



Jan. 2020

Thank you to everyone who attended the public hearing and/or provided written feedback regarding the proposed City of Seattle and King County rule governing Wheelchair Accessible Service (WAS) Fund reimbursement (FOR-HIRE TRANSPORTATION-01-2020 / FIN-10-3-1-PR). We appreciate your interest and engagement. Your comments were carefully considered before the rule was finalized.

The final rule (available on the City's website [here](#) and the County's website [here](#)) will take effect next month. Reimbursements for trips and shifts performed in Jan. 2020 will be calculated according to the provisions of the new rule.

The Seattle Department of Finance and Administrative Services (FAS) and King County Department of Executive Services (DES) 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, FAS and DES must address issues within the City and County codes as well as existing rulemaking authority. Below is a summary of changes reflected in the finalized rule:

- **Voluntary Conversions:** Language was added to strongly encourage anyone interested in voluntarily converting a vehicle to a Wheelchair Accessible Vehicle (WAV) and accessing the WAS Fund to consult with the Director *before* acquiring or converting a vehicle. The purpose of this preliminary conversation is to ensure that vehicle owners understand all requirements of voluntary conversion and accessing the fund, and to inform them if a moratorium is in effect on approving new vehicles for access to WAS Fund reimbursements.
- **Definition of "Shift":** This definition has been amended to clarify that a "shift" means operating a WAV for at least four *continuous* hours within a 24-hour period. This language is consistent with the way FAS has determined eligibility for the \$15-per-shift reimbursement available to vehicle owners under the previous iteration of the WAS Fund reimbursement rule (FAS Director's rule CPU-07-2015, superseded by this rule).
- **Off-Peak Shift Reimbursement:** The final rule contains language to clarify that any shift that includes at least four hours between 9:00 p.m. and 5:00 a.m. is eligible for the off-peak shift reimbursement. In other words, a shift that begins before 9:00 p.m. may still qualify for the off-peak shift reimbursement if it includes at least four off-peak hours.

The final rule also increases the amount of the off-peak shift reimbursement to \$45 in response to feedback that \$30, as originally proposed, is not sufficient to offset the cost of operating during off-peak hours when demand is low.

- **Vehicle Acquisition Reimbursement:** Language was added to the final rule to grant the Director the authority to increase the reimbursement amount for Wheelchair Accessible Taxis that utilize new automotive technology. "New automotive technology" may include hybrid and electric WAVs (if/when WAVs utilizing this technology become more readily available for purchase), while also granting the flexibility to cover future innovations in WAV vehicle technology.
- **Vehicle Maintenance and Equipment Reimbursement:** The final rule expands the list of vehicle components eligible for reimbursement to include tires, door mechanisms on the vehicle's accessible entrance, and brake rotors.

The final rule also reduces the reimbursement amount for vehicle maintenance and equipment for WAVs between seven and ten years old. The purpose of this change is to encourage WAV owners to acquire newer vehicles, which are often safer and more fuel-efficient, and provide a more pleasant trip

experience for passengers and drivers alike. This change also promotes responsible stewardship of public resources by redirecting investment towards WAVs that are likely to remain in service for years to come.

- **Data Analysis and Enforcement:** Language was added to the final rule to be more explicit about the City and County's data-driven approach to managing the WAS Fund reimbursement program.

Specifically, the final rule requires the City and County to evaluate the effectiveness of the program at meeting the stated goals (ensuring the continued financial viability of WAV service and improving equity of accessible on-demand transportation services). This evaluation must be conducted at least once per year.

The final rule further clarifies that this evaluation will include analysis of all available industry operating data (e.g., the total number of trips with a passenger in a wheelchair, the total number of unfulfilled requests for WAV service, average and maximum wait times, etc., as available) and any other factors that may affect the supply, demand, and financial viability of WAV service within City and County limits, as well as outreach to current and potential WAV customers.

Finally, language was added to the final rule to clarify that the Director has the authority to conduct periodic audits of trip, shift, and other data to ensure compliance, including fraud detection and prevention.