



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

MEMORANDUM

DATE: October 11, 2013

TO: Members of the Joint Finance Committee
Ms. Lauren Skiver, Executive Director, DTC
Mr. Shailen Bhatt, Cabinet Secretary, DelDOT

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: Proposed Changes to Paratransit

I write on behalf of the State Council for Persons with Disabilities (SCPD) as follow-up to the Joint Finance Committee meeting on October 3, 2013 which provided an overview by the Delaware Transit Corporation (DTC) regarding its “plan” to address changes to the Paratransit system in Delaware. While SCPD acknowledges that this system may need to be reevaluated, Council is concerned that changes appear to be imminent without access to a tangible plan to effectively analyze and prepare informed comments. Given the lack of specifics, SCPD is very concerned with the impact of DTCs approach to those who live outside the ADA mandated service area (within a 3/4 mile radius of fixed route service). While DTC reported that “everyone who gets a ride now will get a ride under the redesigned system”, it also indicated that it may contract out for the services resulting in prioritization of trips, waiting periods of “a day or two” and the potential that preferred destinations of customers may be changed by the provider due to logistics and ease of operation. DTC even noted that the redesigned system may, in effect, result in people having to more seriously consider living within the mandated Paratransit service area. This would have serious negative consequences for people with disabilities and their ability to have the same opportunities as everyone else. It would impact every aspect of their lives including employment, education, social, recreation and spiritual or religious activities. Finally, SCPD questions whether the redesigned system will actually reduce costs or simply shift costs to other agencies which provide services to people with disabilities (e.g. Department of Health & Social Services, Division of Vocational Rehabilitation). A detailed cost analysis is warranted and should be shared with the public.

SCPD would also like to take this opportunity to endorse the enclosed comments by the Disabilities Law Program with the observation regarding Par. 7 that the age criteria noted is

specific to Kent and Sussex Counties. In addition, SCPD requests the number of people who would be affected before it can accurately comment on any recommendation regarding the eligibility of people over age 65.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed changes to the Paratransit system.

cc: Mr. John McNeal
Ms. Laura Waterland, Esq.
Mr. Brian Posey
Mr. Lloyd Schmitz
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

P&I/policy/dtc paratransit changes 10-11-13



DISABILITIES LAW PROGRAM

COMMUNITY LEGAL AID SOCIETY, INC.

100 W. 10th Street, Suite 801
Wilmington, Delaware 19801
(302) 575-0660 TTY (302) 575-0696 Fax (302) 575-0840
www.declasi.org

10/2/2013

DART Right Fit Transit
900 Public Safety Boulevard
Dover, DE 19901

Dear Sir/Madam:

Delaware Transit Authority ("DTC") is holding public meetings to discuss its intent to roll back paratransit services in Delaware. Please accept these general comments from the Disabilities Law Program. Historically, DTC has offered paratransit service to the elderly (over 65) and to people who meet the statutory definition of disability on a statewide basis, a scope that exceeds ADA requirements.¹ By DTC estimates, 37% of all paratransit rides exceed ADA requirements.² These highly subsidized rides cost riders \$4.00 round trip.

Several changes to these services are being discussed, in order to rein in costs that DTC suggests are grossly out of line with other expenditures, and that may be preventing DTC from expanding other types of services. The following options are under consideration: 1) restricting paratransit to the ¾ mile corridor; 2) restricting eligibility to riders with disabilities only; and 3) charging more for services. In contemplating these changes, it would be useful to consider the following:

1. Delaware possesses some unique features that make comparisons with other states inapposite.³ In particular, Delaware's transportation infrastructure varies considerably from county to county. Sixty-three percent of all fixed routes are in New Castle County. Sussex County only has two fixed routes, yet boasts by far the largest population increase in the state, according to the last census.⁴ Many riders in New Castle County have adequate access to fixed route service. In Kent and Sussex such access is very sporadic.

¹ ADA -mandated paratransit is a complementary service to fixed route systems, and is designed to provide door to door service for individuals with qualifying disabilities who cannot use the fixed route system. The ADA requires paratransit services to be offered within ¾ miles of a fixed route service to eligible riders.

