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1994

## **CREATING OPPORTUNITY INCREASES DEMAND**

National Transportation Agency of Canada  
Accessible Transportation Directorate  
Hull, Quebec K1A 0N9

### **Introduction**

Increased accessibility will create greater opportunities to travel for persons with disabilities, thereby increasing the demand for service and creating further opportunities for travel related industries. Moreover, improvements of the socio-economic characteristics of persons with disabilities coupled with the increased accessibility of the transportation network also contributes to an increased travel demand by persons with disabilities. Changes in the industry can be in response to demand-pull or in compliance with regulation-push. Various legislation and programs currently in place which influence and assist the implementation of accessible transportation will be highlighted. This paper will also look at demographics of travellers with disabilities using Statistics Canada information and other relevant data, drawing on the experience of the paratransit operations in Canada to illustrate what can happen through increased service.

Persons with disabilities should be able to access all modes of transportation while travelling in Canada. When a trip consists of several modes of transportation and that trip is accessible, it can be termed a "seamless trip". Being able to travel from door to door without encountering any setbacks or obstacles is the goal of all travellers, but is especially relevant for persons with disabilities. A transportation network is like a chain: it is only as strong as its weakest link.

### **Profile**

Canada is a great place to live. Persons with disabilities are wheezing, tapping and rolling their way into their rightful place of dignity and independence within the Canadian fabric.

The continuum of their evolution can be divided into three areas, or three time periods, which are demarcated by distinct social attitudes:

the era when person with disabilities were pitied and looked after ("the warehouse");

the current era, in which persons with disabilities are discovering their own identity and society is discovering their abilities as they grow together ("the greenhouse"); and

the approaching era of empowerment and autonomy ("the open house").

The "warehouse" period represented an era where the majority of persons with disabilities lived in residential institutions. This institutional model was based on the belief that they were incapacitated. Initiated by the catalyst of the Vietnam War and its aftermath, the era of the "greenhouse" is now thriving. The traumatized and newly-disabled veterans provided the models from which society as a whole has benefitted. These veterans refused to accept or tolerate the traditional way in which society related to its members with disabilities. Canada's proximity to the United States means that Canadians with disabilities benefitted from this accelerated progress. The advancement of rehabilitative medicine and the provision of government social services have contributed to a vast improvement in the quality of life for persons with disabilities and to their greater integration into mainstream society.

Since the beginning of the "Decade of the Disabled" in 1981, the Parliament of Canada has planted numerous seeds of change in the "greenhouse" by issuing a number of reports focusing attention on the aspirations of persons with disabilities. These reports have covered the spectrum of human interest from recreation and education to employment and transportation.

A number of Acts of Parliament have continued this trend. The *Canadian Human Rights Act*, the *Charter of Rights and Freedoms* and the *National Transportation Act, 1987*, contain guarantees of protection and the promotion of freedoms. These are founded in the evolutionized status of persons with disabilities, which has fostered their strong desire for the blooming of independence and integration. Two important corollaries of these principles are the right to self-determination and the dignity of risk.

The movement towards integration and demedicalization implies personal choice, user control over ongoing support services, and equal access to the rights and responsibilities accorded to all Canadians.

In the 1991 post-census *Health and Activity Limitation Survey (HALS)* conducted by Statistics Canada, 4.2 million citizens or 15.5% of the Canadian population reported some level of disability. This compares to the 1986 HALS figures of 3.3 million or 13.2% of the Canadian population. This would translate to an increase of approximately 900,000 people. For these people, accessible transportation is a necessity and a right. With accessible transportation, people can become integrated into the community. It becomes possible to travel to and from school, a place of employment, or medical and recreational facilities. Through accessible transportation, persons with disabilities can participate more effectively and fully in community life. It should be noted, however, that not all persons with disabilities have trouble using transportation services.

The Hickling Corporation conducted a study in 1992, based on the 1986 HALS data, in order to develop some projections concerning the increase in number of persons with a transportation disability. Persons with a "transportation disability" are defined in this study prepared for Transport Canada's Transportation Development Centre as "individuals who, because of their health problems or condition, are unable to use transportation services, or use transportation services with more difficulty than those in the general population". A projection of interest from this study was:

- For 1990, of over 3.0 million adult (15 years and older) Canadians with disabilities, 1.9 million (9% of the general adult population) have transportation disabilities. By the year 2000, the number of persons with transportation disabilities will increase to 2.3 million.

