

Testimony of National Federation of the Blind of Hawaii
Submitted by James Gashel, Legislative Chair
House Transportation (TRN) Committee
Thirty-third Legislature, 2025 regular session

January 28, 2025, 10:00 am, hearing on HB468

Aloha Chair Kila, Vice Chair Grandinetti, and TRN Committee members. I am James Gashel, legislative chair of the National Federation of the Blind (NFB) of Hawaii, strongly supporting HB468, also asking you to consider two amendments. Mahalo for scheduling this hearing today.

HB468 seeks changes in the law on statewide regulation of transportation network companies, more commonly known as rideshare services. Uber and Lyft are the best known examples. These are (or can be) very important services to members of the NFB of Hawaii, since, not seeing, we are riders, not drivers. Using on-demand car services is often a necessity.

The amendments made by HB468 seek to remedy disability-based discrimination we face far too often when using rideshare services. Discrimination based on race, sex, trip destination, disability, and other factors is specifically prohibited by the current law, but it still happens, believe it or not. Drivers denying service to blind people using dog guides is perhaps the most frequent, but not the only, example of what is happening.

Unfortunately, when the car drives away and leaves you standing at the curb, there's really not much you can do, even though refusing service is prima facie against the law. Section HRS 279J-11 gives the Department of Transportation authority to investigate complaints, but complaint procedures aren't spelled out in the law, or anywhere else at least that's very public. We don't even know who to contact to make a complaint.

What if you do complain? What are the remedies? There's nothing in the law about that. Both Uber and Lyft say they comply with the law by having written policies against this discrimination. What good is a written policy if nothing's done to back it up? It's just a hollow promise; a right without a remedy.

This is a nationwide problem, not unique to Hawaii. What is unique is, rideshare services are especially important for our visitors, going to restaurants, shopping, visiting our wonderful parks, great beaches and attractions. The state, along with its residents has an interest in having

transportation services provided without discrimination against either locals or visitors with or without disabilities, and regardless of the use of service animals.

We've tried to solve this problem by just talking with Uber and Lyft through our national organization, the National Federation of the Blind. Representatives of both companies say they're sympathetic. The problem is, too many of us are still left standing at the curb with no service and with no remedy. The companies say they don't discriminate, but looking the other way while their drivers discriminate gets to the same place. It's wrong, and it's also against the law. It's time for the state to get serious about regulating these companies.

HB468 gives the Civil Rights Commission specific authority to receive and investigate complaints alleging discrimination by rideshare company drivers. Violations found are to be reported to the Department of Transportation, with permit and financial penalties to be enforced against the transportation network companies. Passing this bill will help to make the companies face up to their responsibility to regulate their drivers.

As advocates for HB468, we're asking the legislature and the State to make a strong public statement that Hawaii does not tolerate transportation network companies that make promises against discrimination but do nothing. Our hope is the companies will get serious too, and not a single company will ever end up paying a single penalty under this law because they will work with their customers and the State to put the problem of discrimination in the rearview mirror.

Two amendments to HB468 are attached to this statement and recommended by the NFB of Hawaii.

The first amendment asks for a time limit on the Civil Rights Commission's investigation of complaints brought under HRS 279J. We suggest the limit should be 120 days. Shorter would be better, longer would not. Our experience is, time limits are important.

The second amendment asks that not just service animals but any alleged disability-based discrimination violations be subject to investigation and penalties under HB468. We ask this because of our experience. The problem is leaving us standing at the curb with our long white canes or guide dogs. If the bill is passed as written, penalties would apply only in cases involving service animals, leaving the majority of blind people standing at the curb with no remedy in spite of HB468.

In passing this bill, Hawaii will lead the nation in combating disability-based discrimination in using rideshare services. We should be proud for standing up to do what is obviously right. In making our public space available for rideshare companies to do their business, our State should expect nothing less than fair treatment for persons who depend on these services due to disability. Mahalo for considering HB468 and moving this bill forward toward final passage in the present session.

Suggested amendments to HB468

Offered by National Federation of the Blind of Hawaii

Submitted to TRN Committee on 1/28/2025

Purpose: to establish a time limit for investigation of HRS section 279J- complaints and extend the scope of such complaints to include any alleged violations of law relating to discrimination based on disability

(a) Investigation time limit:

In SECTION 2 of HB468, page 2, line 1, amend the proposed new subsection to read as follows:

"§279J- __ _Complaint against unfair discrimination; persons with disabilities; service animals; Civil Rights Commission.

The Civil Rights Commission shall receive complaints of unfair discriminatory treatment of riders or potential riders by transportation network company drivers in violation of section 279J-10(c) in accordance with the procedures established under chapter 368, and shall report its findings to the Department of Transportation as required in section 279J-10(e) within 120 days following receipt of any such complaint."

(b) Scope of complaints:

In SECTION 3 of HB468, on page 2, line 28, amend subsection (c) to read as follows:

"(c) Transportation network company drivers shall not discriminate against any rider or potential rider based on the rider or potential rider's disability and shall comply with all applicable laws to

accommodate service animals. For purposes of this subsection, "service animal" has the same meaning as defined in section 347-2.5.