² The author is relying on data reported in the News Journal article, "Public Input on Transit Sought," 9/17/2013 (attached) and on the DART publication "It's Time to Rethink How We Do Transit," http://www.dartfirststate.com/rightfit/pdf/dart_brochure.pdf (attached)

³ While nationally, states spend 11% of their budgets on paratransit, Delaware allegedly spends 45% of their transit budget on paratransit. However, it may be that other states devote more resources to their transit systems in the first place, and that transit services may be chronically under-funded in general in Delaware.

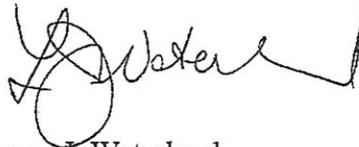
⁴ http://usatoday30.usatoday.com/news/nation/census/2011-03-02-delaware-census_N.htm (attached)

The loss of paratransit, without the development of alternatives, in Kent and Sussex counties, would essentially remove public transportation as an option for many residents.

2. In a related vein, Delaware by its own admission lags in providing accessible curb cuts and shelters that might make more of the fixed route system available to riders of all types. (See Proposed DelDOT ADA Transition Plan). Resources will need to be devoted to expeditiously address this shortcoming in the transit system.
3. Many younger individuals with disabilities utilize paratransit to get to and from work. The DTC should consider how reducing these services would impact the Governor's commitment to the "A Better Bottom Line: Employing Individuals with Disabilities" initiative.
4. Many individuals with disabilities of all ages use paratransit to go to and from day programs that allow them to live in community-based settings. Please consider how many individuals would be at risk of institutionalization if paratransit were not available to them, and how this would impact Delaware's commitment under the Olmstead decision to promote aging in place and community-based living environments.
5. Similarly, many Medicare recipients, particularly the elderly, use paratransit to get to medical appointments. The DTC should consider whether these individuals might also be at risk of institutionalization if they are unable to access needed health care.
6. Fare increases would appear to be among the least onerous changes; however, DTC should consider the regressive impact such a fare change would have-- poorer riders would feel the impact more. Perhaps a sliding scale for fares could be adopted.
7. According to the News Journal article from September 17, 2013, *supra* footnote 2, and DTC's website, individuals over 65 years of age are eligible for paratransit based on age alone. This could be reconsidered. By analogy, individuals qualify for a parking placard upon achieving age 85. See Title 21 Del.C. §2135. Alternatively, paratransit eligibility could be limited to only individuals meeting disability standards or unable to readily utilize fixed route service (where fixed route is available). This would promote cost savings without eliminating paratransit services for those riders most in need both inside and outside the corridor.

In considering changes to the system, we hope that careful consideration will be given to the many populations using paratransit, and that any new system that is designed addresses their needs in a comprehensive and thoughtful manner, with sufficient resources devoted to its success.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura J. Waterland". The signature is fluid and cursive, with a large initial "L" and "W".

Laura J. Waterland
Senior Staff Attorney
Disabilities Law Program

Enclosures

cc: Kyle Hodges, SCPD
Wendy Strauss, GAEC
Pat Maichle, DDC

TRANSPORTATION

9-17-89
45

Public input on transit sought

Taxpayer subsidy hit \$80 million last year

By Melissa Nann Burke
The News Journal

Twenty-five years ago, a gallon of gas cost less than a dollar; stone-washed jeans were still cool; and rock stations played Paula Abdul 50 times a day.

The year 1989 was also the last time Delaware adjusted bus and paratransit fares. That's in part why taxpayers last year had to subsidize the state transit system by more than \$80 million.

With demand and costs escalating, Transportation Secretary Shailen Bhatt says it's time to deal with a transit model that's financially unsustainable.

Delaware Transit Corp., a division of the Department of Transportation, is holding a series of public sessions starting next week to collect input on how the system could be improved - from new routes downstate to extended hours and more frequent trips. With feedback in hand, DTC expects to present a plan with specific recommendations in late fall.