There are many possible reasons for this higher incidence of disability as observed in the HALS data. One probable cause is the fact that people now seem to be more willing to identify themselves as having a disability because of the reduction of the social stigma attached to it. However, in more recent times, as attitudes about people with disabilities have changed and as services for persons with disabilities have increased, people are now more comfortable and have realized that it can be to their benefit to identify themselves as having a disability. In doing so they are able to take advantage of some mobility enhancing services, such as parking for the disabled, bus lowering for easier access to city buses, and Paratransit services.

Another possible reason for the increased number is the aging population. The incidence of disability increases significantly with age. According to 1991 HALS data, 65.5% of all Canadians with disabilities are younger than 65. However, the incidence of disability is higher for persons 65 years of age and older: 7% of children under the age of 15 are reported to have a disability while this rate rises to 45% among people aged 65 and older. The HALS data also found that

the severity of a disability also increases with age. Among children with disabilities under the age of 15, 3% are reported to have a severe disability while the rate is 32% for those 65 and over.

**Seniors grow into disabilities; people with disabilities grow old with them.**

**A. Aitkens, One Voice Seniors Network, Ottawa<sup>1</sup>**

During the coming decades, the 65 and over population in Canada will grow at a very rapid pace. According to Statistics Canada's population projection, one in five Canadians will be 65 years of age or older by the year 2021, and one in four of these will be over the age of 80. Mr. Aitkens, quoted above, continued:

We believe that all aspects of Canadian society must confront the reality that we have an aging population. The demographic projections show that while the population of today looks a bit like a pear when you set out, with a smaller, older generation and a very large baby boom, that over the next 20 years that pear will turn to an apple and 20 years after that it will be an upside down pear. We will have a much greater proportion of older people than we have younger people. Not just proportions, but also numbers. The sheer number of those people is staggering.<sup>2</sup>

#### **Progression of Infrastructure**

Paratransit experiences show how infrastructure must progress in several areas at the same time in order to create easy access to travel. For example, when Paratransit was introduced, its use was originally expected to be minimal. It was found that once people had the ability to travel to their destinations with relative ease and were confident about the reliability of the system, they started to travel with greater frequency.

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<sup>1</sup> The Road to Accessibility - An Inquiry into Canadian Motor Coach Services

<sup>2</sup> *ibid.*

The experience of the Paratransit service in the Ottawa-Carleton area (Para Transpo) can be used as an example. In 1987, the number of bookings were 324,223, whereas the number of passengers were 314,274. By 1993, the number of bookings and passengers grew to 739,957 and 706,067 respectively. The difference between bookings and passengers are "no shows". In a span of six years, the number of passengers and bookings have more than doubled. In an article appearing in the Ottawa Citizen, reporter Mohammed Adam notes:

...first six months of 1993, demand for Transpo (sic Para) services increased 17 per cent over 1992...<sup>3</sup>

Pat Larkin, Director of Para Transpo, noted the following in 1992:

Para Transpo provides transportation to about 15,000 mobility-impaired persons within the Ottawa-Carleton area. Para Transpo has come a long way since 1975, its full year of operation. Back then, it offered 495,000 km of service over the year, using 10 vehicles. In 1992, "Para", as it's familiarly known, will run 5.7 million km of service with a fleet of 130 vehicles.<sup>4</sup>

The operating statistics of Para Transpo for 1993 indicate 6.1 million km of service with a fleet of 135 vehicles.

Once people with disabilities felt that they could rely on the local transportation services and as they became more educated, got better jobs, and became more aware of their rights, they also demanded better access to public buildings and facilities as well. Therefore, schools, colleges and universities, as well as work places, are now becoming more accessible. The increase of education and skill levels for persons with disabilities is leading to increased employment opportunities.

### Employment

People with disabilities are now starting to be employed in various types of work. As employment increases and persons with disabilities have larger disposable incomes, it can be assumed that the demand for long distance travel will follow.

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<sup>3</sup> The Ottawa Citizen, February 6, 1994, p. A8.

<sup>4</sup> PARA NEWS, volume 4 No. 2, Winter 1992

The Employment Equity Act was proclaimed in August of 1986. The Act applies to federally regulated employers with 100 or more employees, covering employers primarily in the banking, communications, and transportation industries. The purpose of the legislation is to ensure that members of designated groups, including persons with disabilities, are afforded equitable employment opportunities and benefits which are consistent with their skills, abilities and potential. The Government of Canada's Federal Contractors Program requires that employers with at least 100 employees who bid on federal goods and services contracts certify their commitment to employment equity. As of 1992, there were 1,348 employers representing over 1,111,258 employees having certified their commitment under the Federal Contractors Program. The effect of this legislation will further increase the number of persons with disabilities in the work force.

