CITY OF HAMILTON

PUBLIC WORKS DEPARTMENT
Transportation, Energy & Facilities Division

TO: Chair and Members
Public Works Committee
WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: October 15, 2012

SUBJECT/REPORT NO:
Transit Fare Parity, AODA Integrated Standard (PW03128e) - (City Wide)
(Outstanding Business List Item)

SUBMITTED BY:
John Mater, C.E.T.
Acting General Manager
Public Works Department

PREPARED BY:
Don Hull
Director of Transportation
(905) 546-2424, Extension 1860

Nancy Purser
Manager, Transit Support Services
(905) 546-2424, Extension 1876

SIGNATURE:

RECOMMENDATION

(a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective January 1, 2013, in accordance with the Transportation Standards regulations made under the Accessibility for Ontarians with Disabilities Act, 2005;

(b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated effective January 1, 2013;

(c) (i) That a Senior Monthly Bus Pass, equivalent to 10% of the Senior Annual Pass and a Senior single ride equivalent to the Student Ticket fare be introduced on PRESTO only (anticipated to occur in 2013);

(ii) That the brochure “For Safety’s Sake: Safe Travel Tips For HSR’s Senior Customers”, which will include the notice of the senior bus fare rates, be circulated widely;

(d) That staff be directed to pursue implementation of a PRESTO solution on the ATS service in coordination with Metrolinx;
(e) That a comprehensive public Communications Plan, as outlined in Appendix “C” to Report PW03128e, be developed and implemented;

(f) That the current paper media accepted on HSR also be accepted on DARTS and outstanding DARTS tickets be refunded from the HSR Ticket Float Account #23109 - 006100;

(g) That the Outstanding Business Item referring to Monthly Seniors Bus Pass (SAC Report 12-001) be identified as completed and removed from the Public Works Committee Outstanding Business List.

**EXECUTIVE SUMMARY**

A Staff presentation will accompany this report.

This report recommends implementation of a Fare Policy for Conventional Transit (HSR) and Accessible Transit Services (ATS/DARTS) effective January 1, 2013, in accordance with the Accessibility for Ontarians with Disabilities Act, 2005 and its regulations.

The essential components of the recommended Fare Policy (January 1, 2013) include:

a) Replication of the HSR fare structure on ATS whereby fare discounts, including Students and Seniors tickets and passes, are added to the ATS fare structure and, in addition, equalization of HSR fares with DARTS (e.g., adjustment of DARTS Adult ticket fare from $2.35 to $2.00) as illustrated in Appendix “A”;

b) Elimination of the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders;

c) Introduction of a Senior Monthly Bus Pass and a Single ride Senior fare upon availability of PRESTO card capability;

d) Implementation of a PRESTO infrastructure solution on the ATS buses in coordination with Metrolinx.

Section 66(3) of Ontario Regulation 191/11 - Integrated Accessibility Standards (the “Accessibility Standards”), made under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, Chap. 11 (the “AODA”), requires transportation service providers to ensure that there is fare parity between conventional transportation services and specialized transportation services by January 1, 2013. Section 66(5) of the Accessibility Standards also requires that specialized transportation services (ATS/DARTS) apply the same fare structure as conventional transportation services (HSR). This means that Specialized Transit fares cannot be greater than Conventional Transit fares within a defined fare category. As such, all fare prices, including the discount fares (i.e., Student, Senior, Golden Age and Ticket & Pass programs), offered on the HSR shall be standardized with the Specialized Transit program.

Relevant provisions excerpted from the legislation are included in this report as Appendix “B”.

---

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
As the conventional system is working to eliminate paper media and move riders to the PRESTO Smartcard, new media will not be created for DARTS. DARTS clients will be able to purchase the same media as conventional riders by utilizing any of the existing fare vendor outlets located throughout the City. Special passes (e.g., Seniors and Golden Age) can be obtained at the HSR Customer Service Office at 36 Hunter Street E. The Specialized Transit service will continue to offer “on account” fare payments, for those who cannot use other fare options due to their disability.

It can be anticipated that changes to the fare structure for ATS to match those of the HSR will instigate higher trip demand on ATS/DARTS as the service will now be deemed more affordable due to new access-to-fare discount programs. As the ATS service continues to operate at capacity, new trip demand would result in either a higher rate of trip refusals or the need to increase service levels.