Explanation: These amendments are recommended to assure timely investigation of complaints of disability-based discrimination, including, but not limited to, the individual's use of a service animal.

Written Testimony in Opposition to House Bill 468

Honorable Chair Kila, Vice Chair Nakada Grandinetti and Members of the Committee,

I am writing to respectfully oppose House Bill 468, which seeks to impose penalties on transportation network companies (TNCs) for alleged service animal denials by the independent drivers that sell their services on the platform. While I wholeheartedly agree with the intention to ensure access and inclusivity, including those with service animals, I believe that this bill does not accurately address the core issue nor reflect the efforts already in place by Uber to create a welcoming and accessible platform for all users.

First and foremost, Uber is deeply committed to building an inclusive, reliable, and high-quality experience, regardless of their race, ethnicity, gender identity, disability, or any other characteristic protected by law. We explicitly prohibit discrimination against users on these grounds, which includes both refusal of service and unfair ratings based on protected traits. Uber does not tolerate discrimination, and our [policy](#) on discrimination is designed so our platform remains a safe and welcoming space, including individuals with service animals.

To enforce this commitment, Uber requires all drivers to review and accept our community guidelines and our [Service Animal and Assistive Device Policy](#) before joining the platform. Any violation of these guidelines, including discrimination against individuals with service animals, can lead to the loss of access to the Uber platform. Additionally, we go above and beyond to ensure drivers are informed of their obligations. We regularly remind them of our service animal policy through quarterly emails and even conduct full-screen pop-up messages to further drive awareness. Through partnerships with advocacy organizations such as the [National Federation of the Blind](#), [American Council of the Blind](#) and [The Seeing Eye](#), drivers are also provided with a service animal education video that reiterates what is required by the policy and under the law.

Uber understands that there is always room for improvement, which is why we've spent the past 2 years consulting with leading advocacy organizations and service animal owners to expand accessibility even further. Over the fall, we piloted an optional feature that allowed riders to self-identify as a service animal owner and choose to automatically notify drivers ahead of time that they are traveling with their service animal. The feedback we received from the volunteers in this pilot is helping inform our ongoing work to improve the Uber experience and support processes for service animal handlers.

While we cannot control whether an individual driver commits a service denial, we can control how we respond and ensure that drivers are continually educated on how to best serve individuals with disabilities – and we do so. In fact, last summer, Uber [partnered with the Mayor's Office of People with Disabilities in Chicago](#) to host an in-person training event. This initiative brought together drivers and individuals with disabilities who use service animals to promote best practices and mutual understanding. (Video [here](#)). We would be happy to host a similar event in Hawaii to further support the service animal community.

Additionally, I would like to point out that current law already provides a framework for the Hawaii Department of Transportation (HDOT) to oversee transportation network companies (TNCs), address complaints, and assess penalties when necessary. The existing regulatory structure allows HDOT to address complaints and assess penalties, including addressing service animal denials, without the need for further legislation. The introduction of this bill would result in duplicative oversight, leading to inefficiencies and unnecessary costs for the State. Rather than adding another layer of regulation, we should focus on strengthening the current system to better address complaints and build compliance

Thank you for your time and consideration.

Zahid Arab

Uber West Policy and Communications

HB-468

Submitted on: 1/27/2025 9:52:35 AM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Hawaii Disability Rights Center	Support	Remotely Via Zoom

Comments:

We are in support.



Chairman Kila, Vice-Chair Grandinetti and committee members,

Lyft understands and appreciates the importance of ensuring that individuals with service animals have reliable and equitable access to transportation. I am here today to assure this committee that Lyft takes the issue of service animal discrimination seriously and has stringent policies in place to prevent such discrimination on our platform.

Since 2017, Lyft has maintained a clear and comprehensive Service Animal Policy that requires drivers to accommodate service animals without exception. This policy is communicated to drivers in multiple ways:

Terms of Service: All drivers agree to Lyft's [Terms of Service](#), which explicitly prohibit discrimination against riders with disabilities and require compliance with our [Service Animal Policy](#).

Community Guidelines: Our [Community Guidelines](#) emphasize Lyft's requirement to say yes to service animals and underlines the crucial role they play in supporting their owners.

Regular Communications: We regularly communicate with drivers to remind them of their obligations under the [Service Animal Policy](#) through emails, text messages, and in-app notifications.

Educational Resources: We provide [educational materials](#), including videos and tutorials, to ensure drivers understand their responsibilities and the importance of accommodating service animals.

Lyft has a dedicated team that investigates all complaints of service animal discrimination. We strive to complete investigations within 24 hours and take decisive action against drivers who violate our policy, including permanent deactivation from the platform.

Lyft is committed to maintaining a platform that is accessible and welcoming to all riders, including those with service animals. We believe that our current policies and enforcement mechanisms are effective in preventing service animal discrimination.