In the meantime, Bhatt is losing the counsel of DTC Executive Director Lauren Skiver, who has worked toward the initiative during her 17 months on the job in Delaware. Skiver on Friday accepted a position leading the SunLine Transit Agency in the Palm Springs area of California.

"This doesn't affect the rollout or our task of trying to redesign the transit system," DelDOT spokesman Geoff

See TRANSIT, Page B2

the same of Philadelphia

Transit: Current fares fall far short of costs

Continued from Page B1

DELAWARE V. NATION

The portion of funding that Delaware spends on paratransit far exceeds the national average.

Sundstrom said. "It's moving forward but, obviously, without Lauren at the helm."

For years, officials have commissioned studies advising how best to sustain operations while bringing costs under control. Nationally, transit systems on average spend 11 percent of their budgets on paratransit. In Delaware, it consumes 45 percent of DTC's budget, even though paratransit represents just 8 percent of total ridership, according to state figures.

The expense stems in part from Delaware's generous paratransit program, providing door-to-door, on-demand service to riders anywhere in the state. Eligible riders qualify because they can't take a regular bus due to a disability. In Kent and Sussex counties, riders automatically qualify at age 65.

Delaware's statewide model exceeds the mandate of the federal Americans with Disabilities Act, which requires service only to disabled people living within a ¼-mile of fixed bus routes.

A paratransit rider pays a \$4 fare for a round trip that costs the state an average \$92, according to DTC. Paratransit costs have escalated 233 percent since 2000, Bhatt said.

"Thirty-seven percent of the rides that we provide are not required by the ADA," Bhatt said. "There's no other state or entity that delivers transit this way. We're very much an outlier. The fact we're the only ones, and that costs are what they are, tells us something."

Several independent studies have recommended DTC limit paratransit service to the federally mandated zone and to individuals who qualify not by age but by disability.

	Paratransit	Fixed-route	Rail
DART	45.2%	46.6%	8%
National average	10.9%	72%	17.1%

Source: Delaware Transit Corp.

That wouldn't mean that elderly or disabled Delawareans living outside the mandated zone would lose transit service, Bhatt said. Eligible riders would be served by some other appropriate form of public or private transit, such as new fixed routes downstate, subsidized taxis, vans or transport operated by nonprofit agencies, officials said.

"We're going to provide paratransit according to federal law. You're still going to get a ride. It just might not look the same as it did before," Bhatt said. "People who truly need the service are not getting good service right now. [Improving that] is our No. 1 goal."

Ray Harbeson, a former DelDOT manager, sat on a task force that in 2011 recommended, among other changes, raising base fares for transit and paratransit to recover some costs from riders. So far, lawmakers have lacked the political courage to act, Harbeson said.

"We as taxpayers are the problem because we want the same or better services without paying for it," he said.

"On the flip side, we have a lot of people who really depend on paratransit services. We need to figure out how to do it more efficiently and to find a funding source for them. Otherwise, there will be an inevitable crash - a point where people won't have any way to get to doctors appointment or elsewhere because the money ran out."

Dave Guida, a planner with the Wilmington Area Planning Council and a former DTC employee, said the growing paratransit subsidy has prevented expansion of fixed bus routes since at least

2001.

"They're always looking for ways to get new service out there, but they have no budget for new service," Guida said of DTC. "That's not a way to grow transit."

All DART buses are ADA-equipped, so longer, more frequent routes could benefit and accommodate many current paratransit riders, Guida noted.

