

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
TRANSPORTATION COMMITTEE

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In re Public Hearing on
SEPTA HR 41

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Stenographic report of hearing
held in The Little Theater,
Cheltenham High School, Cheltenham,
Pennsylvania

Tuesday
September 22, 1987
10:00 a m.

HON AMOS HUTCHINSON, CHAIRMAN

MEMBERS OF TRANSPORTATION COMMITTEE

Hon. Mario Civera
Hon. Gordon Linton
Hon. Charles Nahill

Also Present.

Hon. John Fox
Larry Gordon, Executive Director
Paul Landis, Minority Executive Director

Reported by
Dorothy M. Malone, RPR

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1 REPRESENTATIVE LINTON. Good morning. I would
2 like to begin our hearings this morning. This is a result of
3 House Resolution No. 41. The House Transportation Committee
4 is conducting ongoing investigations into the SEPTA
5 Transportation Authority and as a part of that ongoing
6 investigation, we are happy to be here this morning in
7 Montgomery County in the district of our Subcommittee
8 Chairman on the minority side, Representative Charles Nahill.
9 I would like to introduce to you the members, of the Committee
10 who are here today and we will begin our hearing shortly
11 thereafter.

12 To my right, far right, Mr. Paul Landis, the
13 Minority Executive Director of the House Transportation
14 Committee. Next to him, Representative Mario Civera,
15 Delaware County. Mr. Charles Nahill, Representative Charles
16 Nahill, the Minority Chairman of the House Public
17 Transportation Subcommittee. I am Gordon Linton from
18 Philadelphia, Subcommittee Chairman on Mass Transit. To my
19 left is Larry Gordon, Executive Director of the House
20 Transportation Committee.

21 We would like to start our hearings this morning
22 by having Mr. Illy Sobel, Vice-Chairman of the Citizen's
23 Advisory Committee to SEPTA come and begin his testimony.
24 Mr. Sobel, would you have a seat. Give us your name and also
25 the agency that you represent for the record.

1 MR. SOBEL: My name is Illy Sobel, I-L-L-Y,
 2 S-O-B-E-L. I am the Vice-Chairman of the Citizen's Advisory
 3 Committee to SEPTA and I am speaking here, this is an official
 4 statement that we took up and passed by the executive
 5 committee of our Citizen's Advisory Committee.

6 For the record, the committee was created by Act
 7 101, as you know, in June of 1980 at the same time that the
 8 SEPTA organization Authority itself was reorganized. The
 9 Citizen's Advisory Committee has been asked to present its
 10 views on the Southeastern Transportation Authority as part of
 11 a review of the agency by the House of the State Legislature.
 12 This report handles the CAC's comments. We tried to make
 13 the observations as objective as possible in spite of the
 14 inaccurate and exaggerated comments that are found in the
 15 press and word of mouth.

16 We frequently use the phrase Philadelphia Metro
 17 to emphasize the unity of the region. The Authority is
 18 probably the only agency that is regional in its organizational
 19 status and that serves the entire region as such. Our
 20 committee has members on it from all five counties in
 21 proportion to the ridership from each. The Citizen's Advisory
 22 Committee thinks as a region in our deliberations. We do not
 23 take provincial positions favoring one or another county.
 24 Our committee members stand and work for improved public
 25 transportation throughout the region.

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1 One only need to examine the daily newspapers to
2 become aware of the increasing demands for additional service
3 particularly in suburban regions. But funds from the state to
4 cover added service will be required. Some effect is being
5 made to have those who benefit directly from the service pay
6 for it. A strategy that has not yet proven itself. The
7 private sector expects the state to come through with funding
8 for transit as they do for highways and as has been the case
9 heretofore with some rumbles about changes in those
10 relationships.

11 We believe there is a very unbalanced attitude
12 towards transportation as a whole. We believe our society has
13 promoted a posture that is overly directed towards the
14 automobile using internal combustion engines. By doing so, we
15 have downgraded other modes of travel excessively resulting
16 in much less quality transportation service than we could get
17 for the huge sums that we spend for it. If we can adjust the
18 imbalance with due deliberation, our mobility will be improved,
19 the cost of travel will be reduced, air quality will be
20 improved, society will become more cohesive and we can become
21 more immune to a petroleum scarcity or a possible petroleum
22 cutoff. It sounds almost like motherhood.

23 At the national and the state level, we need to
24 evaluate the place in the transportation arena for the
25 electric car, the bicycle, safe pedestrian walkways,

1 especially in suburban regions where very often there are
 2 none at all and public transportation with varying
 3 technologies and alternate institutional arrangements, both
 4 public and private.

5 Let's talk about southeastern Pennsylvania and
 6 its transit posture. Public transportation service provided
 7 by SEPTA we believe is quite adequate for some people in a
 8 substantial portion of the region most of the time. It is
 9 less adequate for lesser portions of the region and the service
 10 is nonexistent for parts of the suburban portions and even for
 11 some within the city. At times the board and staff become
 12 confused we believe about the Philadelphia or Metro concept
 13 that SEPTA is charged to serve especially when funds are short.
 14 More than ever, public transportation is essential to the
 15 economic life of the entire region to sustain its economic
 16 vitality and quality of life.

17 Above all, we believe that SEPTA needs a
 18 comprehensive plan. It is long overdue. The region is
 19 changing geographically, demographically and economically at a
 20 rapid pace. A comprehensive process must result in a
 21 strategic plan to provide guidance to the public and to the
 22 officials who must provide the thrust and the funding to
 23 adequately alter and build a public transportation system in
 24 the region.

25 As part of its responsibilities, SEPTA must state

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1 the role of public transportation in the total transportation
2 posture of the region. Using the strategic plan as a guide,
3 SEPTA's management must make appearances at public
4 transportation hearings for every mode and discuss its plans
5 for the region and how they interact to provide a well-rounded
6 service in all parts of southeast Pennsylvania. With funds
7 destined to be less than needed, the prioritization of
8 allocations for all modes, highways, bridges and transits
9 becomes critical. In such considerations SEPTA has not
10 effectively presented the case for the transit component.
11 There is some rationale to providing funds for transit not
12 from the General Fund but from highways funds allocated to
13 the region since that would, in some circumstances, provide a
14 more cost effective solution to moving people and mitigating
15 congestion.

16 About the regional rail system, regional rail
17 service is suffering primarily from worn out facilities.
18 These fall into two categories, ordinary and extraordinary.
19 Ordinary describes wear out from current operations.
20 Extraordinary funding is required to correct two decades of
21 lack of regular maintenance that accumulated when the rail
22 systems were operated by ConRail, Penn Central and Reading
23 before 1983. Major funding for catch up will have to come
24 from allocations of a major bond issue or the like, for the
25 sums needed are several hundred million and should not be

1 considered as part of the annual capital expenditures needed
2 for current maintenance.

3 The bus service - the bus service has improved
4 immensely since the 1970's. With funds available for the 120
5 units replacements per year, the fleet age has been kept at a
6 lower healthy level, so, breakdowns are at a minimum.
7 Problems with bus service that do exist are due to delays
8 from congestion and out of the ordinary street events. These
9 problems can be ameliorated by a strong supervisory control
10 program. The street supervisor's activities must be better
11 organized and enforced to eliminate bunching and to respond
12 more rapidly and effectively to street blockages that occur
13 daily. Buses can be kept on time by a concerted effort in
14 spite of heavy traffic. Unfortunately, of late, we observe
15 more time between buses and considerably more crowding aboard
16 busses is taking place. SEPTA's response to shortage of
17 operating funds apparently has been to quietly to trim back
18 service on many lines.

19 The annual funding mechanism - reliable and
20 adequate funding of the operating budget is a fundamental
21 correction that the state legislature must address. The
22 funding must be available with some reasonable certainty so
23 that the staff can develop plans most efficiently instead of
24 being in a stop and go mode of planning, not knowing until
25 well into the operating year what the available funds will be.

1 The current lack of reliable funding produces wasted staff
2 time and a lowering of morale.

3 The light rail has a very specific role to play.
4 Trolley or a light rail vehicle service is of higher quality
5 than bus service when available between well traveled points.
6 North Philadelphia lines need to be reconstituted in some
7 locations and rehabilitated in others to maximize the level of
8 service and to reduce operating costs. Running LRVs on
9 exclusive rights of way or in restricted corridors makes for
10 superior service in locations where they can be implemented.
11 We support the city SEPTA initiative now underway to
12 rationalize the lines to be implemented so that capital
13 funding can be pursued.

14 A little about the organizational structure
15 within SEPTA. Currently there appears to be a lack of
16 assignment and accountability procedure at SEPTA with rewards
17 for achievement. This should be corrected along with pay
18 scale adjustments for outstanding performance. Such changes
19 will improved the entire organization and make it more
20 effective and responsive to internal needs as well as to the
21 public and the political process.

22 A word about the relationship between the board,
23 the general manager and the staff. The board does not always
24 receive sufficient data concerning alternatives on matters
25 when difficult decisions need to be made. As now

1 constituted, the board does not have independent technical
2 capability in ascertaining such information. The scope of
3 data they receive depends to a good extent on the prior
4 internal decisions made by the staff, however good those
5 decisions may be. The collective staff attitude therefore
6 biases the results provided the board for their consideration
7 and approval. As the relationship now operates, the
8 completeness of the presentations to the board is dependent on
9 the general manager and how he guides and encourages the staff
10 to round out their studies made for the board. CAC believes
11 that improvement in staff studies would depend on more
12 exacting demands by the board on the general manager and by the
13 general manager on the staff. One possible alternative would
14 be to have the board develop a minimal independent expertise
15 to assist in critically reviewing staff presentations and
16 recommendations.

17 The CAC and SEPTA. The CAC relationship with
18 SEPTA has become more fruitful over the years as a general
19 manager and many, but not all members of the staff, have
20 realized that the CAC are not interlopers but serve as an in-
21 valuable audit function from the point of view of the users.
22 From year-round contacts, members of CAC have developed an
23 in-depth understanding of the Authority, its strengths and
24 its problems. As a result of our dialogue, some shortcomings
25 are corrected and others appear to be ignored. We believe

1 that if the suggestions made in this report were examined and
2 carried out, considerable improvement in service and
3 efficiency would result. Making more effective use of CAC
4 comments would help in getting the riders' views to staff and
5 board members. We suggest the Act be possibly changed to
6 require that responses to our suggestions and questions be
7 formalized and that the board be made aware of these
8 exchanges that are taking place with the staff. It may also
9 be useful for an annual report of such exchange be prepared
10 for the Pennsylvania legislature because of our overview as
11 part of the riding public.

12 This is a statement that picks up excerpts on the
13 longer report that we wrote back in May and I think that is
14 in your hands and should be available to the members of the
15 Committee. Thank you.

16 REPRESENTATIVE LINTON: Before you leave, I want
17 to have some members of the Committee ask you some questions.

18 MR. SOBEL: Sure.

19 REPRESENTATIVE LINTON: Representative Nahill.

20 BY REPRESENTATIVE NAHILL:

21 Q We have somebody else coming in today to talk
22 about the trolleys and I think that is of some interest, at
23 least as far as I am concerned. I have lived in Philadelphia
24 most of my life and in the Philadelphia area and the Citizen's
25 Advisory Committee is pushing trolleys, the use of trolleys,

1 the rehab of trolleys? Have you made this a big point with
2 SEPTA, I guess is what I'm asking?

3 A We raise the question repeatedly because we think
4 it is a most effective tool along with the other technologies
5 for providing a public transportation service. Where it runs
6 in a heavy corridor and is well utilized, as many of the lines
7 in the city are now and some that were eliminated could be,
8 it provides a cost effective way of moving people to a good
9 extent because one driver can take care of many more people.
10 The productivity of the driver is very high as compared to a
11 bus. The service, if it is run in any kind of a protected way,
12 not completely sharing the roadway with cars, it is a very
13 rapid service, too. And it increases ridership very much so
14 when it is run between heavily traveled end points.

15 Q I think one of the things that we see or at least
16 I see, unfortunately, is that almost all of them are run in
17 roads which they must share with traffic. It is a shame we
18 built the system so early. We are so advanced, because if we
19 built it now, we could do a lot more with it.

20 A Yes. That is a troublesome question. For
21 instance, the Allegheny line which is being considered is
22 running in a somewhat of a separated corridor. The plan was,
23 I don't know if it is going to be effectuated or not, but it
24 was planned, a good part of it to run in a separated corridor.
25 And that could fulfill, it is a street that is wide. Ogontz

1 Avenue where number six ran is also a pretty wide street that
2 might provide, with the right kind of engineering approach,
3 an exclusive corridor or a limited corridor where the trolleys
4 would run exclusively and that could speed up the service and
5 make it very much more attractive.

6 REPRESENTATIVE NAHILL: Thank you.

7 REPRESENTATIVE LINTON: I would like to announce
8 Representative John Fox has joined our Committee to sit in on
9 the hearing.

10 REPRESENTATIVE FOX: Thank you, Mr. Chairman.

11 BY REPRESENTATIVE FOX:

12 Q It just occurred to me, it seems like we go through
13 a yearly, it seems like a yearly crisis with SEPTA, with
14 regards to cutbacks of suburban service which I am familiar.
15 Are you in agreement that the suburbs need to have this
16 lifeline of bus routes that constantly come under attack
17 because of cost taking measures?

18 A Absolutely. I think the suburbs probably need a
19 greater expansion of service than the city does. Because the
20 number of trips that are being made in the suburbs are
21 increasing at a very much more rapid rate. According to all
22 statistics, official statistics by the DVRPC, the Delaware
23 Valley Regional Planning Commission, indicates a tremendous
24 increase. The congestion on the roads in the areas where the
25 industrial parks and commercial parks have developed indicate

1 that some relief is needed. The judgment of the transportation
2 experts that I have talked to and which I am a part of would
3 indicate that it is going to be mighty difficult to respond
4 to those congestion needs by simply more road improvements. It
5 is going to be a very, very costly measure. In some places,
6 it cannot be done. The street area is just not available
7 because everything is built up around the existing roads.

8 I am thinking of King of Prussia, for example.
9 Right now there is a suit underway to widen 363 which runs
10 along King of Prussia, between King of Prussia and Valley
11 Forge. The engineers needed about, I don't know, five or
12 seven feet additional width so that 363 could be made four
13 lanes instead of two. Well, they asked the Valley Forge
14 Golf Club to cede a few feet. They refused to do it. So, they
15 had to go in with Eminent Domain and that is being decided by
16 the court now, what the value of that strip is to widen the
17 road. That is just an example of how tight the land area is.
18 And the one real way to get relief is to provide the kind of
19 public service, transit, that is, that will attract
20 middle-class riders. Not just those riders that would come in
21 for the lowest paying jobs in those regions where there is
22 a shortage. You have all probably read that, too. That the
23 ability to attract many employees that are needed is limited
24 because many people do not have cars, which right now is
25 almost the only way to get there. Public transit would help

1 those people from areas that they don't live right in that
2 area. So, people have to come some distance for those jobs.
3 They need more and better transit to get there. And transit
4 is going to be a more cost effective way of getting congestion
5 relief and it is going to be fast. I mean, if you go to work
6 and introduce a better bus service from the nearby rail lines
7 such as the Norristown Line and the R5 Paoli Line, run good
8 bus service from those nearby stations into those areas, you
9 are going to get a much faster relief than trying to plan for
10 road expansion and go through the entire procedure of getting
11 in line and waiting for those highway funds to come in and give
12 relief. That is a five, ten year process at best.

13 Whereas, transit, as little as six to ten percent
14 removal of people to transit that now arrive by individual car
15 probably, for the time being, relieve the congestion almost
16 completely. That is what the studies show.

17 REPRESENTATIVE FOX: Thank you.

18 REPRESENTATIVE LINTON: Representative Civera.

19 BY REPRESENTATIVE CIVERA:

20 Q In your comments, you had mentioned about the
21 highway funding. The Commonwealth of Pennsylvania, I think
22 our priorities, you just touched on it when you were speaking
23 about the mass transit, our priorities go to highways and the
24 funding mechanism goes more to a highway to automobile type of
25 transportation. I think our second priority is now coming

1 into focus of mass transit. Explain to me, I think I kind of
2 missed this in your talk. When you mentioned about the funding
3 that the priorities should be coming from the highway fund,
4 what did you mean? You touched on that.

5 A Well, what I mean is that when the planning
6 agencies sit down to decide how they are going to relieve
7 congestion, right now there is a very big thrust on King of
8 Prussia to relieve congestion there because trips are delayed
9 from 20 minutes to 35 minutes in the immediate region. That
10 is aside from the long distance trips that people have to take
11 to get to work and go home. They get delayed in the immediate
12 area because of ramp congestion, because of the small side
13 roads to get to industrial parks and the like.

14 We have a problem. We have congestion in that
15 area. We have highways that are insufficient as the growth
16 is taking place. The question is how best to relieve that
17 congestion. How best to increase mobility. You have a certain
18 number of dollars that are available, allocated for this
19 region, and therefore, the question is, from a cost benefit
20 point of view, how best to spend that fixed amount of dollars
21 that are now available over the next five to ten years.

22 I think if the planning process was opened up to
23 remove the bias towards highways only, which I must agree is
24 probably what is in the public's mind right now. There is no
25 question that is what is in public's mind, because it is a

1 blinder type of observation that has taken place for 30 years.
2 We have a conditioned reflex. If you have congestion on the
3 highway, build more highways. It is conditioned reflex.