While we appreciate the committee's attention to this important issue, we believe that imposing additional fines or suspending the TNC operating certificate unnecessarily places driver earnings at risk. We are open to continued collaboration with policymakers and advocacy groups to ensure that our policies and practices continue to meet the needs of the disability community.

Francisco Avalos
Lyft, Inc
favalos@lyft.com
602.330.9015

HB-468

Submitted on: 1/24/2025 3:52:28 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Keao WrightKeao	Individual	Support	Remotely Via Zoom

Comments:

"Testimony of Keao Wright
House Transportation (TRN) Committee

Thirty-third legislature, regular session of 2025
January 28, 2025, 10:00 am, hearing on HB468

Good morning Chair, Vice Chair, and members. I am Keao Wright, supporting HB468, asking for remedies to strengthen the law against discrimination by transportation network companies."

I am in support of this bill because with out it one of the problems would be a lot of the blind community would be denied services even using a cane.

I've heard of several people having a lot of problems trying to get a ride, but the drivers won't let them on because they have a service animal, and drivers would see it as a liability.

If this bill is passed it will allow us to be independent and to live our lives the way we want too and to commit to society.

HB-468

Submitted on: 1/25/2025 3:00:24 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Kouthoofd	Individual	Support	In Person

Comments:

I am submitting my testimony in support of HB468, a bill designed to address ongoing discrimination against people with disabilities by rideshare services.

The current laws in place are good, but unfortunately, not everyone will follow the law just because it's the right thing to do. Sometimes, a little nudge in the form of enforceable remedies is needed to ensure compliance. Without accountability, the discrimination against individuals with disabilities will continue unchecked.

I received my first guide dog, Mango, in May 2024. Before then, I primarily used a cane for mobility. While a cane is an invaluable tool, my guide dog has become an alternative approach to navigating the world. During my training, I connected with other guide dog users and became more informed about the challenges they face, including being denied rides by rideshare drivers, having trips canceled because of their guide dogs, or being harassed when they attempt to use their legal right to public transportation.

While I have not personally faced this form of discrimination, I have witnessed colleagues who rely on guide dogs struggle with denials from transportation providers in the past. It was surprising to learn that this practice still persists.

My guide dog is an extension of who I am. Just as my cane acts as my eyes when I walk, my guide dog enhances my independence, mobility, and ability to contribute to my community. He is not just a dog — he performs a service that allows me to stay a productive member of society. When someone discriminates against me by refusing service because of my guide dog, it creates a barrier to my independence and ability to fully participate in daily life.

HB468 is crucial because it ensures that the laws protecting people with disabilities have real enforcement behind them. Without this, the barriers and discrimination will persist. Please consider the passage of HB468 and move it forward in the legislative process.

Mahalo for your time and consideration.

Testimony of Donald Sakamoto
House Transportation (TRN) Committee
Thirty-third legislature, regular session of 2025
January 28, 2025, 10:00 am, hearing on HB468

Good morning Chair, Vice-Chair, and members. I am Donald Sakamoto, strongly supporting HB468, asking for remedies to strengthen the law against discrimination by transportation network companies.

This bill is very important to me because its primary plan is to address the discrimination against individuals with disabilities such as those who are blind and those with guide dogs when they would be using rideshare services such as Uber and Lyft. HB468 is written clearly to address this issue to hold these rideshare services companies responsible when their drivers break the law.

Mahalo and I would greatly appreciate your support in having this bill to be passed to proceed on.

Testimony of Michael May

House Transportation (TRN) Committee

Thirty-third Legislature, 2025 Regular Session

January 28, 2025, 10:00 am, Hearing on HB468

Good morning, Chair, Vice Chair, and members of the Transportation Committee. My name is Michael May, and I am here today to express my support for HB468. I want to share my personal experiences as a visually impaired individual who relies on a guide dog to navigate the world.

As someone who travels frequently and enjoys visiting beautiful Oahu, I have encountered recurring discrimination when attempting to use rideshare services with my guide dog, Jonnie. Jonnie is a well-trained golden retriever who has been taught to sit quietly on the floor while traveling. Despite her impeccable behavior, rideshare drivers often deny me service, simply because I have a guide dog.

During a recent trip to Oahu, I experienced one of the worst instances of discrimination I can recall. Out of 10 rideshare requests, I was rejected six times, including three consecutive denials in one day. Drivers either canceled immediately after I disclosed that I had a guide dog or drove away upon seeing her. These denials are not only frustrating but also deeply disheartening, especially when the Americans with Disabilities Act explicitly protects my right to travel with a service animal.

These discriminatory actions have significant consequences. I have been stranded, missed flights, and arrived late to important appointments. Once, I even had to spend several minutes convincing a driver to take me to the airport, despite the law being on my side. These incidents highlight a systemic issue that cannot be ignored any longer. Please read the attached article from the Honolulu Star-Advertiser, which gives more perspective and details.