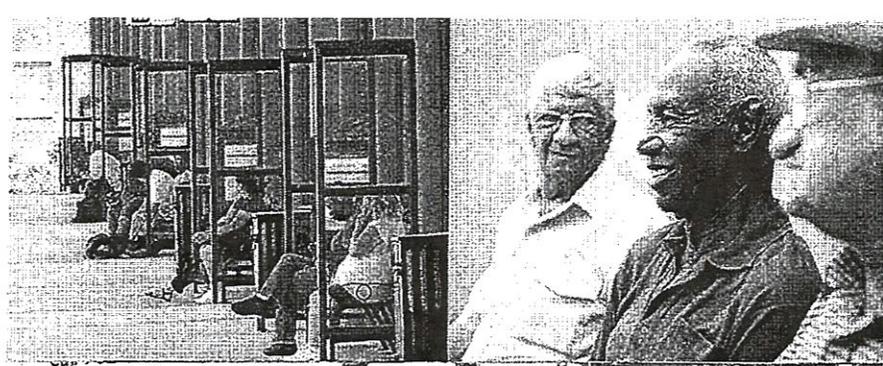
Jamie Wolfe, who lives in Dover and works in Newark, would happily pay more to ride DART paratransit, if it meant the service would actually arrive on time and operate efficiently.

"I don't know why it should take me as long as to go from Dover to Newark as it takes my sister to get here from Manhattan," said Wolfe, a disabilities specialist at the University of Delaware's Center for Disabilities Studies.

DelDOT last proposed hiking bus fares in 2005 - from \$1.15 to \$2 for regular routes, and from \$2 to \$4 for paratransit. (By comparison, Philadelphia bus fares are \$2.25 and \$4 for paratransit.) Another option would have set a \$6 premium fare for service beyond the ADA requirements. The changes weren't adopted.

A UD study in June suggested fare increases, among other cost-saving options. At that time, state Rep. Melanie George Smith, Joint Finance Committee chair, said lawmakers would consider fare hikes only if they were in the best interest of Delaware citizens and transit users.

Contact Melissa Nann Burke at 324-2329, mburke@delawareonline.com or on Twitter @nannburke.



for information



It's Time to Rethink How We Do Transit

We welcome your input in
redesigning a "right fit" transit
system that is both effective and
sustainable for years to come.

DART
A Division of DelDOT
Getting There Starts Here

Transit in the First State

The Delaware Transit Corporation (DTC) is the agency responsible for operating DART First State. DART's three major services are fixed route bus,

Americans with Disabilities Act (ADA) paratransit and commuter rail.

At DTC, we understand the importance of a safe, convenient and efficient public transportation system. Public transit connects us with the places we want to go while giving us independence, flexibility and the ability to live, work and play in communities throughout the First State.

We want to improve DART transit services to create more convenient transportation options for all Delawareans.

DART Facts

- 70 total routes
 - 44 New Castle County
 - 14 Kent County
 - 2 Sussex County / 8 resort (seasonal)
 - 2 Intercounty
- Fiscal Year 2012 Ridership
 - 12.8 million trips systemwide
 - 10.6 million fixed route bus trips
 - Nearly 1 million paratransit trips
 - 1.2 million SEPTA Delaware train trips
- Over 500 revenue vehicles
- Over 900 employees
- 3 operating unions
- 4 operating facilities
- 2 administrative offices



What is ADA Paratransit?

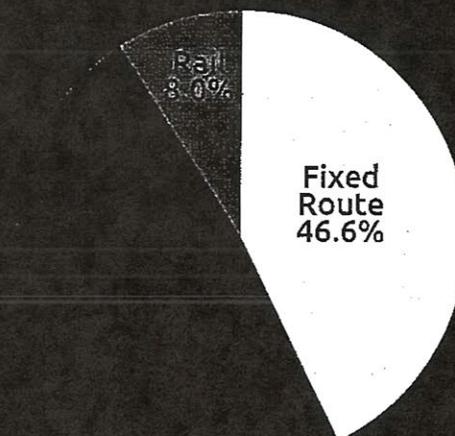
The Americans with Disabilities Act (ADA) ensures individuals with disabilities comparable transportation within 3/4 mile of a local fixed route, if they are unable to use the fixed route service independently. Currently, DART provides paratransit service to disabled individuals statewide, regardless of location. Many of these service requests come from areas outside ADA established corridors.



