

# Blind Foundation Submission

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## **Submission on the Ministry of Transport Review of Small Passenger Transport**

This is the Blind Foundation's submission on the Small Passenger Transport Review. People who are blind or have low vision are major users of taxi and similar transport services and are uniquely reliant on the industry being consistently safe and responsive to their particular needs. The Blind Foundation does not offer a view on the overall proposal for a single regulatory regime but we do have concerns with specific proposals. The Blind Foundation is very willing to act as a source of expert advice on these topics and is prepared to assist the review in whatever way produces as practical and equitable result for this industry and its customers in the future.

The Blind Foundation is the main provider of rehabilitative, support and advocacy services for blind and low vision New Zealanders. The Blind Foundation has approximately 12,000 clients throughout the country.

## **Our Purpose**

To enable people who are blind or have low vision to be self-reliant and live the life they choose.

## **Our Vision**

Life without limits

Kahore e Mutunga ki te Ora

## **Four Key Priorities**

1. Independent living
2. Access for all
3. Reach more people
4. Building a Foundation for the future

The Blind Foundation advises government, business and the community on inclusive standards to ensure that the people we represent can participate and contribute equally. We have four major contracts with government. We value our relationships

with officials and Ministers. We seek to act as a trusted advisor and specialist on the blindness sector. We are a long serving and expert provider of services to the sector.

The Blind Foundation welcomes the opportunity to comment on the “Small Passenger Transport Services Review”. Blind Foundation clients make significant use of taxi and related services and have a unique reliance on the industry’s ability to maintain a high level of safety and reliability. The Blind Foundation does not offer a view on how the sector should be regulated but think that elements of option 4 in the consultation paper will have a negative impact for people who are blind or have low vision. The reasons for this view are set out below. It is also useful to give you an overview of the issues specific to the blind community that should be taken into account when setting an appropriate regulatory regime for this industry.

### **Use of public transport and taxi services**

The Blind Foundation has approximately 12,000 members of which 53% regularly use taxi services. (Blind Foundation Client Survey 2014) We have recently completed a national survey of the prevalence of blindness and low vision and estimate there are about 75,000 people in New Zealand whose poor vision means they are dependent on other people to drive them, or on public transport. (This is based on a visual acuity better than 6/12 which is the Ministry of Transport advisory notice threshold for medical practitioner assessment of driving vision) The Blind Foundation surveyed the use of types of transport by clients and found the following difficulties that apply to (mass) public transport:

difficulty getting to or finding the stop	18.1%
waiting at the stop	19.5%
getting on or off	26.7%
hearing announcements	15.5%
identifying the right bus, train, tram or ferry	59.5%
not enough space to sit or stand	8.5%
standing in the vehicle while it is moving	10.7%
identifying the right stop to get off the bus, train or tram	38.4%
getting information about timetables or routes	27.5%
staff who are not supportive or helpful	20.8%
transporting a wheelchair or other special equipment	2.4%
No difficulties	26.9%

It is easy to see why taxis are, and will continue to be, a preferred option for many people who are blind or have low vision..

### **Taxi Services subsidy "Total Mobility" (TM)**

Currently Blind Foundation clients are big users of the "Total Mobility Scheme." The Blind Foundation client survey indicates 83% of clients are aware of the scheme and a large proportion of these make regular use of TM for taxi services.

### **Data enabled smartphones**

About 41% of Blind Foundation clients have internet access and about 35% of those use data enabled mobile devices. This translates to about 14% of Blind Foundation clients have the basic technology essential to the type of services envisaged in the review. The use of mobile devices is increasing but at this stage the predominant users are in the 15 to 65 age group.

Smart phones are not fully accessible, this means that some functions are purely visual and at the moment many applications do not allow for audio conversion that can be used by blind people. This is very relevant to the technical basis of taxi type transactions foreseen in the newly regulated environment.