HB468 is a crucial step toward addressing this problem. It holds rideshare companies accountable when their drivers violate anti-discrimination laws. Both Uber and Lyft have stated policies prohibiting service animal discrimination, yet enforcement remains inadequate. The state must step in to ensure these companies uphold their obligations. This bill is about creating an equitable system for all individuals, regardless of ability or disability.

Hawaii's commitment to diversity and inclusion should extend to everyone, including residents and visitors with disabilities. Discrimination against those of us who rely on service animals cannot be allowed to persist. Passing HB468 will demonstrate this Legislature's commitment to fairness, accessibility, and equality.

Thank you for your time and consideration. I urge you to pass this important legislation. Mahalo for allowing me to share my story and for your dedication to making Hawaii a welcoming place for all.

HAWAII NEWS

Hawaii visitor with guide dog files complaint over ride-sharing denials



By Nina Wu

Nov. 24, 2024



1/2 *Swipe or click to see more*

CRAIG KOJIMA / NOV. 15

Michael May and his wife, Gena Harper, who are both visually impaired, take a walk around the Hilton Hawaiian



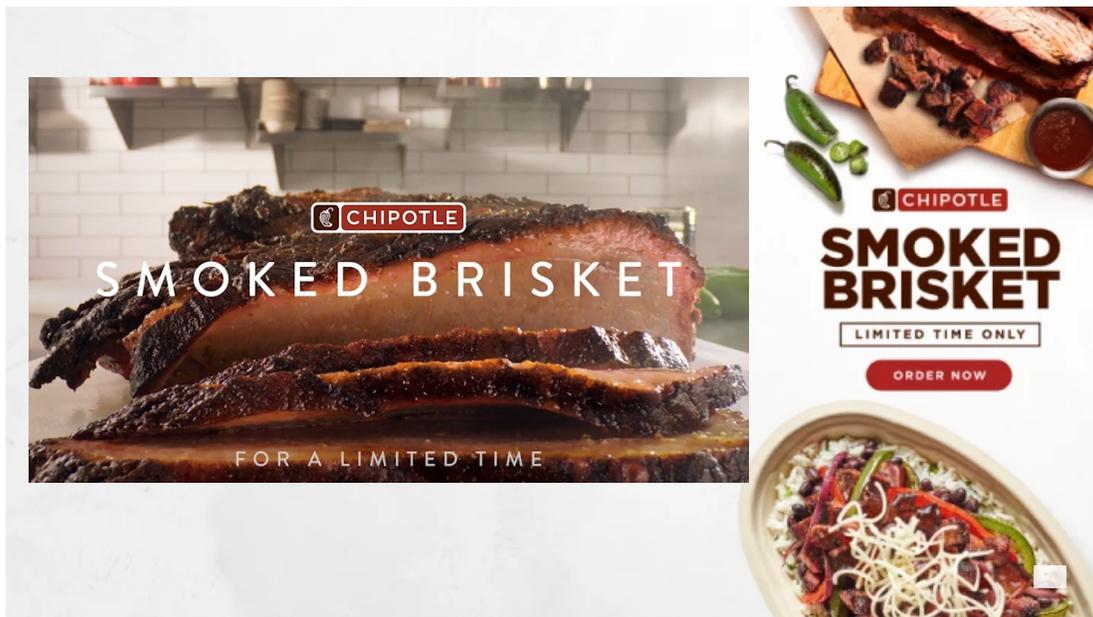


Michael May travels frequently, including trips to Oahu on a regular basis for vacations, and he uses ride-sharing services quite a lot.

Being legally blind, he gets around with the help of his guide dog Jonnie, a 60-pound golden retriever, and sometimes a white cane. The well-trained canine obeys numerous commands and has been taught to sit quietly on the floor while traveling.

May, who is from Reno, Nev., has welcomed technology into his life as a means to independence, including the convenience of getting a ride with companies such as Uber and Lyft through an app, but has also been frustrated with them.

ADVERTISING



There have been times when ride-sharing drivers denied him service after seeing he has a guide dog, and in many other instances, drivers have approached the pickup spot, noticed the dog and then disappeared around the corner, canceling the ride.



Under the Americans with Disabilities Act, businesses that serve the public, including ride-sharing businesses, generally must allow service animals to accompany people with disabilities in vehicles and facilities.

Both Uber and Lyft have policies prohibiting discrimination of any kind, including against passengers with service animals.

Uber said drivers who sign up agree to follow its [U.S. Service Animal Policy](#) and to adhere to any relevant federal and state accessibility laws or else potentially lose their access to the app. Lyft, likewise, said it has zero tolerance for any driver knowingly violating its Service Animal Policy, which could result in immediate and permanent deactivation.

May, who has a timeshare at Hilton's The Grand Islander in Waikiki, said his experience with ride-sharing denials during a visit to Oahu over the summer was one of the worst he remembers.

"I had six rejections (out of 10 requests), and one day I had three in a row," he said. "As soon as I sent the message that I have a guide dog, they canceled. That was a much higher percentage than I'm used to."

With assistance from the Hawaii Disability Rights Center, May filed a complaint with the Honolulu Civil Rights Commission in October, the first time he's filed one at the local level.

