



Response to Public Comments on Proposed Rule Governing WAS Fund Reimbursements

Thank you to everyone who provided written feedback regarding the proposed City of Seattle and King County rule governing Wheelchair Accessible Service (WAS) Fund reimbursement (FOR-HIRE TRANSPORTATION-04-2020 / FIN-10-3-2-PR). We appreciate your interest and engagement. Your comments were carefully considered before the rule was finalized.

In January of this year, the Seattle Department of Finance and Administrative Services (FAS) and King County Department of Executive Services (DES) issued an updated WAS Fund rule establishing new and enhanced reimbursement types and expanding access to reimbursements for eligible voluntary conversions (FOR-HIRE TRANSPORTATION-01-2020 / FIN-10-3-1-PR).

Shortly after the January changes went into effect, the novel coronavirus disease of 2019 (COVID-19) began spreading through the community, resulting in the Proclamation of a Civil Emergency issued by Seattle Mayor Jenny A. Durkin on March 3, 2020, and the emergency declaration announced by King County Executive Dow Constantine on March 2, 2020. To date, COVID-19 has caused local deaths and serious infections, including pneumonia. Furthermore, while absolutely necessary to protect public health, efforts to slow the spread of the virus – including increased teleworking, school closures, mandatory cancellation of large social gatherings and events, mandatory closure of certain businesses, and other “social distancing” measures – have resulted in a significant disruption of service.

The rule issued today (FOR-HIRE TRANSPORTATION-04-2020 / FIN-10-3-2-PR) is a response to the emergency created by COVID-19, and is a follow-up to the emergency rule jointly issued by Seattle and King County on Apr. 6, 2020. Specifically, this rule (1) suspends certain minimum operating requirements through Dec. 2020 that are no longer tenable given the ongoing public health crisis; and (2) allows WAV owners to request reimbursement for eligible maintenance and equipment costs incurred in 2020 on a quarterly basis, rather than waiting until the end of the year. The purpose of these changes is to help vital transportation services to continue to be available to people with disabilities during the COVID-19 crisis and beyond.

The City and County understand stakeholders have impassioned viewpoints and policy preferences regarding the WAS Fund reimbursement program, including the types of reimbursements available and the associated eligibility requirements. However, the new and enhanced reimbursement types established in January have not been in place long enough to adequately evaluate their impact. Therefore, the only changes to the existing program that were considered in the rule issued today are those that address the circumstances caused by the COVID-19 crisis.

The City and County did not receive any public feedback regarding the proposed changes to address the COVID-19 crisis. As such, no substantive changes were made between the proposed and final rule. The following is a summary of the public comments received:

- Two comments suggested simplifying the reimbursement program and significantly reducing or eliminating the requirement that owners/operators complete a minimum number of trips to passengers in wheelchairs in order to be eligible for certain reimbursement types.

Response: As noted above, the new and enhanced reimbursement types and associated eligibility requirements have not been in place long enough to adequately evaluate their impact. However,

both the proposed and final rule include provisions suspending certain minimum trip requirements through Dec. 31, 2020. The purpose of this change is to temporarily eliminate an obstacle to reimbursement that is no longer tenable during the ongoing public health crisis.

- Two comments expressed support for the development of a centralized accessible dispatch program, funded by the WAS Fund.

Response: Establishing a new centralized dispatch program is beyond the scope of changes considered in the rule issued today. However, the City and County are currently investigating centralized dispatch, and hope to have a recommendation by the end of the year.

- One comment expressed general support for the WAS Fund reimbursement program, especially the requirements that WAV operators demonstrate proper wheelchair securement and prioritize service to passengers in wheelchairs.