Note also that people with visual disabilities tend to have very low incomes. Recent work we have completed indicates that personal income for 67% of people with visual disabilities in 2013 was less than \$40,000 per year. Forty one percent had incomes of less than \$20,000. (NZ Statistics Disability Survey 2013, Auckland University of Technology and Blind Foundation Study of Social and Economic Outcomes for the Disabled) This must factor into the estimates of uptake of new technologies.

### **Blind Foundation clients' use of UBER**

We do not think many people who are blind or have low vision currently use UBER. Estimates supplied by blind consumer organisations suggest the number will be fewer than 100 at the present time. The UBER phone application is accessible on Apple iOS but a blind person requires considerable skill to use it effectively. UBER are working with Apple to improve the technology but this is not yet fully realised. Android, which is used by a large number of Blind Foundation clients is not accessible at all. UBER do not have clear policies on the carriage of guide dogs nor are UBER party to the Total Mobility Scheme (See for general background on these issues: <https://www.afb.org/afbpres/pub.asp?DocID=aw150602> and also now slightly dated but still informative review <http://www.buzzfeed.com/wilbutler/uber-has-been-effectively-broken-for-blind-iphone-users-sinc#.nplj1bYZZ>)

### **Review Option 4**

The elements within option 4 that concern the Blind Foundation are as follows:

- **Certificate of law and practice:** It is important that drivers understand their legal obligations. The experience of blindness organisations overseas is that the "non-professional drivers do not understand their obligations to disabled people. The main case in point is the refusal to carry guide dogs. While that is

not at risk in this model the general principle that drivers should be aware of their legal obligations ought not to be lost.

- **Regulated signage:** Correctly presented visual signage is useful to people who have low vision. The drivers ID photo is particularly important. The exchange of information via smartphones as envisaged in the consultation document will not be satisfactory in many cases. Refer above.
- **Regulated braille signage:** The Blind Foundation estimates that there are about 800 people in New Zealand at any one time who have a reading knowledge of Braille clients therefore there is a sizable user base who could make period use of the service. Our clients regularly check for the presence of the braille signs when using taxis. The presence of regulations requiring this small concession is of great symbolic importance, it is valued by blind people and it is a positive step government has taken in meeting its international treaty obligations (Refer United Nations Convention on the Rights of People with Disabilities; Articles 9 accessibility sec 1 accessible transport, sec 2 accessible goods and services, Article 20 personal mobility).

The removal of the requirement for braille signage should be tested against the Human Rights Act Sec 44 (b) which prohibits treating any person less favourably (on the basis of their disability) in connection to goods and services. While the Human Rights Act is silent on the requirement to have braille signage the act of removing it once it is in place may be legally discriminatory.

- **Drivers area knowledge:** Blind and low vision people have little or no opportunity to check and confirm their route or destination. Their ability to use smartphone applications is at best limited for the reasons given earlier. This will add to the overall anxiety about travel for blind people. Vision impaired taxi users ought to be able to have confidence in the driver's local knowledge.
- **Drivers language proficiency:** People who are blind or who have low vision rely heavily on verbal communications to ensure their specific requirements are understood and confirmed. They have no opportunity to use visual cues in relationship to the driver's activities.

### **Economics of minimal regulation**

The consultation paper refers to the use of market pressure to drive beneficial change for customers, particularly in how the needs of specific client groups could be responded to (page 13). The Blind Foundation has two reservations to note.

Firstly; successful markets rely on both buyer and seller having a good knowledge of the product and service and the conditions under which it is being supplied. Where knowledge is asymmetric governments usually regulate. The blind and low vision small passenger transport user is in a very asymmetric position regardless of new

technologies. We consider government removing regulation in this area to be potentially discriminatory.

Secondly; competing suppliers and resulting improvements in service levels relies on a sufficient market size and diversity to sustain multiple competitive suppliers in the long run. This may be more easily achieved under a less regulated regime than is presently the case for mainstream customers. That may happen in the larger centres, it is much less likely to happen in smaller centres where it is possible there will be a reduction in regulatory requirement but no corresponding development of competing quality service providers. This will impact people who are blind or have low vision throughout small town and rural New Zealand.