4 And the only way to get around that is for the
5 planners, the transportation experts, to provide a set of
6 alternatives and to get that out, discussed amongst the public
7 by you folks who are the leaders in the political community
8 who can bring issues up and get it some visibility. And prove
9 to people first, by a very low cost kind of solution, which is
10 additional buses, I think SEPTA, Gene Scarpowski (phonetic)
11 went up to King of Prussia or has presented a plan for them to
12 improve bus service. I don't know how much exactly he is
13 asking for support right now from that local community. He is
14 asking the business community to come up with the money to
15 offset the cost of that service that does not come out of the
16 fare box. The state money, the highway money, might be made
17 available with the proper planning. And after an extensive
18 discussion, the public being involved and all the political
19 officials being involved, to offset some of that funds for a
20 railroad spur. There is a couple of railroads that are in
21 operation by SEPTA that could be extended rather readily
22 because the rights of way are available to extend that rail
23 service right into the King of Prussia Mall and even further
24 on down Route 202 to perhaps Route 29 where tremendous
25 expansion is taking place and being planned up near Exton.

1 That is what I mean by a balanced look. It is not
2 an easy thing. Somebody doesn't just do this on the back of
3 an envelope. This is a matter of involving the best planning
4 methodologies. But looking at the bundle of money as
5 transportation money, not highway money, and then going to
6 work and divvying it up in the most cost effective way to bring
7 the best service, the most mobility for the funds that are
8 available. I think that when that is done, it will clearly
9 show that just highway expansion will not be the answer, will
10 not be the most effective answer by any means.

11 Q You are reflecting what the Department of
12 Transportation in New York is, that is exactly what they have
13 done in the last ten, 15 years. Their priority now is mass
14 transit. When we were up there last year, they showed us that
15 with the highways. Well, they have the city of New York and
16 Manhattan to deal with.

17 I think you are on the, excuse the term, right
18 track.

19 A Yes. Well, all their bonding and funding issues
20 that have come through in the last ten years have a very
21 heavy commitment to transit support in cities across the state
22 of New York. That is what I am proposing. That we take a hard
23 look at that question starting with your Committee. I think
24 your Committee is very germane to that whole discussion in
25 opening up the vistas in looking at things in a more wide

1 manner.

2 REPRESENTATIVE FOX: Thank you.

3 REPRESENTATIVE LINTON. Representative Nahill.

4 BY REPRESENTATIVE NAHILL:

5 Q You touched on something that I think we ought to
6 reemphasize and I think maybe is part of the solution. You
7 talked about the King of Prussia area. This could also take
8 in Hatboro, Ft. Washington?

9 A Right.

10 Q Maybe we need to be talking about a coalition of
11 not just state, local officials and SEPTA, but maybe the
12 business community itself. I think we got to start getting
13 the business community involved financially and in the
14 planning process as the third thing that we need to make the
15 whole system work.

16 A Those people in the business community that I have
17 met who think about these questions at all are generally
18 organized into rather effective chamber of commerces in the
19 various regions. And I think if you work with the
20 transportation committees in those chambers, I think you will
21 get a very good representation from the business community to
22 go along with this. And they will come through with what they
23 think they can get their colleagues to come up with and what
24 they can't. But that's the point where you folks could lean
25 on them. I mean, if much of the improvements they are asking

1 for directly affect their future, their growth, their current
2 income, I mean, I think any wise businessman would say if it
3 is not available from some source, it has to be available from
4 us. We are going to benefit in a very short term particularly.
5 So, I think you would get some enlightened responses going
6 through those channels.

7 REPRESENTATIVE LINTON: Mr. Landis.

8 BY MR. LANDIS:

9 Q Mr. Sobel, I am sure you are aware that our
10 constitution restricts the liquid fuels tax. It goes to
11 highways and bridges and that is it; major reconstruction.
12 One of these solutions has been a bill introduced for a
13 regional sales tax. We have had that introduced in the Senate?

14 A Yes.

15 Q It had a statewide increase in the sales tax. The
16 federal government, in their last round of gas tax increases,
17 did dedicate a portion of the federal highway trust fund for that new
18 tax to mass transit. This is where PennDOT is highway
19 oriented. Roughly, 90 percent of their funds comes from
20 liquid fuels tax.

21 A And they are earmarked. They are heavily
22 earmarked.

23 Q They are earmarked and it would take a
24 constitutional amendment which could have a problem passing
25 two sessions of the House because of the makeup of the General

1 Assembly with the majority of the members coming from
2 nonmass transit areas. So, would your committee favor a
3 regional approach like a regional sales tax that is dedicated
4 strictly for mass transit or would you support a
5 constitutional amendment?

6 A That is one of the avenues. I have heard a lot
7 about, I am not a constitutional expert, but I have heard the
8 problems that open up once you start calling a constitutional
9 convention and start getting involved with that process. You
10 open up a Pandora's box.

11 Q You open up the constitution actually?

12 A Right. That is correct. So, I don't know that
13 you are going to be able to use that avenue to clean up what
14 is a rather sloppy set of laws. That is, a set of laws and a
15 constitution that does not respond to today's needs. You
16 don't lightly do those things.

17 Q We did one within the last six years. It was the
18 aviation liquid fuels where it passed the end of one session
19 and the beginning of the second session. So, it would get on
20 the ballot for referendum. That was a fund to establish
21 loan funds for general aviation airports and some tax rebates
22 in order to do it. That was Wilson's, the one that went
23 through. I think it was four years ago. It takes two
24 distinct sessions to do it.

25 A Yes. We certainly think that a regional tax is

1 one of the elements that should be looked at and we would
2 support that. Taking a hard look at it. There are
3 involvements and negative elements to that as well. One of
4 them I heard recently is, it puts the region under a heavy
5 burden of carrying that tax. Whereas, the adjacent regions
6 immediately around don't carry it, resulting in business
7 purchase shifts and it hurts the merchants and other people
8 who are selling goods that do not carry the tax in the
9 immediate surrounding area. So, those are some of the things
10 that have to be considered.

11 On the other hand, if you are going to level a
12 flat tax across -- some kind of a tax across the entire
13 region, people in real suburban areas are going to say why
14 should we pay for the city or even towns of 50,000 and up?
15 Why should we pay for their transportation? So, you know,
16 the question of where additional funds should come from ought
17 to get started. We haven't even barely started discussion on
18 those questions and putting all the possible sources in the
19 pot and start weighing them off one against the other, a
20 typical, political compromise kind of procedure.

21 BY REPRESENTATIVE LINTON.

22 Q Well, I just want to follow up on Mr. Landis'
23 question. We are going into special session dealing with
24 local tax reform this year. In that discussion, I would hope
25 that many of us will be concerned about adequate funding for

1 mass transit. Make sure that that issue is considered during
2 overall statewide tax reform. Even making sure that is on the
3 table so it does not get lost. There may be some opportunity
4 in that reform to put some of those issues on the table.

5 A Representative Linton, if those measures are put
6 forth, is there going to be a series of hearings then on those
7 kinds of things would you expect?

8 Q I have not heard from the Governor as to what the
9 process is going to be.

10 A Because we would certainly like to have our
11 comments on that. I am sure many other groups as well would
12 have a bit to say about the various measures as they become
13 concretized. Right now it is very, very airy, very indefinite.
14 So, it is pretty hard to comment on specifics.

15 Q I have a couple questions that I would like to
16 ask. One, I would like to thank you for your excellent
17 testimony. Not only what you presented today but I also had
18 the good fortune I guess to be at SEPTA's fare increase
19 hearing that took place in the city of Philadelphia and you
20 provided some excellent testimony in terms of some alternative
21 approaches to looking at our revenue needs rather than the
22 major reaction of constant calling for fare increases. I
23 thought the testimony you provided from the CAC was some of
24 the best that was presented that evening. So, I thank you
25 for that.

1 A Thank you.

2 Q A couple of things you made reference to. As you
3 are aware, the Urban Mass Transit Administration from
4 Washington has funded a comprehensive study of SEPTA, and I
5 agree with your comments, that is something that has long been
6 lacking, lacking in something that there needs to be a lot of
7 involvement. The issues regarding reverse commute in terms of
8 the change in demographics of our region that require
9 transportation to be extended into suburban areas and other
10 areas where there is economic growth and employment. I would
11 hope that would come up in that comprehensive study.

12 But one of the concerns that I have had for a long
13 time and that is a priority in the capital budget and how we
14 look at how money should be spent for capital needs, a lot of
15 the planning, I think, has a lot to be desired in terms of the
16 capital planning not being set out to meet growth and
17 development, prioritizing the capital dollars based upon
18 opportunity for increased revenues, increased ridership,
19 increased services. I don't think we do enough along that
20 line. I hope the DVRPC study would move in that direction.
21 Any comments?

22 A Well, I would hope so, too. I read the DVRPC's
23 request for proposal and I wasn't all that sanguine about it.
24 I didn't think it called for comments terribly specifically
25 along the area that you, Mr. Linton, have pointed out. That

1 doesn't mean they won't come in because the proposal affords
2 a lot of leeway to the responders to look at problems and
3 come forth with solutions. However, I saw one report that was
4 done by Boose Allen Hamilton on the Chicago Transit Authority.
5 I looked that report over. It is a real thick volume issued
6 in January of '87, and it did not earmark terribly well the
7 kinds of questions you are raising. It did try to look at the
8 community and where funds might come from, you know, it did
9 not talk about the demand so much as where the source of funds
10 would come from. I think a study like that has to be
11 reasonably specific and it has to be updated as new trends
12 develop.

13 Q Has DVRPC, have they had any contact with the
14 Citizen's Advisory Committee and discussions around the study?

15 A Not yet, but that is supposed to be one of the
16 elements in the study. As part of the ongoing study process,
17 various active and interested community groups are supposed to
18 come together in a committee that relates to the planning
19 committee that is running the study. And so, we will have our
20 chance. In response to your questions, I think we will have
21 our opportunity to make our views known.

22 Q Another point that you made, something I have a
23 lot of concern about, too, has been the staff involvement or
24 the staff information as provided to the board. The need for,
25 and I guess you are right coming from the general manager.

1 It seems to me that very often when the board proposes a
2 problem and asks for staff solutions, it seems to me that a
3 number of alternatives that could be pursued are not presented
4 to the board from the staff and therefore, the board is pretty
5 limited in terms of directions they can take?

6 A That is right.

7 Q Because other alternatives are not put before
8 them?

9 A Right.

10 Q I have some real concerns about that and I am
11 hoping that we can find a way of getting at that. A clear
12 point has been what I consider a major reaction in terms of
13 fare increases. I don't see a real number of alternatives
14 put before the board as to different approaches they can
15 take rather than we have to raise fares. That happens not
16 just in fare increases but a number of circumstances. So, I
17 share your concern with that.

18 A I think one area that we, I don't know about the
19 funding question. SEPTA very often finds itself between a
20 rock and a hard place. The citizens are asking for more
21 service which is legitimate and SEPTA has limited funding
22 source and it is pretty hard to stretch it at certain points.
23 So, they get into a bind.

24 I was thinking very, very specifically early this
25 year the staff proposed shutting down the Ninth Street branch

1 of the railroad which would represent an interruption of every
2 line for a period of three summers in order to complete bridge
3 repair, track repair, catenary signal repair, to go through the
4 entire railroad system.

5 The consultant, the two consultants, LTK and
6 Bergman that went through those studies, provided a series of
7 four or five alternatives initially. By the time the study was
8 completed and on the street, it had steered around to more or
9 less the closing approach. In our opinion, a good hard look
10 was not taken at the alternates that were possible. We have
11 some people on our committee that have been in the railroad
12 business for a long time. And we thought the possibility of
13 keeping parts of the system open while repairs were done was
14 entirely -- was a very good alternative that should have been
15 put more effectively before the board. But instead they
16 decided that right now on the books it stands that we are
17 going to have three summers of shutdown of the rail system.
18 It is going to be a heavy burden to carry for the riders.
19 That is one example.

20 In order to try to resolve that, our committee
21 called a session together which the SEPTA staff very cordially
22 came to and presented their views and the business community
23 was there as well to express their views. We think we shed a
24 little light through that meeting we had back in January

25 So, the question about whether they are going to

1 actually shut down for three solid summers for three months is
2 kind of in the balance to see just how well the possibilities
3 for putting some of the bridges in place while the system is
4 in operation. Other railroads do it. SEPTA does it itself.
5 Right now there are several bridges that are being repaired
6 and the system is not shutting down on those branches.

7 But it depends on, it is very site specific and it
8 depends on the amount of damage existing to a bridge, for
9 example. There are some bridges where you actually have to cut
10 the tracks in order to put the bridge in place. We said,
11 well, why can't you do that in a week? Why don't you work
12 solidly through a day and night for several days prior to a
13 closing and do it on the weekend or do it over five days? Why
14 does it take three summers to do it? When we asked those
15 questions of ourselves, the conclusion we came to is, well,
16 it is easier when you shut down and you go at the whole thing
17 and you let your contractors come in and take over the
18 facility and redo it.

19 Well, that is nice. It is easier for the
20 contractors, but it is not easier for the riders. So, there
21 is a trade-off. You are going to make it easier for the
22 staff and the contractors or you are going to make it a little
23 tougher for them, maybe a lot tougher for them, in order for
24 the ridership to continue to use the system. That is a very
25 subtle thing. You just can't sit here and say this way is

1 better than that. But we said that not enough light was shed
2 on the alternatives and that is what we meant when the board
3 does not get all the input we believe they could have gotten
4 from the consultants and from the staff.

5 Q There have been a couple of comments you made in
6 regard to changing the Act for the CAC, either having them more
7 involved or at least having some of your informational
8 comments given more consideration by the board. Listening to
9 some of your comments today and also some of your testimony
10 that you provided at the public hearings on the fare increase,
11 I have some real strong interest in trying to see if you can
12 find a way for more citizen direct involvement into the SEPTA
13 board. I'm not quite sure of the mechanism we have in place
14 in Act 101 that provides for the advisory committee is enough.
15 I am concerned about whether or not the citizenry of this
16 region really have some kind of input into some decision
17 making that is going on as they should. And I would really
18 like to look at that. I would hope that Charlie, as the
19 minority chairman of the subcommittee and other members of the
20 Committee really look very hard at some way that we can try to
21 have more citizen input at a decision level rather than an
22 advisory level of the activities that are acceptable.

23 A That is a knotty question and does take probably
24 more thought than I can give it right at this point. That is
25 a difficult question. There are some very active groups in

1 the region and some very knowledgeable ones and responsible
2 ones. So, if you have knowledgeability and responsibility and
3 you represent the public, there should be some way of letting
4 those groups provide input to the staff and the board in a
5 more effective way than now exists.

6 The hearing process is supposed to be that. But
7 when you call hearings, it is usually on a very hot issue and
8 it dominates the entire picture and you really don't get a
9 chance to explore a variety of things in which case the hearing
10 officer, he has to make a report. He has his focus on the
11 answer to the specific issue. Let's say the fare increase.
12 Everybody is coming into the hearing and saying, but my
13 service is bad. You are going to eliminate this line. What
14 are you doing on this line? Why isn't the station fixed?
15 Whereas, the focus of that particular hearing is on the fare
16 increase.

17 Right now there is no mechanism for bringing these
18 many issues that are important to the citizens, some very
19 specific regions and not everybody. There is no way to bring
20 that forward right now and bring it to the attention of the
21 staff and board.

22 Q I don't want to dominate this but I do have one
23 final question that I would like to ask you. Many of the
24 things that you talked about, I would hope that we would have
25 a sense of optimism with the possibility of selecting a new

1 general manager at SEPTA. There is a search being put forth
2 now which I understand is supposed to be a national search to
3 get, what I like to say, the brightest and the best, to be the
4 general manager for SEPTA. Have you had any contact, has
5 anyone contacted you in terms of a profile or are you providing
6 some information for what you see would be a good general
7 manager for the Authority?

8 A Okay, on that let me be very specific because
9 certain specific things have happened. We had a meeting
10 earlier in the year with Mr. Gould at which time we presented
11 a two-page brief outline of highlights, what we thought, what
12 assets the general manager should have. He accepted that and
13 thought that many of them were good. We did not get any
14 terribly specific comments back on that.

15 In addition, he agreed to have us, as a committee,
16 discuss with the agency that is doing the search so that we
17 could have a very articulate exchange with this individual
18 or firm to help set down the guidelines of four of the general
19 managers. So far that has not happened but I believe it is
20 going to happen very shortly. It was agreed that we would
21 meet with Mr. McCarthy.

22 Q You have not heard?

23 A I have not met with Mr. McCarthy. Mr. McCarthy
24 I believe is heading the team who is going to make the
25 selection. I have not met with him. I have been on the phone

1 with him once to twice. He was very busy and I was. We had
2 not set a specific date where we would sit down and talk.
3 That is supposed to take place very shortly so, we will have
4 our direct input to him. But that hasn't happened yet.

5 Q I'm kind of concerned that has not happened as
6 yet because I know that the search is in process.

7 A It is under way.

8 Q Are getting applicants, I would hope that you
9 would have had some involvement, profiling prior to this.

10 A I will press that further at this point.

11 REPRESENTATIVE LINTON: Mr. Sobel, you provide
12 such good information I could sit here for another hour and
13 ask you about 20 more questions. But we have a number of
14 other guests here who are planning to testify today. I think
15 we better move on because they know how I like to ask
16 questions. Do you want to say anything?

