

2010 -- H 7498

LC00854

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- WHEELCHAIR ACCESSIBLE
TRANSPORTATION

Introduced By: Representatives E Coderre, Kilmartin, Pollard, Kennedy, and Giannini

Date Introduced: February 23, 2010

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 39-18 of the General Laws entitled "Rhode Island Public Transit
2 Authority" is hereby amended by adding thereto the following section:

3 **39-18-24. John J. MacDonald, Jr. Transportation Initiative.** – (a) The Rhode Island
4 public transit authority is authorized and directed, in consultation with the division of public
5 utilities and carriers and the governor's commission on disabilities, to develop the "John J.
6 MacDonald, Jr. Transportation Initiative" for a statewide federally funded "New Freedom
7 Program" to reduce barriers to transportation services and expand the transportation mobility
8 options available to people with disabilities that need wheelchair accessible transportation beyond
9 the requirements of the Americans with Disabilities Act (ADA) of 1990, by September 30, 2010.
10 The goal is to provide on demand wheelchair accessible taxicab service throughout the state, and
11 especially at T.F. Green state airport and the train stations.

12 (b) The administrator of the division of public utilities and carriers is authorized and
13 directed to issue a regional wheelchair taxicab certificate after a hearing, in accordance with the
14 provisions of chapter 42-35, the administrative procedures act, to any qualified applicant
15 therefore, authorizing the whole or any part of the operations covered by the application, if it is
16 found that the applicant is fit, willing, and able to properly perform the service proposed and to
17 conform to the provisions of chapter 39-14, and the requirements, orders, rules, and regulations of
18 the administrator thereunder, and that the proposed service, to the extent to be authorized by the

1 certificate, is or will be required by the present or future public convenience and necessity;
2 otherwise the application shall be denied.

3 (c) The Rhode Island public transit authority is authorized and directed:

4 (1) To adopt rules and regulations for the implementation of the John J. MacDonald, Jr.
5 transportation initiative; and

6 (2) Purchase up to (2) wheelchair accessible taxicabs for each regional wheelchair taxicab
7 or public motor vehicle certificate holder, utilizing New Freedom – Safe Accountable Flexible
8 and Efficient Transportation Equity Act (23 USC sec 101 et seq.), a legacy for users funds for
9 eighty percent (80%) of the cost. The operators of the wheel chair accessible taxicabs shall be
10 responsible for the twenty percent (20%) nonfederal match for purchase of the vehicles.

11 (d) The operators of the certified wheelchair accessible taxicabs or public motor vehicles,
12 and not the Rhode Island public transit authority, shall be responsible for all operating and
13 maintenance costs of the wheelchair accessible taxicabs or public motor vehicles.

14 (e) The Rhode Island public transit authority and the division of public utilities and
15 carriers is authorized and directed to begin implementation of the "John J. MacDonald, Jr.
16 Transportation Initiative" on or before January 1, 2011.

17 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC UTILITIES AND CARRIERS -- WHEELCHAIR ACCESSIBLE
TRANSPORTATION

1 This act would authorize and direct the Rhode Island public transit authority, in
2 consultation with the division of public utilities and carriers and the governor's commission on
3 disabilities to develop the "John J. MacDonald, Jr. Transportation Initiative" for a statewide
4 federally funded "New Freedom Program" to reduce barriers to transportation services and
5 expand the transportation mobility options available to people with disabilities that need
6 wheelchair accessible transportation beyond the requirements of the Americans with Disabilities
7 Act (ADA) of 1990, by September 30, 2010. The implementation of the "John J. MacDonald, Jr.
8 Transportation Initiative" would begin on or before January 1, 2011.

9 This act would take effect upon passage.

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