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To: Senate Transportation, Commerce, and Workforce Committee
From: Representative Bill Seitz and Representative Catherine Ingram
Date: September 6, 2017
Re: Joint Sponsor Testimony on House Bill 195

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni, and members of the Senate Transportation, Commerce, and Workforce Committee, thank you for allowing Representative Ingram and I to present sponsor testimony on House Bill 195.

This legislation is being reintroduced by Representative Ingram and myself based on legislation introduced by Representative Romanchuk and Representative Kuhns last General Assembly. Current Ohio law restricts citizens who use wheelchairs to only using state-licensed "ambulettes". This restriction not only causes an inconvenience on a person's time, it also causes an unnecessary expense.

Whether the wheelchair patient has private insurance or is on Medicaid/Medicare, the cost of transport by ambulette is greatly higher than the cost of using Uber, Lyft, or taxicab. Pass this bill if you want to help control the spiraling cost of health care! Under the bill, patients who wish to continue to use ambulettes to visit their health care providers may do so, but those wishing the more timely, convenient, and less costly alternatives open to the fully abled among us may do so too. This will only promote the full integration of the wheelchair-bound into our civil society.

To alleviate this burden, HB 195 looks to permit wheelchair-bound passengers the option, in non-emergency situations, the use of other methods of transportation such as Uber, Lyft, or the traditional taxi. Cincinnati Councilman Kevin Flynn brought to my attention that the 37th National Veterans Wheelchair Games was coming to Cincinnati this past July. Without having a permissive law like this in

place, it may be difficult for the athletes participating to get to and from locations around the city. If we continue to not allow this practice, events like these may start to overlook Ohio as a destination.

More fundamentally, it is highly likely that the current Ohio law restricting wheelchair patients only to ambulettes violates the Americans with Disabilities Act. The following are sections pulled from the ADA:

Section 12101 (a)(5) Individuals with disabilities continually encounter the discriminatory effects of transportation barriers, overprotective rules and policies exclusionary qualification standards and criteria, segregation, and relegation to lesser services.

Section 12182 (a) No individual shall be discriminated against on the basis of disability in the full equal enjoyment of the services of any public accommodation.

Section 12184 (a) No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and how operations affect commerce.

(b) Discrimination includes...the imposition of application of eligibility criteria that screen out or tend to screen out an individual with a disability from fully enjoying the specified public transportation services provided by the entity.

The above sections are just a few of the sections of the ADA that show how current Ohio law needs to be changed, so that it is no longer in violation. House Bill 195 does exactly that and that is why it passed the House unanimously. Since the bill passed our Chamber, a new report issued by the Ohio Developmental Disabilities Council entitled "Transportation Challenges for Ohioans with Disabilities" underscored the need for the bill. Among its findings were that transportation providers indicated that regulations that require separate transportation for non-emergency medical and non-medical rides needlessly increased cost and decreased the ability of transportation providers to provide and expand their services.

Representative Ingram and I thank you for the opportunity to provide testimony for House Bill 195 and strongly urge your favorable consideration and passage of this bill. We are happy to answer any questions the committee may have at this time.