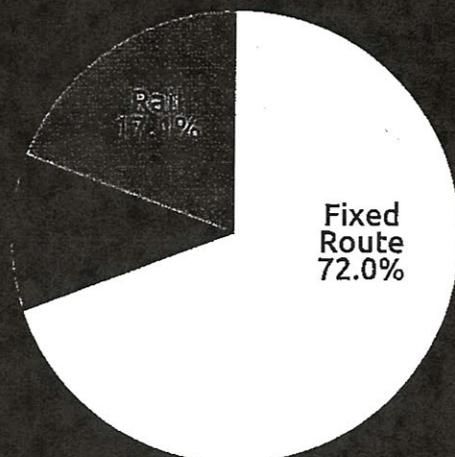
How Does Delaware Compare Nationally?

The amount Delaware spends on paratransit services vs. fixed route service is reversed in comparison to national averages. Currently, DART offers paratransit service that far exceeds Federal requirements and is not delivered consistently. Nationally, transit systems spend an average of 10.9% of their budget on paratransit. In Delaware, 45.4% of DART's budget is spent on paratransit. This service model is not sustainable and can ultimately jeopardize transit service for all customers statewide.

DART Expenditures vs. National Average



DART



National

The Challenges Facing Our Current Transit System

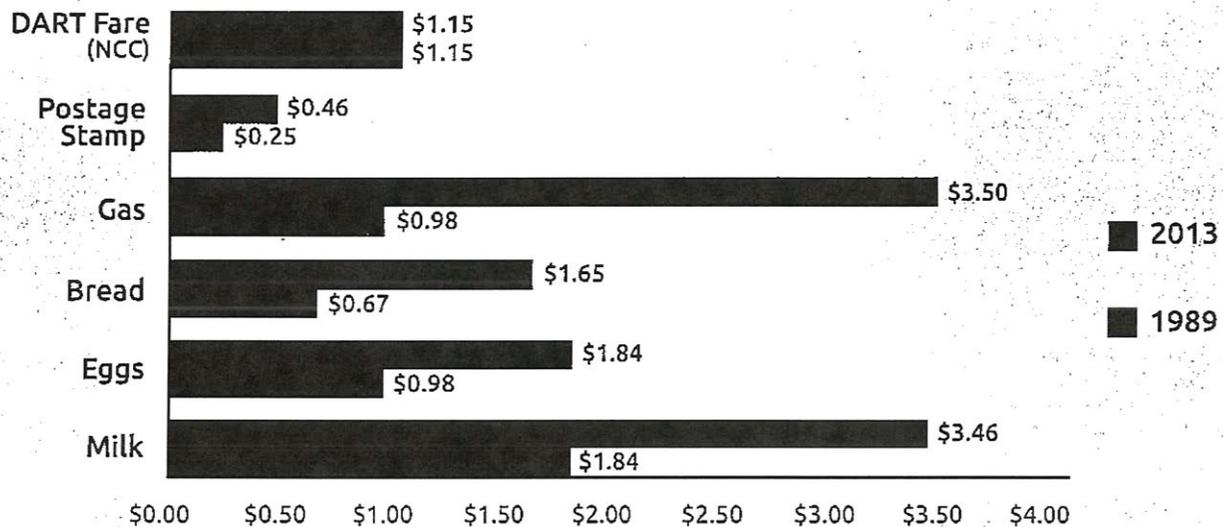
Need for New or Expanded Services

Over the past several years, the demand for both DART's bus and paratransit services in Delaware has continually increased. This ongoing demand has caused service challenges contributing to decreased performance and the inability to expand services. Proposals for new or expanded fixed route services have been delayed for several years due to lack of funds.

Constrained Resources

DTC has maintained the same fare rates in New Castle County that were in place back in 1989 without an increase in 24 years. Over that same period the cost of most other commodities and services has doubled and in many cases tripled. This has placed an additional burden on maintaining quality service while adjusting to new and growing demands.

Price Comparison Chart (1989 vs. 2013)



What is DTC Doing to Provide Quality Public Transportation That Makes the Best Use of Every Public Dollar?