Of particular note are the Seniors Annual Pass and the Golden Age Pass. The Golden Age Pass is exclusive to Hamilton and a form of Seniors Pass discounts exists in a few municipalities with Hamilton having the lowest per trip rate. DARTS clients aged 65 years and older comprised 75% of total registrants on DARTS in 2011, yet they represent only 38% of total ridership. For this reason, Hamilton has an extraordinary exposure to trip demand escalation and foregone fare revenue on ATS relative to all other Ontario municipalities. An estimate of the anticipated demand cannot be forecast with any degree of certainty and can only be determined by experience. Should experience demonstrate a spike in demand beyond the capacity of the allocated budget and/or approved trip denial rate for ATS, Staff will report back to Council for further direction.

Mitigation of the financial and trip demand impact is being addressed through various measures. In PW11025, Council approved the development and implementation of a Travel Training program to assist persons with disabilities in the use of conventional HSR services. An update on the status of this initiative is provided through a power point presentation accompanying this report.

Hamilton’s Voluntary Pay Policy on the HSR for persons using a Personal Mobility Device (PMD), including a wheelchair, walker, scooter, or 4-point cane, is also unique. It is believed that the Policy was adopted in large part to encourage greater use of the HSR by persons with physical disabilities eligible for Taxi Scrip or DARTS under the eligibility policy that existed prior to the new legislation, but who were capable of using the HSR thereby freeing up capacity on ATS. The Policy was also created in part to address the lack of fare collection equipment being located at the rear doors and many individuals with disabilities would be incapable of depositing a fare in the fare box located at the front of the bus. Under the new Transportation Standards, it could be argued by some that the Voluntary Pay Policy might be discriminatory because it does not account for persons with hidden disabilities or disabilities that do not require the use of a PMD, while free fare for CNIB cardholders specially benefits one disability over others. As such, staff is recommending elimination of Council’s Voluntary Pay Policy and free fare for CNIB cardholders.
The recommended fare policy changes are complex and potentially controversial. A comprehensive communications strategy and notice period, with as much advance notice as possible, is recommended. Staff will undertake a thorough communications strategy, provided in outline as Appendix “C” to this report.

In a related report, the Seniors Advisory Committee (SAC) recommended through their report to Council (Report #SAC12001) to:

(a) introduce a senior monthly bus pass priced at $20.00 and a single senior ticket priced at $1.65 into the HSR 2013 fare structure; and,
(b) circulate widely the brochure “For Safety’s Sake: Safe Travel Tips For HSR’s Senior Customers”, which will include the notice of the senior bus fare rates.

Staff support the SAC recommendations made in regards to the fare options for Seniors and further recommends that, due to the status of PRESTO and the planned elimination of paper tickets and passes, these new fares be offered only on the PRESTO farecard when made available which is expected to occur in 2013. The same fare rates will have to be provided for use on both conventional and specialized transit.

The brochure “For Safety’s Sake: Safe Travel Tips for HSR’s Senior Customers” has been out of circulation since 1998. The brochure requires updates prior to distribution, however, this could be integrated into the communications plan.

Some ATS users will still hold DARTS tickets at January 1, 2013. As these fare prices are higher than those being charged, allowing DARTS customers the ability to receive a refund for those tickets is recommended. As DARTS does not carry a ticket float account, it is recommended that the refund be made through the HSR Ticket Float account.

Alternatives for Consideration - See Page 6

**FINANCIAL / STAFFING / LEGAL IMPLICATIONS**

**Financial:** Staff Report (PW03128d) Eligibility and Registration for Accessible Transportation Services, dated March 6, 2012 presented a budget forecast for full implementation of the Transportation Standard contained within the legislation as it relates to public transit (Page 53, Book 1 - FCS12014).

In the course of its 2012 budget deliberations; Council “approved-in-principle” the staff recommendation for a projected expenditure of $5.7 million over three years, 2012 through 2014. The budget forecast included an estimate for foregone revenues in the Specialized Transit program of $450,000 for fare parity, annualized for 2013 and based on current ridership, and without consideration for increased demand on the Specialized Transit service, specific to this component of the legislation.

In order to achieve the requirement for same fare payment options, DARTS equipment, including their taxi sub-contractor van services for the provision of ambulatory DARTS trips require PRESTO equipment to be installed or available. The capital investment is not known as a solution has not yet been created. Staff will report back when sufficient detail is available.
Staffing: None

Legal: The Accessibility for Ontarians with Disabilities Act requires compliance respecting fare parity between conventional and specialized transit programs by January 1, 2013.

HISTORICAL BACKGROUND

The Conventional Transit and Specialized Transit programs have historically maintained independent fare policies, with Specialized Transit fares never exceeding the highest fare on Conventional Transit. All specialized transit clients pay the same fare, with payment options including payment on account, cash, or advance purchase of tickets.