17 MR. LANDIS: We were commenting on his expertise.

18 MR. SOBEL: Thank you.

19 REPRESENTATIVE LINTON: I am glad the Committee
20 agreed with me. We can find a way of getting more involved.

21 If you could provide us with a copy of your
22 testimony at a later date.

23 MR. SOBEL: I will get it to your office in Mt.
24 Airy.

25 REPRESENTATIVE LINTON: Thank you very much for

1 coming.

2 MR. SOBEL: Thank you, gentlemen, very much.

3 REPRESENTATIVE LINTON: If we get a chance to talk
4 with you some more, we would like to do that because we are
5 really trying to look over all kind of comprehensively at the
6 system. We don't see this hearing as a major reactor to
7 anything. We just think along the same lines as you. We need
8 to do more long-term overall planning.

9 MR. SOBEL: Very good. Thank you very much,
10 gentlemen.

11 REPRESENTATIVE LINTON: Mr. Frank Jenkins, who I
12 see in the back of our audience, former Montgomery County
13 Commissioner.

14 MR. JENKINS: Good morning. It's nice to see you.
15 I should clear the record. On your agenda you have me listed
16 as a Montgomery County Commissioner. I probably should use
17 the word former. I am not any longer a county commissioner
18 and two people at least I know would be very upset if it was
19 so reported in the media.

20 REPRESENTATIVE LINTON: On our list it is former.
21 So, we made that correction, Mr. Jenkins. So, if you would
22 like to begin.

23 MR. JENKINS: Sure. I do not have a prepared
24 statement. As a matter of fact, I sat back listening to Mr.
25 Sobel and my mind is in absolute turmoil at this point because

1 there is so much, really, to be said. First of all, we do
2 appreciate the input that Mr. Sobel makes. He has been very,
3 very constructive with our board and with staff. We do listen
4 to citizen comments. We don't react all the time to citizen
5 comments, but then again neither do you. We have the
6 responsibility of providing a system. First of all, I want
7 you to know I think two of your members do know already from
8 me, that I consider SEPTA a real success story. That may come
9 as a shock to a lot of people, but I have been there for
10 somewhere around ten years on that board. I was on the county
11 commissioner's board when I was appointed and I have been there
12 since and I have watched the system grow to what I consider
13 at least one of the best in the country. Not the best and
14 nowhere near perfect, but as we have advertised recently, we
15 are getting there. And we are working very hard at it. The
16 staff is working hard at it, the board is working hard at it,
17 the citizens groups are working very hard at it and I am
18 sure that you are working very hard at it.

19 I have told many people last year just about this
20 time, I had the opportunity to travel to Europe and I saw some
21 world-class cities. We went to Vienna, Munich, Paris, Luzerne,
22 and in those cities that I consider old, ancient cities that
23 are world-class, we are part of a metropolitan region here
24 that I consider has a world-class city in it. Not perfect by
25 any means but it is world-class.

1 Recently some group did a study and placed
2 Philadelphia I think fifth in the most livable big
3 metropolitan cities. I submit to you that that would not be
4 possible without a good mass transit system. We do have a good
5 mass transit system in Philadelphia. All you have to do, and
6 I have heard this from many, many members of the legislature,
7 is go to Broad and Olney on a given morning or go to Market
8 East on the railroad or any of those places and you will see,
9 and I would urge the more rural members of the legislature to
10 do it, there you see what mass transit is all about. You
11 don't really see it on the line from Jenkintown over to
12 Chestnut Hill because there are not enough people riding it
13 yet. It is necessary to provide that service, but there are
14 not enough people riding it yet. And that is what I think our
15 perception out here is of mass transit and it is wrong. The
16 fact of the matter is we don't have to advertise in
17 Philadelphia for ridership. We have all the ridership that we
18 can handle. Not unpeak hours but on peak hours we have all the
19 ridership we can handle.

20 Then we get into the capital aspect of it. In
21 order to provide more service, we have to have more buses,
22 more trolleys, more subway cars and so forth. So, we don't
23 really have to advertise but we do advertise the rails and we
24 concentrate a little bit on the rails because, frankly, that
25 is what ties the region together. That is what encourages the

1 county commissioners and council from Delaware County to
2 become and remain involved with the SEPTA system. To become
3 and remain involved in a regional approach to mass transit
4 and to become involved in a metropolitan region. I submit to
5 you that we live in the finest area in the world to live in.
6 If you look at any aspect of your living, you will find that
7 this area, Philadelphia and the metropolitan area of the four
8 counties, is the finest anyplace and I could go through a
9 whole list of things that make it that way. One of them, we
10 talk about the orchestra, we talk about the art museum, we
11 can talk about many things that Philadelphia is able to
12 provide for us in the suburbs that we cannot provide for
13 ourselves. But we can partake of it. We can participate in
14 those things because of Philadelphia, and they are important
15 to us, because I, in Montgomery County, do not come from a
16 world-class suburban county unless we have that world-class
17 city down there.

18 That is what we on the SEPTA board try to stress
19 all the time. We want the regional approach. We need your
20 help. I have said time and time again that we are not going
21 to succeed without the 100 percent commitment to mass transit.
22 That is the position of this board. I sit on the AMTRAK
23 board also. Tomorrow morning I will leave early. I'm
24 supposed to be at committee meetings today, but I'm going down
25 tomorrow morning for the monthly meeting. The last meeting

1 we had down there, I said to Grant Klater (phonetic), who is
2 the president of AMTRAK, that in my mind we now have in this
3 nation a crisis in transportation, all kinds of transportation.
4 Those of us, Representative Fox, Nahill and myself that come
5 from the eastern end of this county realize what a traffic
6 problem we have. Anybody that has to commute into the city
7 by car, I will never understand why they do it. But if they
8 have to commute into the city by automobile on the Schuylkill
9 Expressway or I-95, look at the crisis there.

10 We have accidents in mass transit. I want to
11 mention that just in passing, but how often do we have
12 tractor trailers that jackknife and tie up traffic for miles
13 and miles and hours? Those things are happening. Look at
14 what is happening in the airline industry. It is absolutely
15 chaotic what is happening to get a ticket, to get a
16 reservation, to get a plan on time that will arrive on time.
17 It is chaotic.

18 My point was there and it is here, that what we
19 ought to be looking at is some sort of a transportation
20 commitment that allocates the funds that are available into
21 where they are really needed. I am not saying it is all mass
22 transit and it certainly is not all highway and it certainly
23 is not all air controllers or airports. But each one of those
24 aspects of transportation itself needs funds. We could talk
25 about more service but we don't make up any profit by volume.

1 Every branch of service that we provide costs us money, costs
2 you money, costs the taxpayers money. It doesn't make any
3 difference where we are.

4 In the city of Philadelphia in the transit
5 division, we are now approaching, I think, probably close to
6 60 percent of the revenues coming from the fare box. That is
7 probably more than anyplace in the world. In the commuter
8 lines, we are about 40 percent and that is an inordinately
9 small amount. However, we only took over those rails a couple
10 years ago and I don't know whether we made the right judgment
11 or not in taking them over. But it was a commitment that we
12 had to keep that rail system running as a regional approach.

13 We have a lot of problems. We have problems with
14 staff. You talked recently about the general manager search.
15 There are some things that I could answer questions on on
16 that. The industry itself, however, you must recognize is a
17 very small industry. There are very few people in the country
18 who are capable of managing a multi-faceted system such as
19 ours. Go to Denver, they run a bus system. There are only a
20 few, San Francisco, Chicago, New York, Washington.

21 Now, whatever general manager type of person we
22 look for, if he is going to come out of the transit industry
23 and he need not, but if he is going to come out of the transit
24 industry, we have to look for somebody who will have some
25 familiarity with all of the facets of mass transit. So, it is

1 a difficult task. Dave McCarthy has broken it down, I can tell
2 you this, into some 8 people now that he has looked at. We
3 had a board discussion about this at last week's meeting. We
4 probably will end up interviewing all eight before we have a
5 short list. I don't know who they are so, don't ask me that.
6 I have no idea who has been consulted or looked at or
7 interviewed by Dave McCarthy. I don't even know he has anybody
8 that is interested.

9 As was stated yesterday at the congressional
10 hearings down at Temple University, one of the problems we
11 have with the general manager is that he is walking into a
12 situation where the funding is not definite and that is one of
13 the problems. Who wants to walk into a system where we are
14 absolutely preoccupied where the next dollar comes from and
15 that is a shame. Don't get me wrong. I don't think
16 predictable funding is the answer to all of our problems.
17 Management is part of it, the board is part of it. I would
18 like to see predictable funding but I am not sure how you do
19 it. You talk about a regional sales tax, you've got to talk
20 about what happens to the merchant in Pottstown. I mention
21 Pottstown because the people in Pottstown, with the regional
22 sales tax inserted in the five county area, the people in
23 Pottstown are going to be shopping in Reading or the people in
24 Media are going to be shopping in Wilmington or someplace
25 like that. That is one of the political problems that we have

1 and it is a political problem. A regional tax of any kind,
2 the funding, is a political problem.

3 It was suggested yesterday at the hearings that
4 the board ought to have an approach. We ought to go to the
5 funding agencies and suggest things. Well, frankly, I think
6 we would all be reluctant to do that. I don't think it is our
7 prerogative. I think the political, the elected officials are
8 the ones that have to conclude how this money is to be raised
9 because that goes into their budget, it goes into your budget
10 and so forth.

11 There is so much more that I am sure you want to
12 hear. I read in here in the resolution setting up these
13 hearings that part of it is on safety, rail safety and so
14 forth. Obviously, we are concerned about it. When I was a
15 young lawyer many, many years ago I practiced in Philadelphia
16 and I did a lot of insurance company work and I cut my teeth
17 on trial work by doing subrogation work and I did not go
18 through a day that I didn't have a claim against the PRT or
19 the PTC. I submit to you that when you have thousands of
20 vehicles on the road, we are going to have accidents. It is a
21 shame but we are driving those vehicles through some crowded
22 streets and there is more and more vehicles, parked cars and
23 so forth. We're going to have accidents. There are going to
24 be claims made against us. Unfortunately, the claims are so
25 high that we are getting murdered by the recoveries, but we

1 are going to have accidents. We will avoid all that we can.

2 The accidents on the high speed line, two of them
3 were just human error. They weren't new people that were
4 operating the vehicles, but it was human error. The one was
5 caused by kids throwing rocks on the tracks. I submit to you
6 that I, as a board member, feel no guilt about that. The rail
7 accidents that happened, they are not necessarily a matter of
8 training because they occurred with old-timers on the trains.
9 People who have come over to the mass transit system to SEPTA
10 from the old railroads. But I think they are inevitable.
11 We are trying our best in training and in our approach to
12 drug and alcohol to do as much as we can to eliminate them.
13 We are not going to eliminate them all. It is pie in the sky
14 and there is no use even thinking that we will.

15 I frankly could go on and on and I am sure I am
16 saying a lot of things that you are not the least bit
17 interested in. Why don't I stop here and ask if you have any
18 questions of me?

19 REPRESENTATIVE LINTON: Thank you, Mr. Jenkins.

20 BY REPRESENTATIVE LINTON:

21 Q I would like to start. I note just recently, in
22 fact yesterday, you made reference to the congressional
23 hearing that Congressman Gray and Congressman Coughlin on the
24 Subcommittee of Appropriations for Transit, in the hearings,
25 at least from what I read and what I heard, that there was

1 some finger pointing at SEPTA in regards to need for training.
2 They talked about the Federal Railway Administration making
3 some statements regarding the accidents. They did make some
4 reference to training, some issues that were related to the
5 accident as well as the need, again, for some additional
6 funding. So, you have better moving stock and infrastructure.
7 So, evidently, they are seeing there are some concerns about
8 problems in the area of training and of manpower and safety
9 in that regard?

10 A I don't have any question about that. I think
11 what I am hearing, and I think it is probably partially right,
12 partially wrong. Meaning that everything gets down to
13 funding. I think with regard to the training and the
14 performance by our staff, our drivers, our engineers, our
15 maintenance people, is much to the funding problem that we have.
16 I think goes to somewhat of an attitude problem. Don't get me
17 wrong. We have some great people, some fine people, working
18 very, very hard at it and they are very bright people. But
19 when you get down to the level where the job becomes boring,
20 you forget that you are involved in a public service.

21 We have a big issue now about drug testing.
22 Frankly, I am one who would be an advocate of random drug
23 testing because the one thing I think we forget is the use of
24 drugs is illegal. Whether you are operating a bus or a train
25 or whatever, it is illegal. To take a drink at cocktail hour,

1 over the weekend, something like that, is not now illegal.
2 But the use of foreign substances is illegal. I don't want
3 somebody working for me that is engaging in anything that is
4 illegal. If I want to find out whether anybody is doing that,
5 particularly somebody who has the lives of people involved
6 with him, then I think we have every right to protect the
7 public by doing whatever testing is necessary. I know it is a
8 big issue. It is a civil rights issue. I am not here to
9 quarrel about the issue on it. But I for one think that
10 anybody that doesn't want to be a public servant should not be
11 a public servant. But if you are going to serve the public,
12 and particularly if you are in a situation where there is
13 safety involved, you darn well better be prepared to do it
14 under certain rules to protect the public.

15 I don't know whether we have to talk about funding
16 for training. I can, for instance, tell you at Beach Grove,
17 Indianapolis, AMTRAK has a magnificent training facility.
18 They have classes two and 300 young people every day going in
19 and out of there on different aspects, engineering,
20 operations and so forth. We have our own training program.
21 I think it's a pretty good program. But I don't think you
22 protect the public by having somebody well trained if he is
23 not going to be functioning properly. That is another
24 problem I guess.

25 I guess if we had all the money in the world, we'd

1 have a school someplace and everybody would come out with the
2 proper attitude and the proper approach to his job. But one of
3 the things I get disturbed about, I ride the trains all the
4 time. One of the things I get disturbed about is the attitude
5 of the passenger employees, the trainmen. Some of them are
6 great. Some of them really have fun at their job and the
7 riders enjoy them. But there are too many of them that don't
8 have the proper attitude. Too many of them that don't
9 recognize, as I think present company would recognize, what it
10 means to be a public servant and that is what they are.

11 Q I have two questions and one just popped out as
12 you were talking. We take a lot of pride in the fact that our
13 recovery from the fare box is higher than probably any of the
14 other transit authorities in the country. We also recognize
15 that the fare box recovery is also because we have the highest
16 fares in the country. So, that also contributes to us having
17 a 60 percent recovery from the fare box in terms of operating
18 cost.

19 One of the things brought to my attention in
20 regards to rail lines is that there seems to be a large amount
21 of uncollected tickets or the feeling that there are revenues
22 that we are missing on our rail lines. I haven't had a chance,
23 and I think I want to get the staff to request from SEPTA, it
24 is my understanding that the operators, conductors are
25 required to submit some estimate of either missed revenues or

1 lost revenues or something after they finish their routes.

2 Any feelings or comments in regard to how we can capture --

3 A Well, I don't think you can do anything other than
4 discipline any trainman or conductor who doesn't collect the
5 fares. I know it happens. I have been on trains where it has
6 happened. Usually it is under crowded conditions. I know it
7 happened just last Thursday because it happened within my
8 family. My wife and daughter and granddaughter and a friend
9 were all going down to the parade. Got on a very crowded
10 train and no tickets were collected which to me is, you know,
11 absolutely ridiculous but nonetheless it happened. It may be
12 because they had two extra cars on the train and there was
13 standing room only and the conductors just don't have the time
14 to get through the trains. It is a very, very shallow and
15 bad excuse as far as I am concerned but I know it happens.
16 All we can do is report it and make sure that whoever did it
17 does not do it again or is disciplined somehow. We just can't
18 give money away. It is too important. I don't think it
19 happens often. I see, when I ride down on the usual peak
20 hour commuter rails, those tickets are collected. Many of the
21 people, if you ride a train and see a conductor going through
22 and not collecting tickets, doesn't mean that those people are
23 not paying. But if you look around you will notice a lot of
24 them have the trail pass on and the conductor needs only to see
25 that. So, it is not everybody that is getting away. But on a

1 day like the bicentennial of the constitution, they certainly
2 should have had somebody there to collect those fares. We
3 provided a lot of extra service.

4 BY MR. LANDIS:

5 Q Do you think part of that could have been by
6 SEPTA's management by not properly staffing the trains?

7 A It might be, it might be. But they only have a
8 limited number of men and so forth. Let me just talk about,
9 if that answers your question.

10 Q Well, you mentioned discipline, that trainman --

11 A If he can't do it, he can't do it. I understand.

12 Q If he can't do it, why discipline him? Why not go
13 back to the people who assigned the people to run the train?

14 A I understand.

15 BY REPRESENTATIVE LINTON:

16 Q That is an issue that was touched on by conductors
17 when they testified before us. But I was also provided some
18 information from another SEPTA employee who raised some
19 concerns with me about lost revenues and I just wanted to
20 raise it. I have had examples because I have ridden the
21 trains myself. There were situations where I was not asked to
22 provide a ticket.

23 A This again gets back to what I think is an
24 attitudinal problem and people doing their jobs. There is so
25 much history that goes into it. When we originally took over

1 the rails, we wanted it to be part of a transit system and we
2 made it a high-speed transit line. Immediately the old
3 railroaders got very upset. One of them is in the room here,
4 too. But they got upset because they want to be part of a
5 railroad system. They don't want to be part of a mass transit
6 system. So, we reversed it back. But the people we hire are
7 not necessarily railroad people nowadays. And I'm not sure
8 what difference that makes, if any at all.