Alerting a driver about having a guide dog is not required, but he has done it to save time from having to rebook another ride — plus the rejection is documented.

The consequences of being denied rides have included missing flights, being late for appointments and being flat-out stranded.

ADVERTISEMENT

Once, he spent nearly six minutes persuading an Uber driver in Orlando, Fla., to drive him to the airport, promising to tip him well and give him a sticky roller to clean up dog hair.

A national issue



discrimination by ride-sharing companies is underway nationally and that the local Civil Rights Commission has verified receipt of May's complaint.

"It seems to me he has a pretty solid case under state law," Erteschik said.

The issue has been ongoing for years, according to the National Federation of the Blind, based in Baltimore, Md.

According to NFB, a groundbreaking settlement was reached in 2016 between its California affiliate representing guide dog users and Uber, which agreed to take certain steps informing drivers of the laws.

But hundreds of visually impaired riders with guide dogs continue to report rejections by ride-sharing companies, prompting NFB to organize a rally last month in front of Uber and Lyft headquarters in San Francisco. Hundreds of members flew in from all over the U.S. for the mid-October rally, with their guide dogs by their side.

The NFB said it was demanding that Uber and Lyft implement a zero-tolerance policy for violators; reduce the burden on visually impaired passengers to report denials; and deliver better driver education on the policy and laws regarding blind passengers, especially guide dog users.

James Gashel, president of NFB's Honolulu chapter, attended the rally and said it has been an ongoing problem everywhere, including Hawaii.

"Some of the dog users that I know will say to me, you know, because this is a problem, they tend to avoid trying to use them," he said.

ADVERTISEMENT



Uber has a responsibility to ensure this does not happen in all areas where it operates, Gashel said.

“They have printed policy that says they can’t discriminate against dog guide users and they acknowledge that responsibility, but they don’t really do anything serious about it,” he said. “They didn’t just learn about it last week. We’ve been talking about it for years.”

He added, “I’m beginning to think this problem won’t be solved until local jurisdictions, until City and County of Honolulu, take responsibility to regulate these people. You can’t have Uber people here if you won’t pick up people with guide dogs.”

Uber, Lyft policies

Both Uber and Lyft said they have taken steps to address the discrimination issues.

“We want every Uber trip to feel safe, equitable, and positive for people with disabilities on the platform,” said a statement from Uber.

Drivers agree to transport service animals and assistive devices when signing up for the Uber platform and must follow community guidelines that prohibit discrimination.

Uber said the policy is sent to drivers in quarterly emails and that it recently sent all drivers a new service animal education video. It also launched a dedicated service animal denial reporting line at 833-715-8237.

“We encourage any rider who encounters a service denial to report it so we can take appropriate action, which may include permanent deactivation of the driver’s account. We will continue to invest in and develop technology that further enhances accessibility,” the company’s statement said.

Lyft also said its drivers are made aware of the policies in place and are reminded of them through regular communications, including a notice that they may be deactivated aftercanceling a ride.



“Discrimination has no place in the Lyft community,” said Lyft in a statement. “We strive to provide an inclusive and accessible platform for riders, including those who rely on service animals or mobility devices. We continually update our practices to improve accessibility for riders and are proud to be working directly with advocacy organizations in the community.”

Lyft said it is also piloting a Service Animal Opt-In feature that allows riders to disclose that they travel with a service animal when requesting a ride. Lyft has also produced an [educational video](#)  on its service animal policy.

Well-trained dogs

Honolulu resident Vickie Kennedy, who serves on the national board of Guide Dog Users Inc., does not use ride-sharing services often.

Many local residents use the city’s HandiVan service, she said, or rely on friends or family for transportation, as repeated ride-sharing trips can get expensive. But she is concerned for disabled visitors who rely on ride-sharing services, saying the drivers who reject them are “not acting with aloha.”

According to Kennedy, guide dogs go through months of training, not only learning to serve their humans but to practice “intelligent disobedience,” which means not obeying orders if a danger presents itself. They also are trained to be quiet and adapt to many different environments.



Kennedy's dog Buddy is a Labrador retriever from Guide Dogs for the Blind in California that has transformed her life.

The group surveyed its alumni last year and found 83% experienced ride-sharing denials, which results in psychological, social and economic impacts.

There is also the issue of people who pass off their pets as fake service dogs, which was addressed with state [legislation in 2018](#), imposing penalties.

ADVERTISEMENT

May, who develops global positioning systems used by the blind, wonders whether many drivers mix legitimate service dogs with fake ones that may not be well-behaved, which understandably leads to mistrust.

He said that when Jonnie has her harness on, she takes her job seriously, even while riding in unfamiliar vehicles.

"She sits on the floor," May said. "We try to be very unobtrusive. We get in and then she doesn't budge."

He wants to raise awareness of the issue, which hasn't stopped him from traveling. May is planning another trip to Oahu in the spring.



>> The Americans with Disabilities Act requires transportation providers, including ride-sharing services, to allow service animals in vehicles and facilities. This applies to both public and private transportation providers.