Examining the productivity and cost effectiveness of our Corporation is important as we look to the future. In 2012, DTC implemented a performance management program designed to identify where we need to improve performance, increase efficiency and

reduce costs. Through continued measuring and monitoring, we are identifying savings based on cost and service inefficiencies that can be used to expand transit options and services, providing a more effective and improved transit system.



Providing Good Paratransit Service at a Reasonable Cost

DTC, like transit agencies across the country, has been affected by the rising costs of paratransit service. Because paratransit typically carries 1-2 passengers per trip compared to a regular bus that could carry 30 or more passengers, costs for paratransit are even greater than for fixed route bus service. That means that one of DTC's biggest challenges is providing good paratransit service while keeping costs reasonable. We can no longer afford our current policy of serving customers regardless of location, travel time or capacity demands, and it jeopardizes our ability to comply with federal ADA requirements.

While we realize that we can't continue providing service without limitations, we understand how important paratransit is to many people. It isn't fair to discontinue service in some

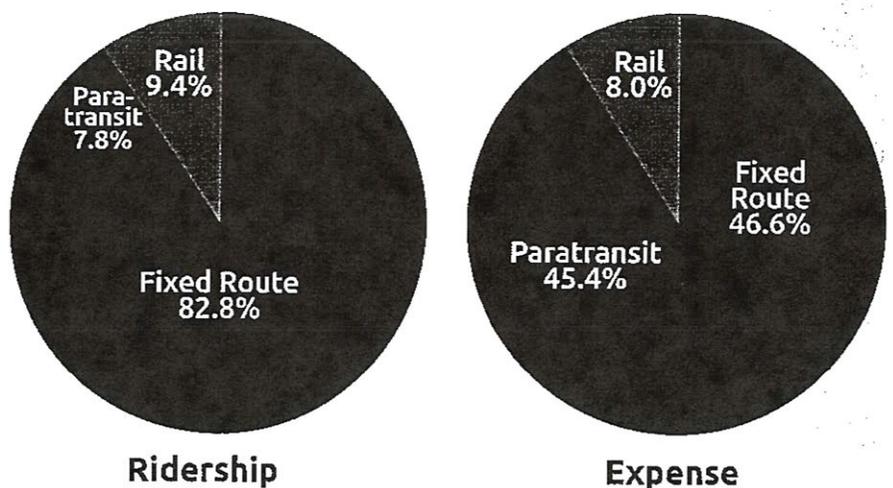
areas and leave a large population without adequate mobility and transportation options. We need to work with customers on plans to redesign services, expand options and improve performance.

There must be a division of the current statewide paratransit model into two distinct and separate services. The first is to deliver the federally-required ADA paratransit service. The second is to provide transportation service to individuals who live or travel outside the zones where ADA paratransit service is required. Service guidelines regarding trips provided outside the ADA zones must be collaboratively discussed. The priorities of our riders, leaders and community stakeholders will play a critical role in our future plans.

Need to Allocate Budget in Proportion to Ridership

Nationally, transit agencies spend almost three-quarters of their budget on fixed route transit which corresponds directly to their ridership. In Delaware, fixed route bus service makes up 82.8% of the ridership, using 46.6% of the budget. Conversely, traditional paratransit's 7.8% ridership takes up 45.4% of the budget. Innovative options must be developed to provide transportation alternatives at a lower cost.

DART Ridership vs. Expense



Redesigning a "Right Fit" Transit System

We are committed to improving the quality and efficiency of DART services, and we need meaningful input from the public to do that. From our perspective, here are some options we can consider:

- Expand service hours and service areas, and offer more frequent service, to provide better access to jobs, shopping, school and other destinations
- Create alternatives to meet transit demands where there are no fixed route buses now
- Improve performance and rider satisfaction by following federal paratransit regulations
- Strengthen the paratransit eligibility process to ensure fair access
- Enhance the travel training program to help riders travel more independently

DTC must also look at fares. The base bus fare in New Castle County, \$1.15, has not increased since 1989. Kent County and Sussex County fares are only \$1.00. DART's bus service is much less expensive than other nearby cities, and our fares don't begin to cover our costs for vehicles, maintenance and fuel. Our labor costs have also increased 73% over that time. To be good stewards of public funds, we need to cover more of our costs.