Currently, there is only one fare category for ATS and all clients pay the same fare of $2.35/ticket. In comparison, the Adult Cash fare on the HSR is $2.55 and the Adult Ticket fare is $2.00. The AODA compliant fare structure is included as Appendix “A” to this report. It excludes any fare increase that may be considered by Council in connection with this report or as a result of Council’s 2013 budget deliberations.

Section 66(6) of the Accessibility Standards further requires a transportation services provider, who provides both conventional transportation services and specialized transportation services, to ensure that the same fare payment options are available for all transportation services, and that alternative options are made available to persons with disabilities who cannot because of their disability use a fare payment option. Staff interprets this requirement to mean that the PRESTO Smartcard shall be made available for Specialized Transit. PRESTO for specialized transit applications is not available from Metrolinx at this time. Metrolinx is preparing the design requirements for the PRESTO application on the specialized service; however the solution will not be available prior to January 1, 2013. As the success of the PRESTO Smartcard relies on the elimination of paper media (tickets and passes), creation of new ticket and pass media for Specialized Transit is not recommended. Currently, the buses used by DARTS are not equipped with any fare processing equipment, including a fare box or PRESTO infrastructure (hardware and software). At present, DARTS Operators physically collect the bus tickets and cash. It is expected that this practice will continue, therefore there is no requirement to add fare boxes on the DARTS buses.

The entire HSR fleet has been fully accessible since 2009. A Voluntary Pay Policy was introduced more than 15 years ago to help reduce the trip demand on the ATS program. The use of PMD’s has grown substantially since that time; it is estimated that there are some 300,000 Voluntary Pay rides taken annually.

In 1996, the City purchased its first Low Floor fully accessible buses for the HSR. These buses were also equipped with ramps at both the entrance and exit doors. This configuration has continued to the present. Hamilton is the only Municipality in Canada to offer the convenience of ramps at both doors for use by persons utilizing PMD’s. Wheelchair users often enter the bus by the rear ramp for convenience in getting to the two dedicated locations on the buses for courtesy seating.
POLICY IMPLICATIONS

Hamilton’s Seniors Annual Pass and free Golden Age Pass programs are unique in Ontario and present an elevated risk to foregone revenue and increased trip demand on the Specialized Transit program.

The requirement to offer same payment options on Specialized Transit service will not be met by January 1, 2013 as a PRESTO solution has not yet been developed.

Council’s Strategic Plan, reference 3.4 (ii), commits to implementation of AODA legislation.

RELEVANT CONSULTATION

City Manager’s Office: Legal Services; Human Resources Department, Human Rights Corporate Services: Customer Service, Access & Equity; Finance & Administration

Accessibility for Persons with Disabilities Committee (ACPD) Transportation Sub-Committee.

ANALYSIS / RATIONALE FOR RECOMMENDATION

Fare parity between the HSR and ATS/DARTS is required under the Accessibility Standards (AODA) by January 1, 2013.

The transportation services provided by the City should be both accessible and sustainable. Options to reduce the financial impact (foregone revenue) and anticipated new demand due to lower fare options on ATS/DARTS are provided in the Alternatives for Consideration section of this report. Initially, Staff recommends that the City achieve compliance with the legislation as the primary mandate. Options for mitigation can be explored by staff at the direction of Council once we have acquired sufficient experience of the consequences of the new policy.

ALTERNATIVES FOR CONSIDERATION

A fare increase specifically to fund this policy could be considered.

The Golden Age Pass program could be frozen with the current registrants grandfathered; the age of eligibility could be increased from the current age of 80; or a modest annual renewal fee could be introduced. There are currently 8,600 registered Golden Age Pass recipients. Any option chosen must apply to both the conventional and specialized transit services.

Council currently employs two different geographic service areas for its Conventional (HSR) and Specialized Transit (ATS/DARTS) programs. The HSR program operates within a defined Urban Transit Service Area (UTSA) that excludes much of the rural areas surrounding the City while the service area for ATS/DARTS is comprised of the entire geographic area of the City of Hamilton. The right to designate transit service...
areas was transferred from the Province to the Municipalities in 2000 under the Amalgamation Bill. The ATS/DARTS service area could be retracted to serve the same defined UTSA as for Conventional Transit, thereby reducing cost; if transportation services are then provided outside the UTSA, a fare-by-distance policy could be introduced for ATS/DARTS clients residing or travelling to destinations outside of the defined UTSA for Conventional Transit.