**Labour Force Status of Men and Women With Disabilities  
1986 and 1991 (Age 15 to 64)  
HALS (1986, 1991)**

STATUS	1986		1991	
Employed	711,573	41.0%	1,106,205	48.2%
Unemployed	128,406	7.4%	186,300	8.1%
Total Labour Force	839,979		1,292,505	
Not in Labour Force	895,984	51.6%	1,004,630	43.7%
<b>TOTAL</b>	<b>1,735,963</b>	<b>100.0%</b>	<b>2,297,135</b>	<b>100.0%</b>
Unemployment Rate*	15.2%		14.4%	
*(unemployed/total labour force)				

Given that 1986 and 1991 mark the only two milestones in terms of census data of Canadians with disabilities, substantive time series analysis is difficult to make. However, the comparison of 1986 and 1991 data indicates an upward trend in employment for men and women with disabilities (age 15 to 64). In 1991, 48.2% were employed as opposed to 41% in 1986. Moreover, the number of persons with disabilities not in the labour force has declined from 51.6% in 1986 to 43.7% in 1991. The unemployment rate has also declined from 15.2% to 14.4% from 1986 to 1991. Although the employment figures of persons with disabilities are lower than those of the general population, they do show signs of progress or movement towards the "open house".

These statistics indicate that a number of persons with disabilities are employed and earning income. One can also assume that increased employment will derive more demand for travel. One could consequently assume that this increased demand for transportation will spill over to support industries and services, such as travel agencies, hotels, restaurants, and terminal facilities. In keeping with this latent demand and in order to support a "seamless" transportation network, these support industries will also have to be accessible to travellers with disabilities.

### **Increased Travel**

As a result of increased access to municipal transportation systems for persons with disabilities and in conjunction with better access to education facilities, housing, recreation and workplaces, opportunities have been created at the local level. This level of local opportunities is growing into demand and opportunities on a nationwide level.

Increased employment leads to more disposable income for persons with disabilities. Consequently, more disposable income for persons with disabilities would potentially increase demand for leisure and vacation travel. Everything from hotels, parks and even campgrounds would be in high demand by persons with disabilities and seniors as well. Customized personal vehicles and accessible public transportation provide the gateway of opportunity to these accessible services.

Business and industry have already started to recognize this latent market share and have begun to capitalize. In a regulatory impact assessment study conducted by the Agency, it was reported that currently persons with disabilities take about 700,000 round trips by air each year. Services such as travel agencies have recognized the need for increased accessible services and have begun to offer specialized travel services in Canada and around the world.

The increased integration of persons with disabilities into society has provided opportunities of all kinds. To give one example, the Para-Olympics has now been recognized as a world-class event and has consequently been combined with the Olympic Games. Similarly, the Commonwealth Games, which will take place in Victoria, British Columbia in 1994, include athletes with disabilities. Of the 66 nations competing, there will be athletes with disabilities from 15 nations around the Commonwealth travelling to Canada to compete.

While all of these factors combine to create a demand-pull by consumers, this in itself is not totally sufficient to produce the needed changes in a consistent and timely manner. Regulations developed by government provide the push that is

necessary to ensure consistency in accessibility throughout the Canadian transportation network.

### Legislation - Policy

There are currently several pieces of Canadian federal inclusion legislation instruments such as the *Charter of Rights and Freedoms*, *Canadian Human Rights Act*, and the *National Transportation Act, 1987*. These instruments legislate the inclusion of persons with disabilities in mainstream society and prohibit discrimination on the basis of disability.

The Government of Canada's national transportation policy is stated in the *National Transportation Act, 1987*. It asserts that:

...a safe, economic, efficient and adequate network of viable and effective transportation services accessible to persons with disabilities and making the best use of all available modes of transportation at the lowest total cost is essential to serve the transportation needs of shippers and travellers, including persons with disabilities.

Transport Canada has further outlined a policy for meeting the needs of persons with disabilities within the country's transportation network. The theme of this policy is "Accessible transportation is a right, not a privilege".

One of the roles of government, through legislation and regulations, is to ensure the access to accessible transportation. The Canadian Government has initially developed regulations to oblige industry to make their transportation systems accessible. Industry has been regulated to provide standard minimum levels of services. Once travellers start to know what to expect and feel comfortable with the level of services instituted as a result of government regulations, they will utilize the transportation system to travel more frequently, thus increasing demand.

The National Transportation Agency has the authority to make regulations in order to remove undue obstacles in the federally regulated transportation network. Also, the Agency may, of its own motion or upon application, inquire into a matter to determine whether there is an undue obstacle to the mobility of persons with disabilities. Where an undue obstacle is found, the Agency may order the taking of corrective measures or the payment of compensation for expenses arising out of an undue obstacle, or both.

