATA, they will be required to comply with all applicable civil rights laws.

We presume AVs will initially operate in fleets, similar to Uber and Lyft or company-owned taxis. According to a recent letter from the Disability Rights Education & Defense Fund, under the ADA, demand response fleet providers must provide equivalent service to people with disabilities. It is discrimination for any entity, whether publicly or privately funded, to purchase or lease a new vehicle after August 25, 1990 for demand responsive service that is not

accessible, unless the system, when viewed in its entirety, provides a level of service to individuals with disabilities equivalent to the level of service provided to the general public.⁴

“When viewed in its entirety” means that when all aspects of the system are analyzed, services are provided to individuals with disabilities in the most integrated setting appropriate to the needs of the individual and are equivalent to services provided to other individuals, in terms of: service area, response time, fares, hours and days of service, no restrictions or priorities based on the purpose of the trip, no capacity constraints, availability of information and reservations capacity, accessible information and communications, and any other benefits such as safety and an improved passenger experience that AVs may uniquely provide.^{5,6} That is to say, it will not be acceptable to provide equivalent service with a lesser quality vehicle that does not provide the improved safety and experience of an AV.

Potential Incentives - The terms and conditions for the Public Rights of Way occupancy permit currently include an incentive allowing adaptive dockless sharing vehicles to not be counted in the maximum number of vehicles allowed (See Article II.A.2). We recommend a discussion with community stakeholders regarding whether a similar incentive for safe, accessible AVs should be provided, with the caveat that the vehicles must be used to provide service to wheelchair users. We understand the benefits of incentives, and also acknowledge concerns regarding environmental impacts of too many vehicles, as well as congestion, and concerns regarding safety.

III. In Our Own Words

What should be required for AV's to be tested and deployed in DC?

“DDOT must make clear in any permitting that when vehicles are deployed for public use equivalent service must be provided with AVs to all people with disabilities, including wheelchair users.”

Robb Dooling, Councilmember, DDOT MultiModal Accessibility Advisory Council (MAAC)

“When history looks back on the moment as AV services are launched, will it judge those kindly, who made it their work to promote yet another public service that may exclude a class of citizens? How will history remember those who forsook fellow citizens and planned with an informed neglect? AV service is a seminal event. I am excited to use AVs soon. Please consider implementing this memo's recommendations and deploy AV service with inclusion in mind.”

Dennis Butler, Member, DC DFHV Accessibility Advisory Committee (AAC)

“Unless the AV program provides vehicles that are safe and accessible for everyone, regardless of impairment or disability, the program should not operate in the District of Columbia.”

Joan Christopher, Member, DMV Disability & Sr Community Group

Conclusion

Thank you for the opportunity to provide recommendations regarding DDOT's AV testing permit requirements. We appreciate your commitment to increased mobility and safety for all District residents, workers and visitors. Please do not hesitate to follow up with any questions by contacting Heidi Case at hacase@icloud.com or (202) 803-1055.

Sincerely,

ABilly Jones-Hennin, Member, DMV Disability & Sr Community Group

Anais Sensiba, Member, DMV Disability & Sr Community Group

Anna Landre, Commissioner ANC 2E04, disabled person/person with a disability

Beryl Neurman, Member, DMV Disability & Sr Community Group

C Buddy Moore, Councilmember, DC MultiModal MAAC

Carol Tyson, Member, DMV Disability & Sr Community Group

Dan Davis-Smith

Dennis Butler, Member, DC DFHV Accessibility Advisory Committee (AAC)

Germaine Payne, Member, DMV Disability & Sr Community Group; Member, Project Action!

Heidi Case, DMV Disability & Sr Community Group; Chair, DC MAAC

Helen Urquhart, Councilmember, DC MAAC

Jay Stewart, Bicycle Advisory Council Representative (Ward 8)

Kali Wasenko, Sibling/Ally/Friend/CoWorker

Kara Nicole Jones, Member, DMV Disability & Sr Community Group; Member, Project Action!

Joan Christopher, Member, DMV Disability & Sr Community Group

Jamie Davis-Smith

Justice Shorter

Kim Bellamy, NFB DC Affiliate Board Member

Luz Z. Callofo, Member, DMV Disability & Sr Community Group

Philip Sklover, Vice-Chair, DC MAAC

Randall Myers, Bicycle Advisory Council Representative (At-Large, Robert White)

Robb Dooling, Councilmember, DC MAAC

Robert Kennedy, Member, DMV Disability & Sr Community Group; Member, Project Action!

Robin Mendes Newell, Member, DMV Disability & Sr Community Group; Peer Support Group
Facilitator, DC Center for Independent Living

CC: Jeff Marootian, DDOT Director; Nana Bailey-Thomas, DDOT Chief Equity & Inclusion Officer;
Cesar Barreto, DDOT Americans with Disabilities Act Coordinator

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1. "District of Columbia Disability Characteristics." 2019 American Community Survey 1-Year Estimates, United States Census Bureau, <https://data.census.gov/cedsci/table?t=Disability&g=0400000US11&tid=ACST1Y2019.S1810>. Accessed 9 December 2020.
 2. "District of Columbia Populations and People: Age and Sex." 2019 American Community Survey 1-Year Estimates, United States Census Bureau, <https://data.census.gov/cedsci/table?q=District%20of%20Columbia%20Populations%20and%20People&tid=ACST1Y2019.S0101>. Accessed 9 December 2020.
 3. See concerns regarding implicit and algorithmic bias in detection of pedestrians. Sigal Samuel (March 2019). "A new study finds a potential risk with self-driving cars: failure to detect dark-skinned pedestrians", Vox. <https://www.vox.com/future-perfect/2019/3/5/18251924/self-driving-car-racial-bias-study-autonomous-vehicledark-skin>. Accessed 10 December 2020.
 4. 49 C.F.R. §§ 37.103, 37.77, 37.171.
 5. 49 C.F.R. § 37.105.
 6. See the November 3, 2020 letter from the Disability Rights Education and Defense Fund with Disability Rights California to the California Public Utility Commission on the Proposed Decision for authorizing AV deployment. <https://dredf.org/2020/11/03/comments-on-proposed-decision-of-california-puc-commissioner-shiromaaauthorizing-deployment-of-autonomous-vehicle-passenger-service/>