9 Q One further question in regard to the search for a
10 general manager, your comment in regard to, I also belong, am
11 a member of a national organization in regard to transit and I
12 know of people who are around the country and I know of some
13 who have submitted applications for the general manager. I
14 think we have a little broader choices than we may think in
15 terms of, yes, they may not have individuals who have
16 experience in a multi-system such as we have. I'm quite sure
17 there are many individuals who have transferable skills and
18 have had long years of training in transit that will make them
19 capable of handling a multi-system?

20 A I don't disagree with that at all. I don't think
21 we necessarily have to go to the transit industry itself. I
22 think we are looking for a good manager and administrator.
23 Every member of the board has been interviewed by Dave
24 McCarthy to get his concept of what the general manager needs
25 to possess. I think it is somebody that has to be an

1 excellent administrator/manager but he needs some other things
2 also. He needs to be able to go to people like you and not be
3 offensive in his requests. But he has to be able to go to you.
4 He has to be able to be a little bit of a politician on
5 occasion.

6 We had a great one in David Gunn. Dave was great
7 because he was strong in his feeling but he came across so well
8 and he never offended anybody. I agree. The talent is out
9 there. There is no question about it.

10 Q Well, I have made some comments to Mr. McCarthy.

11 A Have you, good.

12 Q I had a chance to speak with him. I will be frank
13 and honest with you. I indicated to him we needed someone
14 who will restore the credibility of both the citizenry and
15 also the funding sources. And I think that will go a long way
16 in terms of gaining support that the system will need for
17 additional dollars, if you have a general manager that brings
18 with him the kind of expertise, background and credentials
19 that everybody feels comfortable about the kind of management
20 that is being provided from the top. I thought that was a
21 very, very important component and was necessary in a new
22 general manager.

23 I think this is a real opportunity to turn the
24 system. I think there have been many improvements and there
25 will be many needed as well. I was sitting out there when

1 Charlie Nahill and other members were having hearings in 1971
2 when the subways were burning up and the trolleys were coming
3 off the tracks and a whole number of other things. When the
4 operating conditions of the operators were dirty and the
5 places that he had to work. So, we have come a long way from
6 that. But at the same time we are at another juncture where
7 if we make the right decision in terms of a general manager,
8 I think we can also move again in leaps and bounds. We can
9 also make the wrong decisions and delay the progress that the
10 systems have. So, I would just hope that the members of the
11 board really see the importance in their selection of a
12 general manager.

13 A No question about it. It is the highest priority
14 that we have. It is probably one of the two basic priorities
15 that we have and that is to make sure we have the proper
16 management.

17 Let me just say this. I think it is somewhat
18 tragic that we are constantly preoccupied with funding.
19 Everything that we do has a dollar mark attached to it and a
20 lot of the shortcomings of the staff, and I am talking about
21 management as well, not just the operators, I am talking about
22 management, a lot of the shortcomings that are perceived to
23 be shortcomings are caused, I believe, by their preoccupation
24 with always having in the back of their minds, can we afford
25 to do this. Mr. Sobel talked about the repair to the bridges

1 and shutting down the system for three months for three
2 summers. I have stated and I will state publicly, I think
3 that is the most abhorrent thing I have ever heard with regard
4 to the system. There has got to be a better way. I don't
5 know what the alternatives were, Mr. Sobel, at this point, but
6 there has got to be a better way than to have people ride to
7 Fern Rock on the train. Incidentally, the train system is
8 not going to be shut down. Ride to Fern Rock, cross over
9 through a new facility onto the subway and go into Center City.
10 My best recollection is that the other part of the system
11 from Delaware County and Chester County will continue to
12 operate but without the loop created by the tunnel.

13 The reason, the basic underlying reason, that they
14 consider to do it that way is to get it done in the most
15 economical way that they can. I have stated that I don't
16 think that we should make the economics of it the principal
17 factor. What we need to do is continue to serve the riding
18 public. That is our job. We cannot shut them off for three
19 months for three summers. We will lose them. The Schuylkill
20 Expressway will be mobbed. I-95 will be a parking lot again
21 and we are going to lose the ridership. And everytime we do
22 something like that, it takes us years and years to get them
23 back. It just is a shame. And yet the bridges have got to
24 be repaired. There is 21 of them that are just absolutely
25 essential.

1 We get into a capital budget kind of a thing. To
2 do any kind of advance planning, those 21 bridges are out
3 there in front of us all the time. We cannot go through
4 another Columbia Avenue situation and we cannot go through
5 the hazard that it creates. We must get the bridges repaired.
6 Bill Coleman said we needed a billion dollars. New York just
7 gave Dave Gunn eight billion dollars. That is why we can't
8 get him back here. He said I've got eight billion dollars to
9 work with now. I'm not going anyplace. We only need one
10 billion. Write the check.

11 I would like to make one other comment about Mr.
12 Sobel. His organization, and I really take, I'm glad that I
13 have this opportunity to say that Mr. Sobel's organization
14 came out publicly at last week's SEPTA board meeting against
15 outdoor advertising on buses and trolley cars. Thank you, Mr.
16 Sobel.

17 REPRESENTATIVE LINTON: If you can convince the
18 members of the General Assembly who are asking for additional
19 dollars that would help pursue that issue. It is a real
20 problem.

21 MR. JENKINS: I know it is a real problem.
22 Nobody knows better than I do what a problem it is.

23 REPRESENTATIVE LINTON. It is a real problem when
24 you don't pursue what is perceived a revenue enhanced for what
25 is considered aesthetics. At the same time you are coming to

1 the table and asking for a billion dollars to give you an
2 example or need some capital dollars and it is felt that you
3 are not exploring opportunities that you have at hand to get
4 revenues.

5 MR. JENKINS: But the problem is this, Mr.
6 Chairman. We have explored it and the bottom line on the thing
7 is that it is not a good thing to do. Boston is getting out of
8 it. Dave Gunn has told our staff and board members just
9 recently as last week, don't ever do it. And if you think he
10 is a good manager, then maybe you want to listen to him. We
11 have explored it. We did do it at one time. It is chaotic
12 and should never be done in my mind.

13 REPRESENTATIVE LINTON: Representative Civera.

14 BY REPRESENTATIVE CIVERA.

15 Q One question. Mr. Jenkins, did SEPTA take bids
16 on that advertisement last week?

17 A Yes.

18 Q How many bids did you receive?

19 A Three bids.

20 Q And what was the highest bid?

21 A I'm sorry, I can't really remember the name.

22 Q The reason, I heard rumor that it was a million
23 two?

24 A No, the highest bid was a million five over a
25 certain period of time.

1 MR. LANDIS: Each year?

2 MR. JENKINS: Each year, yes. Now, I don't want
3 to leave that hanging. It is not a million five in net
4 revenue.

5 BY REPRESENTATIVE CIVERA:

6 Q That's my point though. My point is this. It is
7 my understanding that with the outside advertising, I was the
8 one who voted for it and I guess it was Denny O'Brien's
9 legislation. It was brought out to my attention, was that the
10 cost to remove the graffiti, to wash the buses and what all
11 this outside advertisement does to the aesthetics to the buses
12 is, well, almost I would say eight, \$900,000. What the bottom
13 line is that SEPTA might only pick up 250 to \$300,000 worth of
14 revenue?

15 A That is exactly right.

16 Q That was never explained?

17 A Of course, it was never explained.

18 Q To the General Assembly when this all came about
19 in June. I think we voted on the bill in June. Now, \$200,000
20 is still money, it still brings revenue into the company.
21 And nobody, none of us want to put \$200,000 away from us.
22 But when you get that close to it and the following year you
23 might break even.

24 A Yes. We tabled that motion for the award of the
25 contract. We tabled it last week so that the staff could give

1 us as exact as possible figures on that. I will be glad to
2 submit that to the entire House.

3 REPRESENTATIVE NAHILL: That is something we
4 definitely need.

5 MR. JENKINS I understand. I am surprised you
6 did not -- see, this is what SEPTA staff has been saying.
7 And unfortunately, a lot of people didn't want to listen to
8 that. But what they have been saying consistently, the first
9 report we ever had on it from staff was that with a million
10 six, was the original proposal over a year ago, we are still
11 only going to net maybe about \$200,000 a year.

12 MR. LANDIS: The way it was presented to the
13 members and to the staff it was --

14 MR. JENKINS: A million six.

15 MR. LANDIS: That is why I wanted to know if a
16 million five was the net figure.

17 MR. JENKINS: No, sir.

18 MR. LANDIS: Because that is the way the House
19 voted on 16 million over ten years.

20 MR. JENKINS: Oh, yes.

21 MR. NAHILL: We knew it wasn't that. The problem
22 was, we couldn't get anybody to listen to us. We argued it.

23 MR. JENKINS: We will have more exact figures I
24 think within a couple weeks because we tabled it. It comes up
25 next month for resolution at that time.

1 REPRESENTATIVE LINTON: You better get some facts
2 and figures.

3 REPRESENTATIVE NAHILL: We are going to need that.

4 MR. LANDIS: We are going to need that. When the
5 House comes back they have Senate Bill 516 that issue
6 predictable funding bill that was --

7 MR. JENKINS: I know.

8 MR. LANDIS: It was killed by SEPTA in the wee
9 hours of the morning.

10 MR. JENKINS: It was what?

11 MR. LANDIS: Killed by SEPTA. The passage was
12 killed by SEPTA. They refused to talk, to send it in,
13 nonconcurring on that vote. It was greased because of the sign
14 issue, the comptroller issue. We tried to raise this with
15 your manager, Mr. Gunn.

16 MR. JENKINS. Mr. Gould.

17 MR. LANDIS: Mr. Gould. He said he knew nothing
18 of it. Your man standing back there in the back, he was the
19 one that was in the Senate in Stauffer's office, Jubelirer's
20 office and Corman's office that night, about four o'clock in
21 the morning, when the Senate was going to agree to concur on
22 what the House did.

23 Now, it is our understanding that maybe when they
24 come back the Senate will agree to reconsider the vote and
25 concur. And if they do that, you've got the sign issue which

1 is there, but it has been amended to say that you shall look
2 at it and justify whether or not --

3 MR. JENKINS: We are not going to give up.
4 Believe me. The improvement in the formula that that bill
5 provides for us for signs. We'll put the signs on. So be it.

6 MR. LANDIS: The way the sign was, you were
7 supposed to make an attempt, get bids and all you had to do is
8 justify to the Department of Transportation that it wasn't
9 worth it, which you have done with the information you are
10 gathering now.

11 MR. JENKINS: I think the Chairman here would
12 remember what the vehicles looked like in Philadelphia ten
13 years ago. And to look at them now and I see them on the
14 Schuylkill Expressway, I was downtown yesterday right in the
15 middle of town on Cecil B. Moore Avenue and the buses looked
16 great and we don't want to mess them up. To a man on the board
17 that is the truth.

18 REPRESENTATIVE LINTON: Mr. Chairman, if anybody
19 would get your remarks from the day that the amendment was on
20 the floor, you would be interested to know that Representative
21 Nahill and myself were two individuals who stood up and supported
22 SEPTA in not having that amendment attached.

23 MR. JENKINS: I have the vote in the car.

24 REPRESENTATIVE LINTON: I'm not talking about the
25 vote. I'm talking about the floor debate.

1 MR. JENKINS: I know.

2 REPRESENTATIVE LINTON: The fight, we stood our
3 ground on that. I was there when David Gunn made the effort
4 to clean up the buses and I understand that. The information
5 we received was that this was a net figure and that in fact
6 the contracts would call for those who provide the advertising
7 to also, within their own costs, handle the maintenance of
8 maintaining the advertising to make sure that in fact they
9 were graffiti free. That it would not have a detrimental
10 effect on the buses.

11 MR. JENKINS: I think that was part of the
12 proposal. But I think the figures will show on the cleaning
13 of the buses and the additional damage that is done by having
14 frames and so forth. That is the kind of thing. We are going
15 to get that. We will get it as quickly as possible. You need
16 it now though.

17 BY REPRESENTATIVE NAHILL:

18 Q We need it now though?

19 A Sure.

20 Q I want to get to a couple of things. You talked
21 about safety and that is something that is concerning me a
22 lot. And I know you and I have talked about it. I know it
23 concerns you a lot. In the past budget, I attempted to get
24 some extra money specifically earmarked for training.

25 Is that a way to go? I mean, I'm asking you

1 candidly two things. One, are we concentrating enough on
2 safety or are the dollar parameters holding us short from
3 having as safe a system as we can have?

4 A Well, I think it is incumbent upon management to
5 provide whatever training to whatever extent they possibly
6 can under any circumstances. If you can provide more with
7 more money, then so be it. But I think it is a duty on
8 management to train people who are going to work for them in
9 whatever phase of the job they are going to work. I don't
10 think there is any substitute for that. I think whatever we
11 do, we can't say we can't train them because we don't have any
12 money. We have got to train them.

13 Q Do we need a line item at the state level?

14 A I don't think so. Because I really don't think
15 that is going to be the way to go. Because I think it may
16 need some oversight, not necessarily with a line item in the
17 budget, but with some oversight maybe by your Committee or
18 some committee. Believe me, we have no objection to oversight
19 from funding agencies. I heard a man at the last board
20 meeting state, I'm sorry I have forgotten who he is, but he
21 represented one of the governmental officials saying that he
22 had difficulty in getting to see the books of SEPTA. And I
23 asked him to tell me who refused to let you see the books
24 because our books are open. They are at least open to the
25 funding agencies, obviously. And we don't object to oversight.

1 We think it is necessary. We have congressional oversight on
2 this and that. You have legislative oversight on this and
3 that. It is necessary and I agree with it. Maybe that is the
4 way to go to require a legislative oversight on the training
5 facilities, the training results, the training program. I
6 don't think it is necessarily doable with a line item.
7 Although we could put in it as a line item in any operating
8 budget.

9 Q I am thinking more on the state level in addition
10 to the state subsidy, having a specific item that said safety
11 and maybe the oversight portion of that maybe --

12 A Representative Nahill, the thing that I think we
13 are mostly concerned about here is the perception of the riding
14 public and the public at large. And if that adds in their
15 perception that this is going to create a safe system, then
16 I think we ought to do it. Even if you put a line item in
17 for training. Because just as with security on the system,
18 it is the perception of the public that we are interested in.
19 Obviously, we are interested in it being safe. But there has
20 been so much said about training and safety now that I am
21 afraid people think it is not a safe system and it is. It is
22 as safe as any in the world. And every system in the world
23 has problems with accidents and so forth. But it is the
24 perception and if you can help us by saying we have a line
25 item in the budget proposal that provides for a half a million

1 dollars for training purposes only, that is fine. Nobody would
2 object to that at all.

3 Q I have an auxiliary question. I just want to
4 follow this kind of follow this item. We touched on it earlier,
5 trainmen on the train. We talked about, Gordon talked about the
6 possibility of lost revenues. But I am kind of getting a
7 reaction from the other side that maybe we have cut our crews
8 down so much at this point that, yes, we are not collecting
9 all the fares we possibly could collect but we are not even
10 giving the service that we should be giving to the people
11 coming on board on our rail system. Do you have any feel of
12 that? You ride it a lot. Do you think they are adequately
13 staffed?

14 A I am not a commuter. My office is in Ambler and
15 so, my commute is --

16 Q I know where your office is.

17 A I commute between Ambler and Norristown. That is
18 not necessarily mass transit. When I ride the trains anymore,
19 and for 15 years I rode them ^{every morning} from Oreland to the city and back
20 and in those days I loved it and I still love it. I am a
21 train person. The trains that I ride at 9:30, ten o'clock
22 during the day, coming back at three, four, five, basically,
23 are pretty well staffed. I think adequately staffed. I
24 can't really, I can't tell you about the peak hours. That is
25 where the problems are with collection of fares, et cetera.

1 Maybe even if we just isolate certain lines that are
2 overcrowded, we may be able to do a better job at that. But
3 again, you are down to a judgment. I don't know whether you
4 want to get into exercising those judgments for management.
5 I know I don't. I mean, that is a management prerogative on
6 how you staff something because they are working within their
7 budget. We negotiate very hard with the union. We have done
8 a fine job in those negotiations. We have been successful in
9 those negotiations in cutting down the number of trainmen and
10 so forth. I don't know whether that is good or bad.
11 Obviously, it wasn't so good when we made them mass transit
12 people. They wanted to be railroaders. That is a management
13 thing and I don't know how far you want to go with regard to
14 that.

15 REPRESENTATIVE LINTON: We are going to take a
16 momentary break.

17 MR. JENKINS: Do you want me to stay or to come
18 back?

19 REPRESENTATIVE FOX: I just have one question. If
20 I could get that over with, then we can break.

21 BY REPRESENTATIVE FOX:

22 Q When you touched on the regional funding concept,
23 one of my problems with that, I am from Delaware County, is
24 that in Delaware County in the past three, four years, we
25 have eliminated by SEPTA's request different routes and there

1 have been public hearings on them. They have been eliminated.
2 That tells me that ridership decreased in the county. What
3 concerns me is, if this was to come back to the General
4 Assembly where the proposal of a regional tax was to come in,
5 from a Delaware County point of view, how do I support such a
6 thing? What I am trying to say is, citizens came forward and
7 asked that the routes not be discontinued and they were
8 discontinued. And in the bottom line shows ridership
9 decreased. Then how is a member from my county delegation,
10 do I support such a concept? That is what I am concerned
11 about.