So, we want to work with you...the rider, the caregiver, the community, the service agency, the public...to come up with ideas that will help improve public transportation for all. DART is your service and we are committed to improving the ride for all transit customers.



Delaware Fares Compared to Surrounding Areas

Location	Bus Fare	Paratransit Fare
Delaware	\$1.00 in Kent & Sussex Counties \$1.15 in New Castle County	\$2.00
Philadelphia, PA	\$2.25	\$4.00
New Jersey	\$1.50 - \$3.80	Varies based on Zones
Washington, D.C.	\$1.80	\$3.60 - \$7.00
York, PA	\$1.50 - \$2.00	\$2.00 - \$4.00
Harrisburg, PA	\$1.75 - \$2.35	\$3.50 - \$5.90
Pittsburgh, PA	\$2.50 - \$3.75	\$3.15 - \$5.00

Where Do We Go From Here?

To meet these challenges, DTC is exploring every option in order to establish a “right fit” transit system that can meet the needs of its customers while operating within a realistic framework that can be maintained over the long haul and expanded in response to growing demand.

This is where you can help. DTC is looking to work cooperatively with customers, officials, stakeholders and other Delaware citizens in order to set goals and define reforms that will enable us to develop a sustainable transit service that works for everyone.

Contact Us

Interested individuals may provide comments by mail to:

DART Right Fit Transit
900 Public Safety Boulevard
Dover, DE 19901

1-800-652-DART (3278), option 2

RightFitTransit@state.de.us

www.DartFirstState.com



Delaware's southern counties feed state's growth - USATODAY.com

By Mike Chalmers, USA TODAY
Mar 02, 2011

USAToday.com



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Delaware's southern counties feed state's growth

Reprints & Permissions

New residents flocked to Delaware's two southern counties during the past decade, setting a growth rate that far outpaced that of the state's more populous northern county, according to Census 2010 figures released Wednesday.

Kent County — home of the capital, Dover, and Dover Air Force Base — led the state's growth at 28.1%, increasing from 126,697 residents to 162,310 since 2000, the data show.

- **DELAWARE: Local county, city data**
- **CENSUS NUMBERS: Interactive map shows your state, county, locality**

In Sussex County, where beaches and low taxes have attracted thousands of retirees, the population grew 25.9%, from 156,638 in 2000 to 197,145.

New Castle County remained Delaware's most populous by far, with 538,479 people in 2010. It gained 7.6% over the 2000 figure of 500,265.

Overall, Delaware grew 14.6%, from 783,600 residents in 2000 to 897,934.

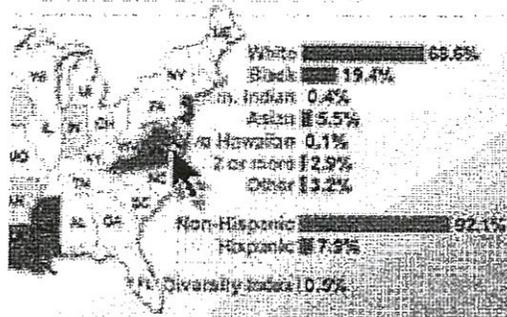
Delaware's Hispanic population nearly doubled, from 37,277 in 2000 to 73,221 in 2010. Hispanics, who can be of any race, make up 8.2% of the state's population, up from 4.8% in 2000.

Census numbers where you live

[Click here for an interactive map](#) with data representing where you live.

Asians were the state's fastest growing racial group, up 75.6% from 16,259 in 2000 to 28,549. Non-Hispanic whites grew 3.3% and Non-Hispanic blacks 25.8%.

Census 2010



The southern part of New Castle County saw pockets of heavy growth. The population of Middletown, just south of the Chesapeake and Delaware Canal, nearly tripled in the past decade, growing from 6,538 residents in 2000 to 18,871 last year.

"Everything has grown," said Milan Reid, who moved to Middletown a decade ago.

Chalmers reports for The News Journal in Wilmington, Del.

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