This power enables the Agency to prescribe regulations for the purposes of eliminating undue obstacles in transportation to the mobility of persons with disabilities in the following areas:

- a) the design, construction and modification of means of transportation and related facilities, premises and equipment,
- b) the use of signs,
- c) the training of staff,
- d) the terms and conditions for carrying persons with disabilities, and
- e) the communication of information to persons with disabilities.

The Agency has recently introduced new regulations. These new regulations are described below.

#### *Terms and Conditions of Carriage:*

Following an amendment to the *Air Transportation Regulations*, the Agency has started to regulate the terms and conditions of the domestic carriage of persons with disabilities in aircraft of 30 or more passenger seats. Since January 1, 1994, air carriers are required to offer uniform services to travellers with disabilities.

These services include assisting travellers with disabilities in almost all facets of the trip, including boarding and deboarding, seat transfers, carriage of mobility aids, requests for special meals, stowing and retrieving baggage, moving to and from an aircraft washroom, etc. Air carriers must also accept service animals free of charge. Air carriers are responsible for the transportation of mobility aids and must repair or replace ones that have been damaged or lost during that trip.

#### *Personnel Training Standards:*

The Agency determined that the lack of appropriate training of personnel working in the federal transportation network constituted an undue obstacle to the mobility of persons with disabilities. Consequently, the Agency decided to regulate the training of transportation personnel in this regard.

The Training Regulations were approved by the Governor in Council and published in Part II of the *Canada Gazette* on January 26, 1994. They will come into effect on January 26, 1995.

Rail, marine and air carriers, with the exception of small air carriers, as well as rail, marine and air terminal operators, with the exception of small air terminal operators, will be required to ensure that their employees and contractors who provide different types of transportation-related services to persons with disabilities are properly trained to do so.

These regulations provide an outline of the minimum standards that must be complied with. While the regulations provide air carriers with precise information about the results that must be achieved, they do not specify how the carrier is to reach these desired results. This approach allows air carriers the freedom to achieve these goals through procedures and mechanisms best suited to their unique operational environments.

The Agency is also developing other regulations to benefit persons with disabilities. Other regulations will apply to air fares for a required attendant; uniform standards of accessibility of equipment; and terms and conditions of transportation in other modes of transportation under federal jurisdiction.

### National Strategy

The Government of Canada has also created a National Strategy for the Integration of Persons with Disabilities to assist and promote accessibility. The ten participating government departments and agencies develop and maintain programs in areas such as employment, housing, and transportation. To accomplish this goal, a sum of \$158 m. has been devoted to the development of a five year program. For the purposes of this paper, however, only the portion of the program assisting transportation industries will be discussed.

Transport Canada, under the 5 year program, has made \$24.6 million available to the transportation industry to develop and use equipment that makes Canada's transportation system more accessible. These funds are divided into separate modal areas. For example, \$3.5 million is available to Canadian intercity bus operators to purchase or install lifts, devices and other accessibility features to make buses more accessible; \$350,000 is available for developing, testing and demonstrating an accessible charter bus; \$600,000 to help stimulate the development of low-floor accessible urban buses; \$4.1 million for commercial carriers to purchase boarding devices; \$2.5 million is available for purchasing or installing lifts and other devices to make airport taxis and airport shuttle buses more accessible; \$1.5 million is provided on a cost-shared basis to small communities to buy vans and minibuses adapted for persons with disabilities and seniors annually; \$675,000 is available to car rental companies to equip cars with hand controls, lifts and installation of other devices on automobiles; \$675,000 is available for training programs for staff of airlines, trains, buses and ferry

services; \$860,000 is available for workshops on the travel needs of travellers with mobility, visual and hearing disabilities; \$740,000 is available for the development of mobility clubs in small communities; and \$2.9 million to install, test and evaluate small scale transportation technologies.

The Agency is also a participating department in the National Strategy. Under this program, the Agency was granted additional resources in order to accelerate its regulatory initiatives. These resources are assuring that the Agency plays an active role in achieving the three key goals of the National Strategy: equal access; economic integration and effective participation by Canadians with disabilities in the mainstream of society.

### **Conclusion**

The initiatives by industry and government, discussed throughout this paper, have furthered the integration of persons with disabilities by assisting and/or ensuring the transportation industry in becoming more accessible. The increased access to goods and services is creating greater opportunities for persons with disabilities to become active participating members of the community. For seniors and persons with disabilities, independence as well as economic and social integration depend, among other things, on access to a barrier-free transportation network.

Persons with disabilities and seniors not only desire, but have come to expect the provision of increased routine services as opposed to limited special services in the transportation system. The efforts of government, industry and consumers will make accessible transportation a reality for Canada.

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