12 A Well, first of all, the reason you must support it
13 is, we have to have your support to maintain a regional
14 system but it is one of the problems. Delaware County
15 doesn't get as much service as Philadelphia. Doesn't get as
16 much -- well, probably gets about the same service as
17 Montgomery County. Chester and Bucks get even less. To
18 impose, and your question is a good question, to impose that
19 kind of a regional tax on those people which would be the same,
20 let's say, as the people in Philadelphia, is going to create
21 a lot of chaos in those counties with the elected officials
22 and I don't blame them. That is one of the arguments about it.

23 I sat for 13 years in the county commissioner's
24 office in Montgomery County trying to wrestle with that
25 problem. How do we fund SEPTA? There are no easy answers to

1 it. It is something that possibly this new group on local
2 tax, what is it, Bob Butera is involved in that, yeah, it is
3 possibly something they could be looking at. Because
4 obviously, you have been struggling with it up in Harrisburg.
5 All of us have for many, many years. What is an equitable
6 approach to all of this? There are several concepts that have
7 been put forth that may be more acceptable than others. A
8 statewide tax applied, I don't know. I really don't know.
9 I submit to you I have gotten out of elective office so that I
10 did not have to make those kind of decisions.

11 Q My point though is, I think before SEPTA starts to
12 go any further to eliminate groups in the five county area,
13 I think on one hand they are saying to themselves. Well, the
14 bottom line is, we are saving X amount of dollars.

15 A Right, budgetary.

16 Q On the other hand, you are not going to get the
17 support?

18 A That is right. It is budgetary. There is one
19 other thing, there is a move now underway that will be rather
20 significant with regard to this reverse commute and tying in
21 the various areas. Where is Rouse? Is he in Delaware or
22 Chester County? Rouse is now offering to fund one of the
23 shuttles from the station. Ft. Washington Industrial Park is
24 now considering a shuttle from Ft. Washington Station. We are
25 seriously looking at those things to encourage people to get

1 on those trains so they can get to their jobs. And that is
2 something to me that is very exciting that is going to happen
3 very shortly.

4 MR. LANDIS: I have one thing I want your comments.

5 REPRESENTATIVE NAHILL: This is the last question.

6 BY MR. LANDIS:

7 Q The FRA, you have rail, PUC, there doesn't seem
8 to be anybody that seems to have divided jurisdiction. PUC
9 has given over the FRA a certain amount of inspection down at
10 Paoli. Would you think a consolidated regulatory body would
11 be the thing for your rail divisions?

12 A I don't know. FRA is a very fine organization.
13 John Riley is one of the finest in the country. Obviously,
14 it seems to me some oversight, either PennDOT or get it out
15 of PennDOT, get it into a -- in fact, it was suggested
16 yesterday that we have a new cabinet position on this
17 approach. So be it.

18 I want to make one thing clear. We do not object
19 to oversight. We welcome the comments of the funding
20 agencies and the citizens groups because we know they are
21 interested. We are not opposed to that. I speak, I think,
22 for all members of the board in that respect.

23 REPRESENTATIVE LINTON: Thank you for taking the
24 time to testify.

25 MR. JENKINS: Thank you for the opportunity. I

1 didn't mean to ventilate so much, but we are deeply interested.

2 REPRESENTATIVE LINTON: Thank you very much. We
3 would like to take a brief ten-minute recess.

4 (Brief recess.)

5 REPRESENTATIVE LINTON: I want to apologize for
6 the lack of heat.

7 REPRESENTATIVE NAHILL: It is not a lack of heat.
8 It is an overabundance of air conditioning.

9 REPRESENTATIVE LINTON. I would like to start our
10 hearings and ask if there is a Miss Julia Chapman in the
11 audience? Do you have some testimony to provide the members
12 of the Committee?

13 MS. CHAPMAN: Yes.

14 REPRESENTATIVE LINTON. Miss Chapman, if you could
15 give us your name and agency you represent for the record.

16 MS. CHAPMAN My name is Julia, J-U-L-I-A,
17 Chapman, C-H-A-P-M-A-N, and I work for the Eastern Paralyzed
18 Veterans Association. EPVA is a nonprofit organization
19 formed over 40 years ago to serve the needs of the spinal cord
20 injured veteran. We are a chapter member of the Paralyzed
21 Veterans of America, a congressionally chartered veterans
22 service organization. The organizational mission of EPVA is to
23 break down architectural, attitudinal and transportational
24 barriers which inhibit our members from participating freely
25 and independently in their community.

1 Transportation is a major component of our daily
2 lives. Access to transportation opens up opportunities and
3 enhances independence. For those with physical disabilities,
4 transportation is an equally essential need resulting in
5 equally important benefits.

6 Mass transit is a public service built and
7 maintained with public funds. It is for the use and benefit
8 of the entire community. In Philadelphia, and throughout the
9 Delaware Valley, Southeastern Pennsylvania Transit Authority
10 provides this vital public conveyance

11 SEPTA should be providing safe, efficient and
12 inexpensive transit to the people living and working in its
13 service area. SEPTA should be linking riders to the work
14 place, the classroom, the store, the doctor's office, the
15 theater, and so on. In short, SEPTA should be serving the
16 transit needs of all the citizens within its service area.
17 And, of particular concern to EPVA, SEPTA should be serving
18 the needs of the transportation disabled.

19 As this Committee conducts its investigation of
20 SEPTA pursuant to House Resolution 41, I respectfully urge
21 you to scrutinize the accessibility of the system to people
22 with disabilities and to analyze SEPTA's compliance with
23 federal and state laws concerning the handicapped. It is the
24 opinion of the Eastern Paralyzed Veterans Association that
25 SEPTA maintains and promotes a separate and unequal service

1 for its disabled patrons. SEPTA has not complied in good
2 faith with recent federal regulations requiring comparable
3 services for the disabled community. SEPTA discriminates
4 against certain disabled citizens by prohibiting access to
5 the regional rail lines. Further, SEPTA undertakes major
6 renovation projects without incorporating accessibility
7 features in total contradiction to state and federal laws.

8 Section 165 (a) of the Urban Mass Transportation
9 Act of 1964 as amended in 1970 provides that:

10 It is hereby declared to be the national
11 policy that elderly and handicapped persons
12 have the same right as other persons to
13 utilize mass transportation facilities
14 and services; that special efforts shall be
15 made in the planning and design of mass
16 transportation facilities and services so
17 that the availability to elderly and
18 handicapped persons of mass transportation
19 which they can effectively utilize will be
20 assured; and that all federal programs
21 offering assistance in the field of mass
22 transportation (including the programs
23 under this Act) should contain provisions
24 implementing this policy.

25 What has SEPTA done to fulfill this national

1 policy? Do the elderly and the handicapped have the same
2 right as other persons to use SEPTA's facilities and services?
3 What "special efforts" has SEPTA taken to assure effective
4 utilization of available mass transit by the disabled public?

5 Permit me to describe what services SEPTA
6 currently provides to people with disabilities. I, then,
7 will let you decide the answers to these questions.

8 SEPTA has a bus fleet totaling 1440. Out of this
9 number, 448 are equipped with wheelchair lifts. Only 298 of
10 these lift-equipped buses, however, are operable. The
11 remaining 150 are Neoplan buses whose lifts have never worked
12 properly since July of 1982.

13 Wheelchair users frequently report the following
14 occurrences when attempting to ride the few lift-equipped
15 buses:

16 Lifts do not work.

17 Drivers state they cannot board the patron
18 because they do not have the key which operates the lift.

19 Drivers simply do not stop.

20 There are over 70 commuter rail stations in the
21 Philadelphia area. Only 12 stations have partial high-level
22 platforms which provide access for the mobility impaired and
23 those who have difficulty climbing steps.

24 SEPTA operates over 250 commuter rail cars daily.
25 Out of this number, only 16 cars are equipped with lock down

1 devices which help secure a wheelchair.

2 A rule governing passenger transportation on the
3 regional rail division discriminates against disabled patrons.
4 (Please refer to Attachment #1, excerpted from Tariff No. 154,
5 Supplement No. 9.) This internal rule has been broadly
6 construed by SEPTA to mean that a wheelchair user who is unable
7 to transfer onto a seat and place the wheelchair away from the
8 aisle cannot ride the trains unless accompanied by a farepaying
9 attendant. Such application denies the right of wheelchair
10 users to ride the trains independently.

11 Trolleys and Subway System. This branch of the
12 SEPTA system is not accessible to the mobility-impaired, it is
13 only minimally accessible to the sensory impaired.

14 Major renovations have occurred and continue to
15 occur on this part of the SEPTA system, however, no
16 accessibility improvements are incorporated. EPVA asserts
17 that this violates the Architectural Barriers Act of 1968
18 (42 U.S.C.A. Section 4151 et seq.), Section 504 of the
19 Rehabilitation Act of 1973 (29 U.S.C.A. Section 701 et seq.)
20 and the Pennsylvania Human Relations Act (43 P.S. Section 951
21 et seq.).

22 Paratransit, as described by SEPTA, is a
23 "shared-ride, door-to-door, advance-reservation service
24 offered on a space available basis".

25 Paratransit is the primary means that SEPTA uses

1 to provide transportation for the disabled community. This
2 service has the following characteristics:

3 Limited hours of service.

4 Monday - Friday 6 a.m. - 10 p.m.

5 Saturday 8 a.m. - Midnight

6 Sunday and Holiday 9 a.m. - 5 p.m.

7 Advance reservation of trips. Reservations are
8 taken on a first-come, first serve basis during the hours of
9 8:30 a.m. to 4:30 p.m. Monday through Friday. SEPTA advises
10 that you call one week in advance to ensure a ride. Also
11 note that SEPTA will not accept requests more than one week in
12 advance.

13 Restricted service area. Paratransit currently
14 does not operate outside of the city.

15 Limited availability of service. In 1986,
16 paratransit provided 187,300 one-way trips per day. According
17 to SEPTA's own figures there are an estimated 81,000*
18 transportation disabled in Philadelphia alone. (A total of
19 165,000 transportation disabled reside in the entire
20 five county SEPTA service area.) Paratransit, therefore,
21 served the transportation needs of 513 people daily out of a
22

23 *These figures were taken from the 1980 Transition
24 Plan prepared by SEPTA pursuant to U.S. Department of
25 Transportation 504 Regulations.

1 population of 81,000. Assuming patrons booked a round trip,
2 the number served daily would be 257 individuals. I submit
3 that this represents a drop in the proverbial bucket.

4 The paratransit service is a necessary part of the
5 transit system. It cannot, however, be the sole or primary
6 source of transit for disabled patrons. The nature of the
7 service requires one to plan his or her life days in advance.
8 Dependency is inherent in a paratransit system. Spontaneity
9 is stifled, travel is limited and freedom of mobility is
10 constrained. Through heavy reliance on paratransit, SEPTA
11 continues to be an active participant in keeping people who
12 have disabilities away and apart from the rest of the
13 transit-using public.

14 SEPTA will tell you that people with disabilities
15 prefer paratransit. They will argue that lift-equipped buses
16 are rarely used, rendering the cost unjustifiable. The
17 Authority will assert that it is spending millions of dollars
18 on paratransit and is, therefore, satisfying the "special
19 efforts" requirement of federal laws.

20 EPVA can counter all these assertions. In fact,
21 we recently did so in the hearings conducted by SEPTA on its
22 proposed plan required by the new regulations promulgated by
23 U.S. DOT. I will not take the time today to detail all of our
24 contentions. Suffice it to say that SEPTA manipulates cost
25 figures and manipulates the disabled community into believing

1 that paratransit is a panacea for their transportation needs.
2 Clearly, from the brief description I gave, you can see that
3 this is a myopic view of the transportation needs of people
4 with disabilities.

5 I averted to the fact that SEPTA has prepared a
6 plan for mass transportation services for handicapped persons.
7 This was required by federal regulations and is currently
8 being reviewed by UMPTA for compliance with federal
9 requirements. The plan calls for a "multi-modal" system
10 comprised of paratransit and accessible buses. The
11 multi-modal system proposed by SEPTA still places heavy
12 reliance on paratransit. Despite the heavy reliance on
13 paratransit, the plan calls for only minor increases in this
14 service. An additional 120 lift-equipped buses will be
15 purchased. Any new buses will not be equipped with lifts
16 except when replacements are needed for the existing
17 accessible fleet. Given this token and static number of
18 accessible buses, EPVA questions the characterization of this
19 plan as a "multi-modal".

20 SEPTA claims they will be at the required "full
21 performance level" within the six-year phase-in period.
22 Federal regulations (see 49 C.F.R. Part 27) requires that six
23 service criteria be satisfied in order to meet this full
24 performance level. These criteria are in the written
25 testimony. I won't read them.

1 (1) All persons who, by reason of handicap, are
2 physically unable to use the recipient's bus service for the
3 general public must be eligible to use the service for
4 handicapped persons;

5 (2) Service must be provided to a handicapped
6 person within 24 hours of a request of it,

7 (3) Restrictions or priorities based on trip
8 purposes are prohibited,

9 (4) Fares must be comparable to fares charged
10 the general public for the same or a similar trip;

11 (5) The service must operate throughout the same
12 days and hours as the services for the general public, and

13 (6) The service for handicapped persons must be
14 available throughout the same service area as the service for
15 the general public.

16 If the Authority cannot meet these six criteria
17 without exceeding three percent of its average operating costs,
18 then services can be modified and some trade-offs are allowed.
19 However, recipients who cannot meet the six service criteria
20 are required to spend a minimum of three percent of its
21 operating costs on services for the disabled.

22 SEPTA calculates this cost to equal slightly over
23 \$14 million. (Attachment #2.) At the end of its six-year
24 phase-in, SEPTA projects to be spending about \$11.3 million or
25 2.2 percent of its operating budget. (Attachment #3.) The

1 compliance plan, however, falls way short of meeting the
2 six service criteria. In particular, the 24-hour response
3 time ^{will} clearly not be met by the paratransit system. EPVA has
4 serious doubts about SEPTA's good faith effort to comply with
5 the federal regulations.

6 While I have stressed compliance with federal laws
7 and regulations throughout my testimony, the state legislature
8 should be aware of and should closely monitor SEPTA's actions
9 with respect to the disabled riding public. SEPTA receives
10 millions of dollars from the state for its operations. In
11 addition, state law prohibits discrimination against the
12 disabled in public accommodations. (Refer to the Pennsylvania
13 Human Relations Act.) I also direct your attention to comments
14 made by the hearing examiner appointed to consider the
15 proposed fare increases in April of 1986. (See Attachment
16 #4.) The hearing examiner found the "insensitivity of SEPTA
17 to the disabled rider appalling".

18 SEPTA's attitude toward and treatment of the
19 disabled community is, indeed, appalling. As a final item I
20 have attached a recent policy directed at so-called "abusers"
21 of paratransit. (See Attachment #5.) If a user of the
22 system makes a certain number of same day cancellations or is
23 listed as having excessive no-shows, he or she will be denied
24 service. SEPTA states that one can appeal this determination,
25 however, to date there is no formal appeal process. What

1 other aspect of SEPTA's system requires that the patron appear
2 as scheduled? You are not penalized if you miss a bus or
3 change your mind about taking a trolley. The creation of this
4 policy reflects the inherent inadequacies of the paratransit
5 system. It clearly demonstrates that paratransit is not
6 conducive to the life-style of an active person with a
7 disability.

8 The disabled community in the SEPTA service area
9 needs a true multi-modal accessible system. Paratransit is
10 needed by those whose disability does not permit them to use
11 accessible fixed-route services. There are, however, many
12 individuals using paratransit now who could use the
13 fixed-route system if it was accessible and dependable. All
14 new buses should be lift-equipped. Renovation of key
15 stations should incorporate accessibility features. Disabled
16 citizens should be allowed independent access to the commuter
17 rail system.

18 As stated at the beginning of my comments,
19 transportation is a basic necessity which increases our
20 mobility and independence. For the disabled community and
21 the members of my organization, transportation is an essential
22 component of independent living. Without access to transit,
23 people with disabilities are confined to their home, or worse,
24 to an institutional setting. The mobility impaired cannot
25 contribute to or be an active part of society without the

1 ability to travel.

2 SEPTA does provide some service to its disabled
3 patrons, however, SEPTA can and should be doing much more
4 for this segment of the riding public. Simply stated, the
5 Eastern Paralyzed Veterans Association will not accept a
6 separate and unequal transportation system for our members.
7 Thank you.

8 REPRESENTATIVE LINTON: Thank you. I would like
9 to make one comment and I would like to then turn the hearing
10 over to some questions and comments from Representative John
11 Fox who has a tremendous interest in the area of access of
12 transportation for the disabled.

13 BY REPRESENTATIVE LINTON:

14 Q Just before I do that, I want to comment myself.
15 In regard to the so-called abusers of the paratransit, and I
16 see one of the concerns of that is those who have cancellations
17 or excessive no-shows. Is that what the policy is to get at?

18 A I have attached a copy of the policy as one of
19 the attachments. SEPTA requires on the paratransit system,
20 and we have the head of special services here who can also
21 address some of these questions. I believe you must cancel
22 your scheduled ride within 24 hours before you plan to take
23 that ride for it not to be counted against you as a same day
24 cancellation.

25 Currently, SEPTA counts same day cancellations

1 the same as a no-show, meaning the patron does not show up as
2 scheduled for the ride. Once you get a certain number of those,
3 I cannot remember the exact percentage, the policy is attached,
4 you are issued a warning letter. You then have three months
5 to so-called clean up your act. If you continue to have an
6 excessive number of these, then you are suspended from using
7 the paratransit system.