CORPORATE STRATEGIC PLAN


Financial Sustainability
- Financially Sustainable City by 2020
- Effective and sustainable Growth Management
- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner

Growing Our Economy
- An improved customer service

Social Development
- Residents in need have access to adequate support services
- People participate in all aspects of community life without barriers or stigma

Environmental Stewardship
- Reduced impact of City activities on the environment

Healthy Community
- An engaged Citizen

APPENDICES / SCHEDULES

Appendix “A” - Recommended Fare Policy
Appendix “B” - AODA Legislation
Appendix “C” - Communications Plan
# RECOMMENDED FARE POLICY

## Current Fare Policy (HSR & ATS/DARTS)

### 2012 Fares

<table>
<thead>
<tr>
<th>Fare Type</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HSR</strong></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>2.55</td>
</tr>
<tr>
<td>Adult Ticket</td>
<td>2.00</td>
</tr>
<tr>
<td>Student Ticket</td>
<td>1.65</td>
</tr>
<tr>
<td>Adult Monthly Pass</td>
<td>87.00</td>
</tr>
<tr>
<td>Student Monthly Pass</td>
<td>71.00</td>
</tr>
<tr>
<td>Seniors Annual Pass</td>
<td>205.00</td>
</tr>
<tr>
<td>Golden Age Pass</td>
<td>free</td>
</tr>
</tbody>
</table>

| **DARTS**           |      |
| Ticket              | 2.35 |

## Proposed Fare Policy (HSR & ATS/DARTS)

### 2012 Fares

<table>
<thead>
<tr>
<th>Fare Type</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HSR &amp; DARTS</strong></td>
<td></td>
</tr>
<tr>
<td>Cash</td>
<td>2.55</td>
</tr>
<tr>
<td>Adult Ticket</td>
<td>2.00</td>
</tr>
<tr>
<td>Student Ticket</td>
<td>1.65</td>
</tr>
<tr>
<td>Adult Monthly Pass</td>
<td>87.00</td>
</tr>
<tr>
<td>Student Monthly Pass</td>
<td>71.00</td>
</tr>
<tr>
<td>Seniors Annual Pass</td>
<td>205.00</td>
</tr>
<tr>
<td>Golden Age Pass</td>
<td>free</td>
</tr>
</tbody>
</table>
Relevant provisions of the Integrated Accessibility Standards - Transportation Standards, that came into effect on July 1, 2011, are as follows:

**FARES**

46. (1) No conventional transportation service provider shall charge a higher fare to a person with a disability than the fare that is charged to a person without a disability where the person with a disability uses conventional transportation services, but a conventional transportation service provider may charge a lesser fare for a person with a disability.

**FARE PARITY**

66.(3) Where a transportation service provider provides both conventional transportation services and specialized transportation services, the transportation service provider shall ensure that there is fare parity between conventional transportation services and specialized transportation services.

(4) Transportation service providers to which subsection (3) applies shall meet the requirements of that subsection by January 1, 2013.

(5) Where a transportation service provider provides both conventional transportation services and specialized transportation services, the transportation service provider shall ensure that the same fare structure is applied to conventional transportation services and specialized transportation services.

(6) Where a transportation service provider provides both conventional transportation services and specialized transportation services, the transportation service provider shall ensure that the same fare payment options are available for all transportation services, but alternative options shall be made available to persons with disabilities who cannot because of their disability use a fare payment option.

(7) Conventional transportation service providers and specialized transportation service providers shall meet the requirements of subsections (5) and (6) by January 1, 2013.

(8) In this section, “fare structure” means the fare price determined by fare media, such as cash, tickets, passes and bulk quantity discounts and by fare category, such as adults, seniors and students, but does not include promotional fares that a transportation service provider may employ from time to time.
COMMUNICATIONS PLAN

Transit Fare Parity - Communication Plan
Hamilton Street Railway

Background

Promote and educate customers on the different types of fare media available for both HSR and ATS services, and highlight changes to those structures and policies in a timely manner.

Update in the Quarterly Brochure “Bus News” - 10,000 issues printed and also available online.

Community Message on each bus - Small panel behind Operator announcing HSR related events and policies.

Newspaper Ads - Place informative messages in the Hamilton Spectator in the “At Your Service” section and also in the Community Papers (Mountain News, Dundas Star News etc.)

Update and Publish a new Ticket and Pass Vendor Brochure - List of vendor locations along with the various types of fare media, the costs and restrictions/qualifications to use each type of media. This is also available online.

Update and Publish a new “For Seniors’ Sake” Brochure - Information specifically for those who fall into the senior category of our fare policy. This is also available online.

Media Release - Request a media release from Public Works to the media outlets regarding these new policies and changes.