>> Riders with service animals cannot be charged extra fees and do not have to provide advance notice that they have a service animal.

>> Lyft requires drivers to accommodate riders with service animals, even if they have “an allergy, religious or cultural objections, or a fear of them.” Service animals are expected to be calm and well-behaved. Lyft has a service animal hotline at 844-250-3174.

>> Uber prohibits drivers who use the Uber Driver App from denying service to a rider because of a service animal. There are no exceptions for allergies, religious objections or fear of animals. Uber has a service animal denial reporting line at 833-715-8237.

ADVERTISEMENT

Attend a Virtual Session

Register for a virtual event to learn more about the top-ranked . . . of Public Health



2 COMMENTS



By participating in online discussions you acknowledge that you have agreed to the [Terms of Service](#). An insightful discussion of ideas and viewpoints is encouraged, but comments must be civil and in good taste, with no personal attacks. If your comments are inappropriate, you may be banned from posting. Report comments if you believe they do not follow our [guidelines](#).

Having trouble with comments? [Learn more here](#).



Comments

My profile

Post a comment

Off Topic

Post

All Comments (2)

Viewing Options ▾

Crackers *3 days ago*

This is like having dark skin.

Uber needs to be a standup company an implement a zero tolerance policy and implement a rule for immediate and permanent driver account deactivation.

Respect 🗨️ 4 Reply ↩️ Report 🚩

Doodlemeyer *3 days ago*

To be fair, it's also because of all the horrible narcissists with fake service animals that are aggressive, ill behaved and not house trained (to be clear, I'm talking about the animals, but if the shoe fits...). They spoil it for those who have real service animals.

Respect 🗨️ 11 Reply ↩️ Report 🚩

ADVERTISEMENT





HB-468

Submitted on: 1/26/2025 2:02:43 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Autumn Schaefer	Individual	Support	Written Testimony Only

Comments:

Testimony of Autumn Schaefer

House Transportation (TRN) Committee

Thirty-third Legislature, 2025 Regular Session

January 28, 2025, 10:00 am, Hearing on HB468

Good morning, Chair, Vice Chair, and members. I am Autumn Schaefer, testifying in support of HB468, hoping this bill will pass this year. Mahalo for this hearing.

Due to blindness I can no longer drive therefore at times I depend on rideshare services, sometimes out of necessity due to lack of other transportation options.

The blind community in general, does depend on rideshare services more so than folks who can drive.

Rideshare driver discrimination is quite common. I myself have had many instances of drivers discriminating against me, such as, pulling up to me and locking the doors and rolling up the windows and not allowing me to get in the car, to pulling up and seeing the white cane then driving away. Unfortunately, this happens all the time with our blind community, especially with guide dog users who are consistently denied service unlawfully. I have reported these issues with Uber and Lyft with no results and I am aware of many others who have done the same. This is a frequent discussion among our community members and as hard as organizations and individuals have tried, the rideshare companies refuse to take accountability and fire It's discriminatory drivers.

The State is supposed to regulate these companies and we need you to do so so that we can have equal access to transportation.

HB468 acknowledges this problem with rideshare companies. It's important to hold the companies responsible when their drivers break the law.

Diversity is important and everyone should have a equal access. When the Legislature passes laws to promise equal opportunities, the law needs to include enforceable solutions. That's why I urge you to please pass HB468 on behalf of our disabled community and visitors.

Mahalo for the leadership of this committee in bringing this bill forward.

Brandon Young

1/26/2025

"Testimony of Brandon Young

House Transportation (TRN) Committee

Thirty-third legislature, regular session of 2025

January 28, 2025, 10:00 am, hearing on HB468.

Good morning, Chair, Vice Chair, and members. I am Brandon Young, supporting HB468, asking for remedies to strengthen the law against discrimination by transportation network companies."

Ride-share companies such as Uber and Lift employ drivers to help with our transportation problem here in Hawaii. When contracted to drive for these ride-share companies, these drivers agree to abide by the laws such as the Americans with Disabilities Act. These drivers have refused to transport people with disabilities, and we bring this before your committee to strengthen the laws of our state to curb this practice of discrimination by these drivers. Unless these ride-share companies crack down on this practice, the discrimination of passengers with disabilities will continue. I am in favor of this bill. This bill will help to increase the transportation opportunities for people who are blind in our state. I urge you to pass this bill.

Sincerely,

Brandon Young

HB-468

Submitted on: 1/26/2025 11:40:21 PM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tabatha Mitchell	Individual	Support	Written Testimony Only

Comments:

Testimony of Tabatha Mitchell

House Transportation (TRN) Committee

Thirty-third Legislature, 2025 Regular Session

January 28, 2025, 10:00 am, Hearing on HB468

Aloha! I am testifying in support of HB468 because it is a wildly important bill that impacts the safety of some of our most vulnerable citizens. Mahalo for this hearing.