8 You can appeal. Currently, what SEPTA is doing
9 is just on like a very informal case-by-case basis. You are
10 supposed to submit. If you were sick, they ask that you get
11 a doctor's letter saying you were sick that day and that is
12 why you missed. But there is no established policy as to how
13 you can get yourself reinstated to use that system if you
14 become suspended.

15 Q That is interesting. I have a cousin who is
16 disabled and recently have had some phone calls from family
17 relatives complaining about the fact that I am on the
18 Transportation Committee and my cousin has had to give up
19 both a job and some training because of the fact that she has
20 not been able to get reliable service from paratransit.

21 My question is, what mechanism is there for the
22 consumer to penalize SEPTA when they don't have no-shows?
23 It seems to me that we need a similar mechanism for the abused
24 disabled person. Either is not picked up or picked up so
25 late to the point that they missed their appointments. I will

1 be interested in getting a response on that aspect.

2 A I would, too.

3 REPRESENTATIVE LINTON: Representative Fox.

4 REPRESENTATIVE FOX: Thank you.

5 BY REPRESENTATIVE FOX:

6 Q First, let me say to Julia that I thank you for
7 your testimony from the Eastern Paralyzed Veterans
8 Association. You are a longtime advocate. I appreciate you
9 coming and offering this special data to the House
10 Transportation Committee. I am also a guest here today and I
11 thank you for your comments.

12 All the members on this Committee are cosponsors
13 on two bills which I would like to make comment on today.
14 They relate to problems that we have all seen. The first
15 thing I want to speak about is improvements to mass transit
16 that you have touched on, Julia. They deal with the following
17 ramps at all train concourses; bridge plates for all trains
18 which we don't now have, to have a lock down device for all
19 trains, buses and subways; have all buses be lift-equipped.

20 Representative Nahill and I just spent, about a
21 year ago, went with Terri Stark who cannot be here today
22 because of transportation problems, and we had her motorized
23 wheelchair and we tried to attempt at Rosalind Station in my
24 district to take her, three people tried to lift it over three
25 feet between the concourse and the train, two and a half feet.

1 And we could not chance the fact that it might fall between
2 the tracks and there maybe she wouldn't go to the ground, but
3 she wouldn't be on the train and all because it didn't have --
4 we had a very expensive concourse built, but no bridge plate
5 on the train. So, we obviously have some inaccuracies in the
6 system. That is why House Bill 1050 was inviolate. 1051,
7 which I hope the Committee, again, would vote out, would make
8 paratransit available for all handicapped, intra and inter
9 county. There is a disparity now in Philadelphia. You can
10 get for all purposes for handicapped within the county or the
11 city of Philadelphia, but in Montgomery County you can only
12 get it for mental purposes. And under no system can you go
13 in between counties under the present paratransit system. So,
14 it is under House Bill 1051 that this Committee hopes to move
15 forward. One of the stumbling blocks I think we have, maybe
16 you can respond to this, Julia.

17 REPRESENTATIVE LINTON: For no reason you can go
18 between counties?

19 REPRESENTATIVE FOX: Not between counties, not for
20 handicapped.

21 REPRESENTATIVE LINTON: In five counties?

22 REPRESENTATIVE FOX: Not for handicapped. It is
23 within your own county.

24 MS. CHAPMAN: You can make arrangements with SEPTA
25 and pay for it. We had a membership meeting and it ended up

1 being one mile outside of the city limits. A member got there
2 by paratransit but had to pay \$10 to go that one extra mile
3 because they stop at city limits.

4 BY REPRESENTATIVE LINTON.

5 Q City limits wasn't within Montgomery, Bucks?

6 A Trevoese, it was at the Trevoese Hilton. Now, what
7 county that is in --

8 MR. LANDIS: Up in Bucks.

9 BY REPRESENTATIVE LINTON:

10 Q It was in the five county --

11 A Area. It was in the SEPTA service area but it was
12 outside Philadelphia county.

13 BY REPRESENTATIVE FOX:

14 Q It is obviously a problem. I have to say to the
15 members who are here with me today, in cosponsoring the bills,
16 I assume they looked at the law and they will have the support
17 of advocates like yourself, the Disabled in Action,
18 Montgomery County Spinal Cord System, Delaware Valley Polio
19 Survivors Association and generally disabled advocates across
20 the Commonwealth might favor a bill like this. I guess our
21 concern has been up to date whether or not it causes undue
22 hardship to the carrier. I think that has been an escape
23 clause that has not been fair to the disabled. I don't know.
24 From my perspective, if you are not going to have a law to
25 protect accessibility to the disabled, provide under the Urban

1 Mass Transit Act, the federal law and the state law, if you
2 are going to say that there is supposed to be a system created
3 and then by the same token have an elastic clause that says,
4 if the cost is prohibitive, there can be an application.

5 I believe under the legislation that has been
6 introduced, it just says there can be a postponement of a
7 minimal amount of time until the implementation of it. I
8 don't know if you have any recommendations for this Committee
9 on how we can overcome that particular problem.

10 A Well, I welcome the opportunity. I have not
11 carefully looked at the bills, but I would be glad to discuss
12 them further with you.

13 Q 1050 and 1051.

14 A Outside of this Committee meeting.

15 REPRESENTATIVE FOX: If I can just take one further
16 moment, Mr. Chairman, and the time of the Committee to say I
17 thank Thomas Gerhart for coming here today. He is someone who
18 is blind. He has the same kind of problems that you were
19 touching on, Mr. Chairman, a few moments ago. About the fact
20 that sometimes they make reservations for paratransit only to
21 find they are picked up two hours after the time period.
22 Thus making the whole ride available for a hollow benefit.
23 Thank you.

24 BY REPRESENTATIVE LINTON:

25 Q One question I had, you made reference to the fact

1 that SEPTA, in making capital improvements, still does not
2 comply with the law in terms of providing accessibility to
3 the disabled. Is that something that is going on currently?

4 A Yes. At the Columbia Avenue Station it is now
5 going on and that is in litigation. The Philadelphia Public
6 Interest Law Center has filed litigation because of that very
7 fact.

8 Q You mean we are making capital improvements and we
9 are not complying? As new capital improvements are being
10 made, we are not incorporating within those plans accessibility
11 to the handicapped?

12 A As major renovations are going on at the station,
13 they are to incorporate accessibility to the handicapped.

14 Q And we are not doing that?

15 A Correct.

16 REPRESENTATIVE LINTON: Any response from SEPTA
17 on that?

18 MR. CORRESSEL: Columbia Avenue is in the city of
19 Philadelphia and not under SEPTA.

20 MS. CHAPMAN: It receives federal funds.

21 REPRESENTATIVE LINTON: But it seems to be on
22 Columbia Avenue though. I'm talking about as we are going
23 through capital improvements now, do we in fact, as we have
24 major improvements to stations, are we incorporating
25 accessibility to the handicapped as part of those plans?

1 MR. CORRESSEL. Yes, sir. To the extent that --
2 REPRESENTATIVE LINTON. Excuse me, would you
3 identify yourself?

4 MR. CORRESSEL. I'm sorry. My name is Robert
5 Corressel, Manager of Special Services for SEPTA. I am
6 largely responsible for the paratransit program. I also
7 advise the Authority on compliance on handicap matters.

8 The Authority does comply with the architectural
9 and transportation ^{barrier}/standards for facilities designed in
10 capital reconstruction. There have been a number of new
11 projects that have been built in recent years including
12 Market East which is fully accessible to the handicapped, the
13 airport stations on the airport line are fully wheelchair
14 accessible.

15 When we undertake modernization at the stations,
16 the proposed modernization Bridge Street Station on the
17 Market Frankford line is proposed to include accessibility.
18 BY REPRESENTATIVE LINTON (To Mr. Corressel):

19 Q What about Olney?

20 A Olney, we had requested or had provided justification
21 for not including accessibility there, because of the type of
22 reconstruction that was being undertaken, did not require
23 elevator access to be included in that facility. There is a
24 provision for a waiver in certain types of construction
25 projects relating to transportation facilities and we are not

1 required, in all cases when reconstruction is done, to include
2 accessibility. If it is cosmetic improvements or if the
3 improvements do not include a level change mechanism such as
4 an elevator or an escalator in a facility, you are not
5 required to include wheelchair accessibility for the
6 nonambulatory handicapped.

7 We renovated the 69th Street terminal in Delaware
8 County I believe back around 1981. That facility was made
9 fully wheelchair accessible. Those types of things are done
10 where it is required, where there is a system approach being
11 done to provide for accessibility. The Authority has taken a
12 position publicly and in recent plans and in compliance with
13 the US Department of Transportation regulations that the
14 primary means of accessibility that the Authority will pursue
15 are basically two types of service.

16 One is paratransit service. The other is
17 accessible bus service. There is limited rail accessibility
18 that have been provided in compliance with past regulations.

19 Not to belabor the point, this can be a very
20 complex issue. As Miss Chapman was indicating, there is a
21 number of facets she is concerned about. But we are in fact
22 complying with the regulations and any time that we have been
23 challenged in the court by Eastern Paralyzed Veterans
24 Association or other organizations that have requested
25 information about whether or not we are complying those

1 regulations, we have provided evidence to the satisfaction of
2 the regulatory body looking at the matter or the court itself,
3 that we have complied with the law.

4 Q Could you, I want to hear a little more about
5 Broad and Olney. How in fact it was waived that there would
6 be no improvement for disabled accessibility?

7 A Broad and Olney, I am only somewhat familiar with
8 that particular project. I am not totally familiar with it.
9 I worked with an individual that was in the process of
10 preparing grant application for the project as well as
11 responding to some concerns that were raised by the Urban
12 Mass Transportation Administration in the grant process. It
13 was my understanding that there were no escalators being
14 installed in the station. The improvements to the station
15 facility underground with the inclusion or the replacement and
16 upgrading of the stairways, the concourse level and then the
17 stairways down to the station as well as lighting were
18 essentially cosmetic. We are not rebuilding a new facility.
19 We are not putting in a totally new access system to the
20 facility. We are not putting in escalators that will serve
21 ambulatory people and deny access to wheelchair users. As a
22 result, we also went further and reviewed the cost of adding
23 the elevators both on the surface to the concourse level and
24 from the concourse to each of the island platforms and
25 analyze that cost versus the cost of the modernization of the

1 stairs. Again, that did not justify the inclusion of
2 elevators under the regulations, and we asked for a waiver in
3 essence, that elevators not be included at that particular
4 facility. To my understanding that was granted by UMPTA.

5 Q Your compliance report as required by UMPTA, has
6 that been submitted to UMTA?

7 A Yes, sir.

8 Q Did it come before the board before it was
9 submitted to UMPTA?

10 A Yes, sir.

11 Q And submitted as of --

12 A June 23, 1987.

13 Q They are still reviewing it?

14 A Yes, they are. They have until October 23rd to
15 review the submission. At that time or prior to that time,
16 they can ask us for any modifications that they think is
17 appropriate to be included in the report or they can simply
18 adopt the plan and tell us to go ahead and implement it. If
19 we don't receive word from the Urban Mass Transportation
20 Administration by October 23rd, it automatically becomes
21 adopted by UMTA and we are to begin implementation. To date
22 we have received no word from UMTA about the status of the
23 report other than the fact that they did receive it on time
24 and they are reviewing it.

25 REPRESENTATIVE LINTON: Thank you. I would ask

1 the staff to make a note to make sure that we file with UMTA
2 to make sure that we get some response and an opportunity to
3 discuss both the federal regulations in regard to the
4 handicapped and also some information from their review of the
5 SEPTA compliance application. We could do that, hopefully,
6 way before October 23rd. Would anybody know if that review
7 is subject to public input? I'll ask Miss Chapman.

8 BY REPRESENTATIVE LINTON (To Ms. Chapman):

9 Q I know you made some response to SEPTA in terms of
10 submission?

11 A Right. But part of the requirements by UMTA is,
12 SEPTA had to conduct public hearings and get public input on
13 that plan. I believe my organization has submitted comments
14 to UMTA. There's not really -- no process to do that but I
15 think we did. There is no public hearing by UMTA'

16 BY REPRESENTATIVE LINTON (To Mr. Corressel):

17 Q Is there a project number or something in your
18 compliance report that would at least identify them?

19 A You mean the project report itself? The report
20 is entitled The Program Plan Mass Transportation Services
21 for --

22 Q Mr. Scullin has a copy of it?

23 A Yes. I will be glad to submit copies to the
24 Transportation Committee for your review. We stand behind
25 the document. It is thoroughly documented and there was

1 substantial community involvement in the preparation of the
2 report as well as involvement by local public officials who
3 had to help fund the services we were going to offer. It
4 does require a substantial improvement to cover any of the
5 deficiencies that Miss Chapman has indicated exists such as
6 the lack of services in the counties.

7 Part of the reason for some of these deficiencies
8 is that SEPTA has been faced with four different sets of
9 federal regulations in ten years and it is not at all
10 surprising that in the city of Philadelphia or in this region
11 or in other regions around the country, we find somewhat
12 fragmented and chaotic services that have been developed and
13 in compliance with those different regulations. They keep
14 changing on us.

15 We have established a plan. Regulations allowed
16 us six years to implement the plan. We have developed a plan
17 that can be implemented in five years. It has involved,
18 as I indicated, substantial input from the community. We are
19 perhaps the first to admit that not everyone in the community
20 endorses 100 percent of what we propose. There are a lot of
21 people would like for us to make all the buses accessible,
22 a great deal of the commuter rail station accessible and
23 provide paratransit throughout the five county region. That
24 is not required. It is something that cannot be funded
25 locally and it is not something that is reality in this

1 particular area. But we have attempted to do that within the
2 framework of the regulations of the law and we are willing to
3 stand on our plan.

4 Q Does the Pennsylvania Department of Transportation
5 have any involvement or any submission to them as to what we
6 are doing with UMPTA to satisfy the federal plan?

7 A They do not require an overview process of the
8 federal handicap regulations and requirements per se. The
9 Authority does receive operating assistance from the state.
10 Some of that operating assistance goes into maintaining
11 some buses and providing paratransit service. To that extent,
12 there is an overview of these programs but it is not
13 specifically handicapped services.

14 With the lottery and services for the elderly,
15 that is an entirely different matter.

16 REPRESENTATIVE LINTON: We also provide a major
17 amount of capital matching dollars for capital projects from
18 the state.

19 MR. CORRESSEL: Yes, sir.

20 REPRESENTATIVE LINTON: Thank you.

21 BY REPRESENTATIVE NAHILL (To Ms. Chapman):

22 Q Do we have any kind of idea, I know you talked
23 in your paper here about the level of SEPTA funding, the
24 percentage, and I'm not sure where that is. I remember at
25 the end of the five-year period or six-year period, whichever

1 one it is, you were up to 2.2 percent.

2 A That is correct. And federal requirements say
3 they should be spending three percent.

4 Q If I remember correctly, the 2.2 percent was
5 something like \$11 million?

6 A I think that is about right.

7 Q Do we have any idea, here it is, 11.3 million or
8 2.2 percent is operating. Do we have any idea at all what
9 kind of dollar figures we are talking about to make this
10 system fully accessible?

11 A It depends on how you define fully accessible and
12 you can ask every disabled group in the Philadelphia and
13 five county area and they will probably give you a different
14 answer. I don't have figures on what it would cost to be
15 fully accessible. I can point to other cities. I can point
16 to New York, the Metropolitan Transit Authority up there.
17 You can go down to Washington, D.C. Both of these cities
18 have, what I would consider, a fully accessible mass transit
19 system. The subways are accessible, the buses are
20 lift-equipped. I believe in New York City 60 percent of the
21 bus fleet is lift-equipped and they also have a paratransit
22 system that they use as a feeder service.

23 I believe, and I can get for you exact figures
24 that the New York Metropolitan Transit Authority is providing
25 the service and they are currently spending less than three

1 percent of their operating budget to be what I consider a
2 fully accessible system. And the reason they got there is
3 that the state legislature mandated it as such by law.

4 Q Did the state legislature also pay for it?

5 A I can get the answer to that for you. I am sure
6 that they contributed.

7 REPRESENTATIVE NAHILL: The amount of funding and
8 who paid for it.

9 REPRESENTATIVE LINTON: That would be helpful for
10 the Committee.

11 REPRESENTATIVE NAHILL: It may come down to the
12 simple fact that it is us or nobody and something we have to
13 deal with.

14 MS. CHAPMAN: If I could just comment on the plan,
15 it is true that federal regulations have vacillated
16 tremendously. But they are only the 504 regulations under
17 the Rehabilitation Act. Certain policies have been declared
18 and I inserted the policy in the Urban Mass Transportation Act,
19 which has been ^{in the} law since 1970, stating a policy that systems
20 are to be fully -- are to be accessible. They don't use the
21 word fully. Are to be accessible and usable by the disabled
22 and the elderly. It has not been spelled out until 504 but
23 that policy has been there. It is not anything new.

24 Also, the mass transportation, the plan under 504
25 that you will be receiving a copy of, those regulations only

1 address the bus system or paratransit system. Final regs
2 have not been issued with respect to the rail lines and that
3 is why you will not see anything in that plan dealing with the
4 rail lines because we don't have federal regulations yet.

