



City of Houston

Wheelchair Accessible Vehicle Service Compliance

Answers to Frequently Asked Questions

January 9, 2017

1. What is wheelchair accessible service?

Wheelchair accessible service is a transportation service offered or provided to individuals with disabilities who require the use of a wheelchair (whether motorized or non-motorized).

2. What is considered a wheelchair accessible vehicle (WAV)?

Wheelchair accessible vehicle (WAV) means any motor vehicle that is equipped with a ramp or lift or has been constructed and designed or redesigned, modified, or equipped to provide wheelchair accessible service to persons with disabilities who require the use of a wheelchair, whether motorized or non-motorized, as a means of movement or ability to move from one place to another (see City of Houston Code of Ordinances §46-542.)

3. What if I do not own a wheelchair accessible vehicle? Are there companies that can provide that service on behalf of my company?

Yes, subject to limitations outlined in the responses that follow. If you are eligible to contract for service under the Option 2 selection, you may contract with a Wheelchair Accessible Service Provider. A Wheelchair Accessible Service Provider is an entity that contracts with Chapter 46 permittees and registrants to provide accessible service to the riding public on behalf of that permittee or registrant.

4. Where can I find the accessibility requirements in the Houston Code of Ordinances?

The vehicle-for-hire accessibility requirements are located in City of Houston Code of Ordinances §46-2.1.

5. Who has to comply with vehicle-for-hire accessibility ordinance requirements?

All City of Houston taxicab, limousine, charter/sightseeing, jitney, Mobile Dispatch Service and Transportation Network Company permittee/registrants must comply.

6. What happens if I do not comply?

Failure to comply with vehicle-for-hire accessibility ordinance requirements may result in permit revocation.

7. When were the requirements enacted? Was I notified?

Houston City Council approved changes to Chapter 46 mandating accessibility requirements for certain vehicles-for-hire in October 2015. The accessibility requirements were discussed at multiple City Council Meetings, stakeholder meetings, and Transportation, Technology and Infrastructure Committee meetings. The City also mailed notices regarding the Ordinance and applicable deadlines in December 2015 and December 2016.

8. How can I find which option I selected?

If you are unsure of which method you selected, contact ARA's Transportation Section at 832-394-8803 or aravehiclesforhire@houstontx.gov.

9. Important Deadlines: What are benchmark years?

The Ordinance refers to each year of mandatory compliance with the Ordinance accessibility provisions as “benchmark years”. For example, the first benchmark year began **January 12, 2016** and will end on **January 12, 2017. Permittees and registrants will be required to show compliance with the requirements for the first benchmark year by January 12, 2017.**

The second benchmark year begins on January 12, 2017 and ends on January 12, 2018. Benchmark years thereafter will coincide with the respective permitted industry’s permit year. All Wheelchair Accessible Vehicle Service Compliance forms are due by **4 pm of each benchmark year end date.**

10. Can I submit my Wheelchair Accessible Vehicle Services Compliance form after the benchmark year end reporting due date?

Failure to show compliance with the requirements of the first benchmark year, which will be evidenced by the information submitted on the Wheelchair Accessible Vehicle Services Compliance form to the City of Houston on or before the benchmark year end date, may result in permit revocation.

11. What is Option 1?

Option 1, also called the Fleet Composition Method, is a method by which the permittee or registrant increases the percentage of approved Wheelchair Accessible Vehicles in their fleet each benchmark year as follows:

- **Large fleet comprised of 20 or more vehicles:** WAVs must account for no less than 3% of their fleet by the end of the first benchmark year. Each year thereafter, the minimum required percentage of WAVs must increase by 1%.
- **Small fleet comprised of between 2 and 19 vehicles:** Beginning in 2017 the next vehicle placed online must be a WAV.
- **Single-vehicle operators who operate one vehicle:** Beginning in 2018 the next vehicle placed online must be a WAV.

12. How do I fulfill the compliance requirements for Option 1?

To fulfill compliance requirements for Option 1, fill out the Wheelchair Accessible Vehicle Service Compliance form with all requested information and return to the City of Houston Permitting Center by 4pm of each benchmark year end date (January 12, 2017 for year 1).

13. What is Option 2?

Option 2, also called the Outcome Based Method, is a method by which the permittee or registrant decreases average wait times for passengers who request dispatch of WAVs each year. This compliance method is the same for all fleet sizes.

- **First benchmark year:** By the end of the first benchmark year, you must pick-up passengers who request WAVs within an average of 40 minutes of receiving the trip request.
- **Subsequent benchmark year:** The average wait time for a WAV must be reduced by 10 minutes in the second year and each subsequent permit renewal year thereafter until the average wait for a WAV is no more than 20 minutes per trip.

14. How do I fulfill the compliance requirements for Option 2?

To fulfill compliance requirements for Option 2, fill out the Wheelchair Accessible Vehicle Services Compliance form with all requested information and return to the City of Houston Permitting Center by 4pm of each benchmark year end date (January 12, 2017 for year 1).

15. I chose Option 2 and have contracted with another company to provide service, how do I fulfill the compliance requirements?

As stated in #3 above, companies may contract with other actively permitted companies within their respective vehicle-for-hire category that have WAVs on their fleet to fulfill wheelchair accessible services for the Outcome Based Method or with a wheelchair accessible service provider. A copy of the agreement must be attached to the Wheelchair Accessible Vehicles Services Compliance form at the time of submittal on or before the benchmark year end date (January 12, 2017 for year 1).

16. Does the Option 2 service provider contract have to be in writing?

Yes, companies must submit a copy of the original contract in writing.

17. Can the City provide a list of companies approved as a wheelchair accessible service provider?

As of January 9, 2016, there are three approved wheelchair accessible service providers, listed below. As additional service providers are approved, the list will be updated on our website at <http://www.houstontx.gov/ara/vfh/>

1. Luxury Transport (contact Michael Holt at 713-649-2000)
2. Luxury Paratransit (contact Duane or Ricky Kamins at 713-880-9002)
3. Eagle WAV, Inc. (contact Melissa McGehee at 713-428-5716)

18. Does a luxury wheelchair accessible vehicle have to be black?

No, there is no color requirement. Any WAV may be used as long as it qualifies under Article IV of Chapter 46 to be used in limousine service.

19. Is a limousine company required to use a MV-1 as a wheelchair accessible luxury vehicle?

No, the use of an MV-1, or any specific make/model, is not required in Chapter 46. Any vehicle that meets the luxury vehicle qualifications under Article IV of Chapter 46 and can be modified to accommodate a wheelchair (both motorized and non-motorized) may be used as a wheelchair accessible limo service.

20. Will there be a 60-day extension during the Super Bowl?

No. The Ordinance does not provide for an extension.

Permittees and registrants are required to turn in proof of compliance by January 12, 2017. The City will have 30 days to review submitted compliance forms and ask for any additional information that may be needed for a thorough review. If any deficiencies are discovered, permittees and registrants will have 30 days to remedy their situation before punitive action can be taken.

Please keep in mind that the City's goal is not permit revocation; the overall goal of the Ordinance, and the City's enforcement of these provisions, is to ensure compliance by 100% of the vehicle-for-hire industry members for the safety and service of Houston's disabilities community.