People that are blind cannot drive. They depend on drivers for hire. In fact, my daughter that happens to be blind from a rare blinding genetic disorder has been training with taxis & rideshare services with her Hawaii DOE teachers of the visually impaired since she was in Kailua Intermediate School. As a family, we continued that training outside of her IEP so that she could participate in her community activities and engage with her peers & friends in an age-appropriate manner.

Imagine our shock when a rideshare driver canceled their pick-up as we literally watched them travel to our pick-up spot over the course of several minutes while watching on the live feed on the Uber app. We're sighted and could literally see them approaching. As we gathered our groceries and got ready for our approaching ride, BAM! It disappeared. Our ride had been canceled by the driver. Ok. Whatever. We schedule another driver. We have to wait an

additional 13 minutes on top of the 11 that we had just invested in the previous canceled ride. Sitting outside waiting.

Then, as we practiced taking ride shares with our blind teenage daughter, we began to witness a chilling reality. Rideshare drivers could - and often would - cancel their pick-up as they approached us and caught sight of my daughters long white cane - a universal indicator that she is blind & disabled. Amazingly cruel, yea?!

You bet it is. Now itrade places with me. Imagine that is YOUR teenage daughter. And let it anger you that one day soon you will not be there with her "training with her". She will be on her own hailing a ride to go to band practice as a high schooler. It's an infuriating feeling.

We noticed that cabs & taxis never turn away. But, cabs & taxis are a lot more expensive. And the wait times are often way way longer.

I want the State of Hawai'i to hold these rideshare companies accountable. Not only is this behavior frightingly unacceptable, it's downright egregious & it's flat out discriminatory.

HB468 acknowledges the problem that exists with the rideshare companies like Uber & Lyft. Why is it even possible for them to cancel a ride of any consumer?! Let alone a consumer that happens to be blind! We must hold the companies responsible when their drivers break the law.

HB468 is trying to remedy this ridiculous reality that exists today. This problem of rideshare discrimination creates safety issues that can be life threatening. We desperately need intervention from the State of Hawai'i.

Please support HB468. Vision loss can happen to anyone at any time. Imagine if this behavior in our service industry impacted you or your keiki or kapuna. Please think hard about what interventions CAN improve this very disheartening rideshare situation where the driver has no consequences for their very poor behaviour and discriminatory decisions that happen at the tap of their phone screen.

HB-468

Submitted on: 1/27/2025 8:40:42 AM

Testimony for TRN on 1/28/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ann Lemke	Individual	Comments	Written Testimony Only

Comments:

Dear chair and committee members:

My name is Ann Lemke and I am a retired resident of Kaneoh. I am blind and I have been refused an uber ride with my guide dog Daisy, a service animal. My partner and I and Daisy had gone to have our car serviced; since we would need to leave the car, we called for an uber ride. The first uber driver refused to take us, stating that he did not want to have any dog hair in his Tesla; the next driver expressed extreme doubt, until I carefully explained the position that uber supposedly takes banning discrimination.

Another blind friend with a guide dog uses uber pet, which is hugely more expensive and is often not available.

I strongly support this bill.

Testimony of Virgil Stinnett

House Transportation (TRN) Committee

Thirty-third Legislature, 2025 Regular Session

January 28, 2025, 10:00 am, Hearing on HB468

Good morning, Chair, Vice Chair, and members. My name is Virgil Stinnett residing in Honolulu at 2943 Kalakaua Ave. I am a blind businessman with 81 employees and President of the National Federation of the Blind of Hawai'i.

I am writing testimony in support of HB468, hoping this bill will pass this year. Mahalo for this hearing.

I find myself needing to use rideshare services as one of my options more often than people who can drive their own cars. I have this option by necessity, not by my own choice.

In my own experience and in talking with my friends who are blind, I'm keenly aware of how often we are refused service on the mere fact we are blind. I have had the unfortunate experience of a rideshare driver passing me and a colleague then canceling our ride with no explanation at my cost, with no repercussions to the driver rather than a ding against my rating as a passenger. Although a complaint can be made, it still occurs to often to blind and low vision people. My colleague was sighted and saw the driver look at me and my long white cane, shake his head canceling my ride as he drove off.

Quite honestly this made me angry and frustrated at one more clear-cut discrimination against blind and low vision people by rideshare drivers while the companies do nothing to correct the issue. I know it happens. I am not always with a sighted person; I mostly travel independently or with my wife who is also blind. Each time I request a ride; it is an unknown whether it will happen this time when I try to use a rideshare service. It's against the law, yet it still happens.

In areas I use a taxi who are required by state laws to be highly regulated, this would never happen. Why are the rideshare companies allowed to continue to break the law?

I am asking you to ensure the State make these companies provide the service they're licensed or approved to provide, and I don't think that's too much to expect.

HB468 acknowledges the problem we're having with the rideshare companies and gives us hope for a better future. It's important to hold the companies responsible when their drivers break the law. That's what HB468 is trying to do. This problem of rideshare discrimination won't be solved if the State refuses to get involved.