5 BY REPRESENTATIVE LINTON (To Ms. Chapman):

6 Q There are no federal regulations?

7 A There are no final ones. They have been proposed.
8 They have not finalized the rail issue.

9 REPRESENTATIVE LINTON: Mr. Landis.

10 MR. LANDIS: No questions.

11 REPRESENTATIVE LINTON: Representative Nahill.

12 REPRESENTATIVE NAHILL: If we can get some of the
13 information that we asked for, that would be helpful.

14 REPRESENTATIVE LINTON: I would really appreciate
15 the additional information that Representative Nahill asked
16 about. Particularly would be helpful for us to have some
17 comparisons with New York and Washington in terms of what they
18 have done and also if we can get the information in terms of
19 legislative mandate by law, also the funding information. So
20 we can get a better feel for this.

21 I have, like I say, because I have a relative, and
22 I've recently been beat up on because of her inability to
23 make appointments and employment and training. It has come to
24 my attention. A very personal one, some phone calls like
25 early in the morning asking me to look into that. I would

1 appreciate anything you can provide so we can provide more
2 access to the disabled.

3 MS. CHAPMAN: I'll be glad to.

4 REPRESENTATIVE LINTON: Okay. Thank you very much
5 for your testimony.

6 MS. CHAPMAN: Thank you.

7 REPRESENTATIVE LINTON: We will now have Mr. Joe
8 Scullin, Director of Community Services for United Cerebral
9 Palsy System. Mr. Scullin, if you can give us your name and
10 agency that you represent for the record. And then you can
11 begin your testimony.

12 MR. SCULLIN: My name is Joe Scullin and I
13 represent United Cerebral Palsy Association of Philadelphia.
14 I should mention we serve Philadelphia, Bucks and Montgomery
15 Counties as a facility.

16 I do have a prepared statement. I will read it.
17 Some of the comments I make in here have already been talked
18 about in Julia's statement and I would like to just say a
19 few words at the end of it.

20 Good morning. I am here today to talk with you
21 about our concerns and ideas on SEPTA's plan for accessible
22 transportation for disabled persons.

23 My name is Joe Scullin and I am the Director of
24 Community Social Services for United Cerebral Palsy
25 Association of Philadelphia and vicinity. In that role, I'm

1 consistently talking with a variety of disabled consumers
2 and groups about various social concerns and problems. One
3 of the most consistent problem areas identified by the disabled
4 is transportation. As a result, getting to work, school, or
5 church, visiting a friend, seeing a doctor, or even going to a
6 Phillies game becomes an extremely difficult, if not impossible
7 task. In fact, if a person in a wheelchair from Philadelphia
8 wanted to attend this meeting today, they could not get here
9 by public transportation. Which is the reason why I am here.
10 Otherwise we would have had other members at this meeting.

11 SEPTA has developed a plan for providing accessible
12 transportation for the disabled. This plan calls for SEPTA to
13 spend 2.2 percent (\$10,452,840) of their operating budget in
14 1993 to provide services to the disabled. Our concern is
15 that this level of funding is too little, and too late. My
16 comments are based on conversations with a number of
17 individuals who require transportation now, and are told there
18 are long waiting lists, that they called too late, or as
19 evidenced by recent television and radio editorials, they did
20 not follow the rules. On any given day, my agency cannot
21 serve between 30 to 40 individuals because of insufficient
22 transportation. I am talking about young disabled pre-school
23 children and their parents, although we have disabled adults
24 trying to get to school, jobs, et cetera.

25 While we recognize that public transportation

1 is a very complicated issue, and that the need for such
2 services will probably never be totally met, we do have one
3 suggestion.

4 Federal Department of Transportation regulations
5 say that if a transportation system cannot meet minimal service
6 criteria, they cannot be forced to spend more than three percent
7 of their annual operating budget on services for the disabled.
8 SEPTA, in our opinion, does not meet criteria and is only
9 spending 2.2 percent of its operating budget on such programs.

10 I propose that you consider that three percent
11 figure as a guideline for which SEPTA is responsible. The .8
12 percent difference between their proposed 2.2 percent, and the
13 three percent guideline, would result in a substantial,
14 meaningful increase in transportation for the disabled.

15 Earlier I mentioned that SEPTA's proposals call
16 for spending their 2.2 percent in 1993. This would be in the
17 fifth year of a plan in which they gradually increase their
18 spending annually for such services. We have concerns that
19 given the present inadequate levels of service, five years is
20 a long time to wait. As Director of Social Services, I find
21 it hard to tell someone they have to wait until 1993 to take
22 accessible public transportation to a job they are qualified
23 for and able to start at in 1987.

24 On behalf of the consumers, staff, and board of
25 directors of United Cerebral Palsy Association, I want to thank

1 you for allowing me to testify today. If I can be of any
2 assistance, or could provide any additional information, please
3 feel free to contact me.

4 If I could just make one or two other comments,
5 a member of the SEPTA board sat here a little while ago and
6 talked about his concerns about shutting down the rail system
7 for three months' time for a period of several years. I
8 realize that is great difficulty for many of the people that
9 travel by rail. The fact is, we serve over 4000 people a year
10 and most of these people require specialized transportation.
11 Most of them cannot afford a car, cannot drive a car and the
12 fact is, for most of their lives they simply have not been
13 able to get transportation. And for the first time, there is
14 a plan in place that is supposed to attempt to address this
15 issue. And to provide the levels of service that they are
16 talking about in that plan, which are going to continue to be
17 inadequate, and to have to wait five years for this plan to
18 kick in, I think, is just another insult on top of many other
19 problems this type of person can encounter.

20 My agency has also submitted information to UMPTA
21 concerning this type of situation. We are not really
22 politically active. We are relatively new at this business.
23 We don't see our major concerns is political activism. We are
24 into this because, if we do not, many of the programs that we
25 operate, the services that we offer are really useless.

1 Because without transportation to get to and from the every-day
2 activities of life, all the rehabilitation services we
3 provide are really a waste of time. So, that is really what I
4 have to say. I don't know if you have any questions.

5 BY REPRESENTATIVE NAHILL:

6 Q You really don't have any access yourself, your
7 organization to getting funding. You are really dependent
8 on --

9 A Yeah, we have a five million dollar a year
10 operating budget as a local affiliate. The funds, three
11 quarters of the funds comes from government through
12 categorical funding through various types of programs. The
13 remaining funding comes from United Way and a small amount
14 from the telephones

15 On a local level, our board has decided that we
16 are a service provider and we are pretty good at what we do
17 we think. The fact is, we don't see our mandate is to
18 provide transportation. First of all, there is absolutely no
19 funding for the levels that are required either for our programs
20 or the folk we serve in the community.

21 Secondly, we see that as a function of the
22 transportation authority, not of a social work agency.
23 Ironically, in the absence of adequate transportation, we have
24 been forced to go up to approximately, it is about \$500,000 a
25 year that we are currently spending for various types of

1 transportation services ranging from transportation for young
2 pre-school children, where that service is not provided through
3 the government, all the way up to some transportation for some
4 of our group homes. but this is \$500,000. Ten percent of
5 our budget that really is being redirected away from services
6 and this tends to be local money, the telephone money or the
7 United Way money that really should be going to provide
8 therapy, social workers, group homes, whatever other type of
9 service may be appropriate. It is attracting this
10 transportation thing.

11 We see, talking about our agency, we see our
12 experience as being pretty much representative of the
13 community. So, I don't speak for the community but I think
14 many of the experiences are very similar to the other people
15 in the various areas.

16 One final comment, there was some talk about this
17 plan and I personally attended the hearings that were held by
18 SEPTA in Bucks County, Montgomery County and in Philadelphia.
19 We heard Representative Fox's person talk about some of those
20 proposals. In Philadelphia, we had approximately 30 to 40
21 people attend those hearings and testify. I personally was a
22 member of the task force that planned this as a representative
23 of the agency. And we recognized the financial problems that
24 exist. Transportation is a very difficult type of situation.
25 The fact is though, as a result of public hearing, what I heard

1 at that hearing was an overwhelming response in terms of the
2 fact the existing levels of service they're proposing is not
3 going to be adequate. It simply is not going to make it. It
4 is going to take too long to get it in. I guess one of the
5 concerns that I have and my agency has is in the plan as you
6 read this, I don't know if that flavor that came out in that
7 public hearing really is written into this plan. I think if
8 you just read this plan, you would not really hear what
9 happened at that meeting. It went on from maybe two and three
10 in the afternoon till well after eight o'clock at night.
11 Simply because of the sheer number of people that requested to
12 testify. So, I guess that's one reason I am here today to
13 try to bring this point out.

14 BY REPRESENTATIVE LINTON:

15 Q Mr. Scullin, if I may ask a question. The
16 five-year phase-in of the plan, the federal government allows
17 the authorities to develop a plan over a six-year period of
18 time?

19 A That is my understanding. The first year I believe
20 is the planning phase if I'm not mistaken.

21 Q What was the starting point for the six years?

22 A My understanding is, the planning that has
23 occurred every year and the first year plan began July 1 of
24 '87 if I am correct.

25 MR. CORRESSEL: Excuse me, the federal regulations

1 were issued and effective, issued in May of '86 and effective
2 June 23rd, '86. We have one year to develop the plan and
3 submit the plan on June 23rd, 1987 which was done.

4 Pending UMTA approval of the plan, we have six
5 years to implement the service. To raise the level of service
6 from its present level to what is called for in the plan.
7 SEPTA has called for a five-year implementation plan.

8 BY REPRESENTATIVE LINTON (To Mr. Corressel):

9 Q So, UMTA has given you the five years, in
10 essence, for the phase-in of the service?

11 A The US Department of Transportation regulations
12 allow transit properties the six-year period to implement
13 their plan. They are encouraged to do quicker if they can but
14 they are required to do it within a six-year period. Our plan
15 has expedited that and it has called for a five-year
16 implementation.

17 I might add that the SEPTA board at its August
18 meeting, I believe, adopted a resolution to order an
19 additional or expedite the order of additional 120 buses for
20 the Authority which is an add on to a Neoplan bus purchase.
21 Those buses were expected to be ordered next year. They will
22 include, they will all be lift-equipped and will help
23 expedite the implementation of the accessible bus portion of
24 the plan. Those 120 buses, combined with the 448 that we have
25 on the property, will give us approximately 40 percent of our

1 fleet
2 bus/being wheelchair accessible. That, in addition to portions
3 of the plan that calls for a 60 percent increase in
4 paratransit service within the city of Philadelphia. Plus
5 services that will be operated throughout Montgomery County
6 and a portion of Delaware County will be the primary means of
7 meeting the special efforts requirements under this US DOT
8 regulations.

9 Q We are purchasing additional neo-plan buses with
10 lifts?

11 A Yes.

12 Q Haven't we had, not only because of the information
13 in the testimony from Miss Chapman, but I also recall from my
14 own knowledge of the constant problems with those lifts?

15 A Yes. We have 150 Neoplan buses, the first
16 series, AK series buses that were purchased from Neoplan, which
17 had a faulty lift design. The lift manufacturer went out of
18 business in early 1985. As a result, SEPTA was unable to get
19 spare parts and maintain those buses, the bus lifts.

20 The Authority filed something like a five million
21 dollar lawsuit against Neoplan regarding the lifts and other
22 components. There was an out-of-court settlement which
23 Neoplan has agreed to renovate the bus, bring it back into
24 full specification including the lift. That overhaul is
25 underway right now. I believe we are somewhere in the 30,
40 percent of the lifts being overhauled. They will be back

1 in service in the next calendar year.

2 Q So, at this point, we do not have 440 buses?

3 A Not operational. We have 448 buses with lifts but
4 150 are not fully operational at this point.

5 REPRESENTATIVE LINTON: Mr. Gordon.

6 BY MR. GORDON (To Mr. Corressel):

7 Q Are there any penalties if we don't comply with
8 some of these federal regulations?

9 A Yes. There is a potential loss of federal
10 funding. As I have indicated during the questioning around
11 Miss Chapman's comments, we have been challenged on our
12 compliance in federal court and we have been upheld in our
13 compliance with federal regulations. The Authority is in full
14 compliance of the handicapped requirements. We admit that we
15 are not providing all of the service that is requested or is
16 needed in Philadelphia or in the five-county region. That is
17 what this plan is all about. This plan is to address those
18 deficiencies and bring the service up to the federal standards
19 and that is what we propose to do.

20 BY REPRESENTATIVE LINTON (To Mr. Corressel):

21 Q Why are we delaying, if you will, the completion
22 of the implementation until the end of five years.

23 Q It is the same type of problem that were stated
24 earlier this morning. It comes back to funding. This does
25 not sound like a major problem. We are talking about a \$11

1 million a year investment in transportation services for the
2 handicapped. But at the same time the Authority is facing a
3 loss of federal funds. We have not been able to receive all
4 the state operating assistance that we have requested over the
5 years. We are having difficulties keeping up with the cost of
6 providing services. There is a need for expansion of services
7 in the counties. There is a need for maintaining and keeping
8 the existing system operating. When you start increasing the
9 program from the present, approximately five million dollars
10 a year investment, when you count the accessible buses, to an
11 \$11 million a year investment, that becomes a significant
12 increase in one area that we have to deal with and the
13 Authority has been very open with the handicapped community
14 here in stating that we saw that as a problem. The federal
15 government gave us the requirements but they are not giving us
16 anymore money to implement the service. We would love to
17 provide all the service everyone wants, not just handicapped
18 service, but general public service.

19 Q I'm not totally surprised in your response. Let
20 me ask a question. In regards to the money that you would
21 need to operate a plan that would take you not the 2.2 but the
22 three percent, how much of that would be in capital items and
23 how much of it would be in operating?

24 A It is all operating.

25 Q It is all operating?

1 A Yes.

2 Q That plan does not take into consideration the
3 capital buses?

4 A I'm sorry. Yes, it does. It does include some
5 advertised costs for additional bus lifts. It is only the
6 capital cost of the bus lifts and making some adjustments to
7 the current system. Some of the deficiencies that have been
8 brought up here and in the past with respect to the bus system
9 such as securements not being sufficient to accommodate all
10 types of wheelchairs are being addressed in the plan. We are
11 going to retrofit the existing buses so that they will have a
12 securement system that will accommodate scooter type
13 wheelchairs as well as regular motorized chairs.

14 Q Would you say 25-75 percent?

15 A No, sir. It is, I can't give you a very exact
16 figure but it is probably greater than 95 percent operating.
17 We are not including the total cost of the 120 buses. It is
18 only the cost of the lifts on the 120 buses. They run about
19 \$12,000 per lift and that is amortized over the life of the
20 lift when we calculate the cost. It is not a lump sum portion
21 in any one year.

22 REPRESENTATIVE LINTON: Thank you.

23 MR. SCULLIN: If I could just mention the SEPTA
24 board meeting where they adopted this plan. As a result of
25 some testimony provided at the time, we are still under the

1 impression, and I confirmed this with various board members,
2 that the board will review this plan in about January or
3 February 1988. So, we are looking forward to hearing SEPTA's
4 comments on what steps they have taken and what new issues may
5 have arisen at that time. So, perhaps additional information
6 may be available then from SEPTA.

7 MR. LANDIS: October 23rd for the approval of that
8 plan or is that the waiver that you are asking for Broad and
9 Olney?

10 REPRESENTATIVE LINTON: October 23rd is for the
11 entire plan.

12 MR. LANDIS: What about the waiver of Broad and
13 Olney?

14 MR. CORRESSEL: That has already been adopted or
15 approved by UMPTA.

16 REPRESENTATIVE LINTON: Thank you, Mr. Scullin,
17 for your testimony. We need a little more thorough
18 investigation in Pennsylvania about the mass transit. I think
19 we are missing the boat in terms of having a real comprehensive
20 look at what we are doing, how money is being spent. Mass
21 transit is supposed to serve the disabled, the aged and those
22 who do not have access to other vehicles. If we are not doing
23 that, then our business is not doing what it is set out to do.
24 We would like to thank you for your testimony.

25 Mr. Gerhart. Tom Gerhart.

1 MR. GERHART: Good morning or I guess it is
2 afternoon.

3 REPRESENTATIVE LINTON. Okay, it is afternoon. If
4 you would give us your full name, Mr. Gerhart, for the record.

5 MR. GERHART: My name is Thomas Gerhart and I am
6 the President of the Montgomery County Chapter of the National
7 Federation of the Blind.

8 REPRESENTATIVE NAHILL: Why don't you spell your
9 name?

10 MR. GERHART. G-E-R-H-A-R-T.

11 REPRESENTATIVE LINTON: Thank you. You may begin
12 your testimony.

13 MR. GERHART: I guess I should start by saying I
14 really don't know where to begin. I have heard a lot today.
15 Because we were just talking about the plan, I had a few things
16 prepared but let me go directly to that and say I think that
17 probably Mr. Corressel is correct in saying they did comply
18 with the letter of the law. The question we have in the
19 blind community is the spirit of the law. We got a copy of
20 the plan two days before the hearings were to begin in print
21 form. We had to try, as best we could, to find someone, it
22 is not a two-page plan. I doubt that any of you could read
23 all of that in two days and be able to go to a hearing and
24 make some rational comments on it. So, as far as we were
25 concerned, that plan was not given to the blind community in a

1 form that could be read and in a time for us to respond.

2 I also might say that the hearings that were held,
3 yes, hearings were held. And when were they held? They were
4 held at three o'clock in the afternoon. Some of us are lucky
5 enough to be employed and cannot afford to take off whenever we
6 choose to. I happen to live in Glenside. And I don't know if
7 any of you have taken public transportation from Glenside to
8 Norristown lately but that is probably a two-hour trip one way.
9 So, I would get there about five, go to the hearing and
10 probably get home around eleven if I'm lucky.