Diversity is one of our state's high-priority values. We want everyone to have a fair chance regardless of physical, cultural, ethnic, or a multitude of other differences. When the Legislature passes laws to promise equal opportunities, the law needs to include enforceable remedies so the promise is real. That's why I'm asking you to pass HB468 on behalf of our residents and visitors with disabilities.

Mahalo for the leadership of this committee in bringing this bill forward with serious consideration of passing it into law.

As the elected President of the National Federation of the Blind of Hawai`i, I am attaching our 2024 resolution regarding rideshare. Our members unanimously voted in favor making this resolution 1 of our priorities.

NATIONAL FEDERATION OF THE BLIND of HAWAII
Resolution 2024-02

Regarding rideshare discrimination in Hawaii

WHEREAS, the Uber and Lyft rideshare services are Transportation Network Companies as defined in HRS section 279J-1 and provide on demand public transportation in local jurisdictions throughout our state; and

WHEREAS, this form of public transportation is important and often essential to local residents, but also important to visitors from the continental United States and other countries; and

WHEREAS, refusing service to blind customers attempting to use Transportation Network Companies, particularly, but not exclusively, when blind persons are using dog guides, is happening with growing frequency, including incidents of this happening in Hawaii; and

WHEREAS, service denials by Transportation Network Companies on the basis of disability and use of service animals are unlawful discrimination, violating Title III of the Americans with Disabilities Act and several state laws, including: HRS Section 347-13, providing rights of blind persons to use public facilities and transportation services when using service animals; HRS Chapter 489, prohibiting discrimination in public accommodations, including use of transportation facilities when using service animals; and HRS279J-10, regulating Transportation Network Companies, specifically prohibiting denial of service to customers using service animals, but the companies have so far thumbed their noses at these federal and state requirements:

Now, therefore,

BE IT RESOLVED by the National Federation of the Blind of Hawaii in convention assembled this 9th day of November, 2024, in the city and county of Honolulu, that this organization bring the problem of service denials by Transportation Network Companies to the attention of the Hawaii Department of Transportation and other state and local officials and ask them to hold the Transportation Network Companies to account in accordance with the law.

Testimony of Katie Keim

House Transportation (TRN) Committee

Thirty-third Legislature, 2025 Regular Session

January 28, 2025, 10:00 am, Hearing on HB468

Good morning, Chair, Vice Chair, and members. My name is Katie Keim, residing in Honolulu at 2943 Kalakaua Ave. I am a blind business professional and a proud leader in the National Federation of the Blind of Hawai'i.

I am writing testimony in support of HB468, hoping this bill will pass this year. Mahalo for this hearing.

I use out of necessity rather than choice, rideshare services as one of my transportation options more often than people who can drive their own cars.

I have had the unfortunate experience of being refused a ride by the rideshare driver because he believed I was damaging his car and would not allow him to take my long white cane and put it in his car trunk. Common sense you say to store a cane in the trunk, not at all. I would be at the mercy of the driver without my cane, not being able to safely and independently exit the vehicle. There is a very safe way to store a long white cane in a vehicle without damaging the car or other passengers. He grabbed my cane, even after I politely asked him not to, it is like taking someone's glasses who cannot see or navigate without them, then proceeded to yell at me stating I had damaged his car when I lightly touched the back wheel locating the back door to enter in the way I and many blind people do to independently identify and navigate a car before we safely enter to ride. He continued to yell aggressively at me, telling me how many blind people damage his car at a high cost of repair to him with no compensation to him from the passenger or company, finally saying it is his right to refuse me the ride unless I follow his rules and put my long white cane in the trunk. I did not ride with that driver, yet he canceled the ride which ends up costing me the passenger, not the driver, even with my complaint I submitted with only a company courtesy note of thanks for submitting the issue. You bet I gave him a very zero (0) rating and marked him so I would hopefully not ever get him as a rideshare driver again. No person regardless of disability, gender or any other differences, should have to pay to be bullied and then not receive the original requested service. Costing me a lot of time energy and money. I had to request reimbursement multiple times from the company. I was charged the full cost of the ride I had requested and never received, not a simple cancellation fee, but rather the total of the estimated cost of my

requested ride. it took me submitting the complaint and multiple attempts to be reimbursed and still the rideshare company held back a \$5 cancelation fee for the inconvenience of their driver!

In talking with my friends who are blind, I'm keenly and personally aware of what can happen and how often we are refused service on the mere fact we are blind.

HB468 acknowledges the problem we're having with the rideshare companies and gives us hope for a better future. It's important to hold the companies responsible when their drivers break the law. That's what HB468 is trying to do. This problem of rideshare discrimination won't be solved if the State refuses to get involved.

Diversity is one of our state's high-priority values. We want everyone to have a fair chance regardless of physical, cultural, ethnic, or a multitude of other differences. When the Legislature passes laws to promise equal opportunities, the law needs to include enforceable remedies so the promise is real. That's why I'm asking you to pass HB468 on behalf of our residents and visitors with disabilities.

Mahalo for the leadership of this committee in bringing this bill forward with serious consideration of passing it into law.