11 Representative Fox mentioned that I have had a
12 number of experiences with Jenkintown paratransit. I can tell
13 you about those later.

14 I wanted to really begin by talking about some of
15 the problems that we, as blind people, have with the system
16 with fixed routes. And these are things we have been
17 talking about with SEPTA. I remember going to my first hearing
18 in 1979 and it seems that we were talking about the same things
19 we are talking about today. I think if you got a transcript,
20 they may be exactly the same things.

21 We would like things that don't cost money. We
22 would like drivers to call out stops. When you get on the bus
23 and you ask the driver to let you off at 15th Street and then
24 he says five blocks later when you are now at 22nd Street, oh,
25 I forgot. That doesn't help you a bit. If you want to get

1 off at Easton and Glenside Avenue, you tell the driver a
2 number of times, two or three times, and he lets you off in
3 Willow Grove, it is a long walk back. These are things that
4 don't cost money. Mr. Jenkins talked about this morning that
5 there seems to be an attitude problem. The only method that I
6 have found to allow me to get off where I want to is to sit
7 next to the driver and almost every stop ask him if this is
8 Jenkintown Road or if this is Charles Street. So, eventually,
9 everybody else on the bus gets so tired of me asking him that
10 they tell me when the street comes up because they are pretty
11 sure the driver is not going to remember either.

12 I guess we have the same problems that some other
13 people, that sighted people also have, buses passing you by.
14 I got a call last night from a person who takes the bus
15 every day from Broad and Olney, which we were just talking
16 about, and it seems that -- I used to take public
17 transportation to work. I would take the bus, the train and
18 the El. I luckily found a ride back and forth. I work down
19 at Third and Spring Garden. So, it takes me about 45 minutes
20 or so to drive. It is sure better than taking public
21 transportation. But when I have to I do.

22 But at Broad and Olney when I was taking the bus,
23 taking the 6 bus from my house to Broad and Olney and then
24 taking the subway and then crossing over and taking the El,
25 they used to have loaders there who would tell you what the

1 buses were when they came up, as the buses pulled up. It seems
2 now that that doesn't occur. So, what happens is, a bus pulls
3 up, the blind person goes to the door and says, is this the
4 6 bus or is this a 22 bus. The driver yells no, it is a 6
5 bus or whatever. What happens then is that the blind person
6 has to move out of the way which prevents other people from
7 getting on the bus. And what inadvertently this causes is the
8 blind person to be the heavy in the situation. There is
9 another blind person getting in everyone's way. Why don't they
10 get a bus of their own? Why don't they go somewhere else?
11 When in fact it seems to me it is the loader's job to at
12 least tell you what buses are coming up so that you don't
13 have to cause a traffic jam at the front of the bus. One
14 solution to that, and it used to be when I took the 6 bus all
15 the time, they would always generally pull up in the same area
16 of that sidewalk. That doesn't seem to happen anymore. So,
17 now what happens is that three buses pull up all at the same
18 time and maybe two 6 buses and a 22. So, the people that can
19 see the 22 bus and run down and get on it. The blind person
20 stands around and waits until someone, or he asks someone who
21 yells over his shoulder, yeah, it is a 22 bus this way.

22 That is an ongoing problem which did not exist in
23 the past. I think it goes back to what Mr. Jenkins was talking
24 about, attitude problem of employees.

25 The problem of accessibility isn't a major one for

1 blind people. We are ambulatory and we can travel on fixed
2 route systems. Another thing that would be helpful for us
3 though is the use of a PA system on the Frankford El. People
4 tell me they used to have one years^{ago}/that worked. I have found
5 the PA system that is used on the Broad Street subway to be
6 very helpful. I remember traveling when I was a sophomore in
7 high school and first learned to use the system. My greatest
8 fear was falling asleep on the El and not remembering whether
9 it was the sixth or seventh stop underground and not knowing
10 where it was and having to ask someone and they did not know
11 where they were either. It was a problem. But I think that
12 that -- I don't know what the cost would involve but I doubt
13 whether it is unsurmountable. Those are the only access
14 problems and they are really not access problems at all. Most
15 of them are common sense problems that we have had with SEPTA.

16 The other thing that I have noticed is that when
17 we do have a problem, I would call and lodge a complaint and
18 they would send a nice thank you letter apologizing. They
19 no longer do that. I don't know if they respond at all.
20 They'd take the call and that is it. You never get a response.
21 If I call and say that I was given the wrong information and
22 I went to a train that never came or I waited for someone who
23 took a train that never came, the best advice I received from
24 the supervisor was, when you call for information, always ask
25 for a supervisor because they can read. I would think that

1 one of the first prerequisites for taking a job as a person to
2 give out information is that you would be able to read the
3 schedules. Again, I got to devise a system of my own. That
4 is, if I call three times, if I happen to get two that match,
5 I figure that is probably the right time. Sometimes it isn't.
6 When you are out in January or February at Glenside Station
7 waiting for a train that never comes, you are out there for an
8 hour, it gets mighty cold. There is no shelter there.

9 Let me just go back to something that I mentioned
10 in the beginning. Representative Fox mentioned that sort of
11 ties in with the paratransit problem. We have lived in
12 Jenkintown, my wife and I, and now in Glenside for the last
13 ten years and we have had an ongoing battle, and I say battle
14 in that sense of the word with Jenkintown Paratransit Company
15 or the Jenkintown Cab Company. They seem to have the idea
16 that, they have a monopoly, that is true. They have a
17 territory which only they can service and they treat their
18 prospective riders as such. Mr. Meyers has told me on many
19 occasions that if I don't like the service, go somewhere else.
20 I have had to cancel doctor's appointments. I have had to
21 get the police to take me home because the cab never came.
22 I have had to call neighbors late at night, early in the
23 morning. Just a couple weeks ago one of Representative Fox's
24 staff had to take my wife home from a doctor's appointment
25 because the cab never showed up. I'm saying this, not as a

1 paratransit provider, but I mean cash customer. So, it would
2 seem to me if a person who is paying cash cannot get service,
3 I shudder to think what the people who are paying and
4 receiving lottery rights, what kind of service they get. And
5 I have a pretty good idea what that service is because from
6 time to time I monitor on the cab frequency with a scanner
7 and I think you would be very interested to hear the
8 descriptions that the dispatchers and drivers, how they
9 describe the people that they are supposed to be picked up.

10 I might just tell you one incident. A friend of
11 ours from Jenkintown came over for an evening. He was ready
12 to go home and he called the cab company and asked for a cab
13 and asked the dispatcher to tell the driver to come knock on
14 the door so he would know he was there. I then turned on the
15 scanner. I heard the dispatcher say something to the effect
16 that, look, you got to go pick up this guy at East 741,
17 Northeastern Road, and you have to go knock on the door
18 because he is probably retarded. So, we immediately called
19 the dispatcher back after hearing that and told him we weren't
20 retarded but we happened to be blind. He then said it was
21 just a joke. This is a way of kidding around.

22 I tell you that just to give you an idea of what I
23 feel is the utter contempt for which this company holds the
24 ridership. So that if in fact SEPTA expands their paratransit,
25 I would rather see a countywide system as Philadelphia has and

1 one person, one agency responsible to run that system.
2 Rather than the way it is now where Mr. Meyers, after being
3 thrown out of, I guess I should say leaving the Montgomery
4 County Paratransit Association, went and applied for his own
5 license to be his own company and again, run it the way he sees
6 fit.

7 We are no longer, in this county, willing to put
8 up with that kind of treatment and lack of respect and we
9 intend to do what is necessary to change that in any way that
10 it may take. That is about all I have to say.

11 REPRESENTATIVE LINTON: Thank you very much, Mr.
12 Gerhart.

13 BY REPRESENTATIVE LINTON:

14 Q I would just like to mention in regard to the
15 paratransit now under the new regulations, the paratransit is
16 required to have coordination and in the coordination we have
17 met with the deputy secretary of the local transit and asked
18 that they build in a complaint mechanism in the coordination
19 so that we can get a better fix on which provider is
20 providing adequate service. And when people are not being
21 picked up and when they re-request to get their contract so
22 that we can have some way of reliability of service and
23 quality of service to determine whether or not their contract
24 should be renewed.

25 A I also want to tell you, as an independent blind

1 person in Montgomery County, I have no access to paratransit.
2 I'm talking about, you know, I use a cab as you would.

3 REPRESENTATIVE LINTON. Representative Nahill.

4 BY REPRESENTATIVE NAHILL:

5 Q I guess what we are really talking about here is
6 something you and I talked about a while back, I guess, is as
7 simple as the term sensitivity. We talked about it in
8 relation to Jenkintown Paratransit. In your opinion or in
9 your memory, have the various disabled groups had a chance to
10 sit down with SEPTA and some of their people and talk about
11 sensitivity? I mean, we have some hard dollar items. I mean,
12 lifts in buses and so on, but has there ever been a session or
13 series of sessions that deal with something like you are doing
14 which is not dollars? Call up the train station or the bus
15 station or the bus stops is certainly not a dollar item. Has
16 anything like that happened?

17 A I would think that would be an ongoing process
18 with the SAC committees. I don't know for a fact it is being
19 done. We have been talking about that at every SEPTA meeting
20 since I can remember. They say they give their drivers
21 sensitivity training. I am not sure what it is or how long it
22 is. All I can tell you is that it is not very effective.
23 I think that, I shouldn't say -- I don't want to make a
24 general statement about all drivers either because I have had
25 very good drivers and I have had very good conductors. And

1 most of the people that you come in contact with do do a better
2 than adequate job I would say for the stress that they are
3 under, the kinds of people that they have to deal with every
4 day. But I think that that doesn't help me when I want to get
5 off at a certain street. In suburban areas it is a little
6 different. If I want to get off at Broad Street and he lets
7 me off at 15th, okay, I can walk back a block. That is not a
8 major catastrophe. But if I want to get off at Jenkintown and
9 he lets me off at Willow Grove, it is a long walk. And if it
10 happens three or four times in a month and there now is no
11 complaint mechanism to deal with those kinds of occurrences.

12 REPRESENTATIVE LINTON: I would like to thank you
13 for your testimony. I would hope that we can try to
14 incorporate some of your comments in some recommendations that
15 we will make for service for you and other people who are
16 disabled.

17 MR. GERHART: The only other thing I would want to
18 say is that if a particular company is free to go out and do
19 whatever they choose to do, regardless, you know, Jenkintown
20 Paratransit is not a member of Montgomery County Paratransit
21 Association anymore, they go and do what they want to do.
22 Mr. Meyers says his drivers don't need sensitivity training,
23 which is one of the issues that came up. So, if the PUC is
24 going to allow people to go out and do whatever they want to
25 do, regardless of the ridership or whatever, we are going to

1 have a major -- well, we have a major problem now. I don't
2 see how that can continue. Thank you.

3 REPRESENTATIVE LINTON: You are welcome. There are
4 a couple people who have asked Larry Gordon, from our staff,
5 to testify. Will you give your name and agency that you
6 represent for the record and then you may begin your testimony.

7 MR. POLK. Thank you, Mr. Chairman. My name is
8 William H. Polk, and I spell that P-O-L-K. I am a resident
9 of Abbington Township, originally in the Glenside area and I
10 am now in the Jenkintown area of Abbington. I am a civil
11 engineer with graduate study in business administration and a
12 major in transportation. My family and I have been residents
13 of the area for 29 years. And we, particularly I, have been a
14 frequent rider. of SEPTA not only as a commuter rail or regional rail
15 system but also other parts of the SEPTA system. That came
16 into actuality, in part by the fact that I began employment
17 with SEPTA's predecessors in 1961 as deputy director of what
18 was then called the Passenger Service Improvement Corporation.
19 First created by the city of Philadelphia. Although I was a
20 resident of Montgomery County, I was hired by an agency that
21 had been created by the late mayor, Richardson Dilworth. As
22 deputy director of PSICC and then CEPAC (phonetic), the
23 forerunners of SEPTA, I had quite a bit to do with the
24 creation of SEPTA. I worked with SEPTA during its mid '60's,
25 during the years when there were a number of problems of

1 getting the agency on stream. Its principal functions before
2 the takeover of the Philadelphia Transportation Company and
3 then later the Philadelphia Suburban Transportation Company
4 were to continue the contractual arrangements with the
5 Pennsylvania Railroad and the Reading Railroad for commuter
6 rail service on an increasing number of lines until eventually
7 the whole system, as we all know, has now been taken over from
8 railroad, first Penn Central and Reading and ConRail and now
9 totally under SEPTA management and operation.

10 Since my retirement I have also, in this
11 retirement was following my employment with SEPTA, I joined
12 the state Department of Highways as special assistant for
13 mass transportation in 1968 and was involved with the creation
14 of the Department of Transportation in 1970 and was its first
15 deputy secretary for local and area transportation which was
16 that function of PennDOT responsible for everything but
17 highways. And so, in my dealings there, I was involved with
18 SEPTA on a day-to-day basis as well as with the railroads and
19 also then with AMTRAK and many other agencies both within and
20 outside the state of Pennsylvania.

21 Since my retirement, end of 1983, I have
22 continued to be and attempted to continue to be active. I
23 created a little group in our area called the Jenkintown
24 Station Improvement Committee where, with help from good
25 friends like Representative Nahill and Representative John

1 Fox, we have been able to make some small accomplishments.
2 And I am also chairman of the Jenkintown Kiwanis Club to
3 make some improvements on the outbound waiting room of the
4 Jenkintown Station. So much for background.

5 The remarks this morning by Mr. Jenkins and Mr.
6 Sobel, as in Mr. Jenkins' case, stimulated some real active
7 thoughts in my mind and brought to mind a number of things
8 that I felt I could impart to you gentlemen and for whatever
9 actions the legislature may be able to take. I agree, first
10 of all, with much of what both gentlemen said. In Mr. Sobel's
11 remarks, he talked first about a total system concept. Of
12 course, that is what SEPTA must look at itself as, as a total
13 transportation authority. I think it has attempted to do
14 that.

15 To refine that just a little bit, I look upon the
16 SEPTA system as a system that has a tremendous asset. This
17 region therefore has a tremendous asset that is built around,
18 what I call, the spine of the whole system, the commuter rail
19 or the regional rail division. I think that there is the
20 division of this system where most of the, many of the
21 problems, both physically and financially and perhaps
22 management-wise and where, unfortunately, we must focus more
23 of our attention perhaps. I am concerned about the conditions
24 and problems of accidents and poor performance and so on that
25 plagued the regional rail division for several years. Some

1 improvements, I think, are beginning to show as a result of
2 the steps that management has taken. But as Mr. Jenkins said,
3 many more improvements, it is far from perfect.

4 I would like to see more effort by the divisions
5 within SEPTA, regional rail, city transit, suburban, et cetera,
6 to coordinate their services. I think there are missed
7 opportunities to serve this region better by better
8 coordination of, for example, from commuter rail to transit.
9 I see a closed stairway, for example, at the Noble Station on
10 the old York Road where passengers are physically blocked from
11 coming up off the train from a high speed route in order to
12 make a transfer to a Route 55 bus. I ask myself why. That is
13 just one example. The total system concept, I think, needs
14 something SEPTA has to be reminded about.

15 Next, I have concern about the future of the
16 system. There has been mention today of the cutback and
17 abandonment, if you will, temporarily, hopefully, of some of
18 the ends of some of the SEPTA regional rail routes, the West
19 Chester, the Ivy Ridge, the Chestnut Hill web temporarily
20 because of a bridge problem, the Pottstown service, west of
21 Norristown, Quakertown, northwest of Lansdale no longer
22 operating and the Newtown. As this region decentralizes, and
23 obviously all metropolitan regions are decentralizing, the
24 businesses and the employment opportunities and living spaces
25 are moving farther away. I don't mean to say the core of the

1 region is less important but there is a spreading out. It is
2 important therefore that this transit authority and those that
3 are planning it, the DVRPC, whoever, must continue to be
4 looking at what are we going to need in 1990, 2000, 2010 and
5 on into the future as ways of better serving this region.
6 So, I see those rights of way that are not now being used by
7 SEPTA, they are still there. Some of them even still have
8 track on them. Some of them are perhaps even with freight
9 service on them, but they must be preserved. I am not saying
10 we have to put any money in them right now. I'd say the
11 priorities require the money to be put where the active
12 service is. That I think is SEPTA's policy at the present
13 time. But on the other hand, I think we have to remind SEPTA
14 management and the planners of this region, that they must
15 continue to hold on to those vital corridors, vital
16 rights of way. We can't afford, in other words, to put all
17 our eggs in one basket. Those of us that live out here in
18 the suburbs are fully aware, that even if we live in the city,
19 are fully aware that we are almost approaching ridlock. And
20 I, yesterday, made an attempt to go into the hearing, I think
21 Frank was there, at Temple. I, unfortunately, made the
22 decision to drive in. I was so bottled up in traffic on
23 North Broad Street that I finally gave up because I heard the
24 people I wanted to hear, I heard the reports on the radio,
25 KYW Philadelphia. I turned around and went home because it was

1 too late. I wasted a whole hour trying to get in. Of course,
2 I should have driven to Fern Rock and taken the Broad Street
3 subway in. As a transportation manager, I criticized myself
4 for that decision.

5 We have the ridlock getting worse. We have the
6 congestion no longer in Center City Philadelphia or North
7 Broad Street. It is a problem, of course, out on the 202
8 corridor. It is a problem in Lansdale and Ambler and 309 and
9 all over this county and all over the other counties of this
10 region. It is spreading out. A bad accident near Exton on
11 30 and Ship Road this morning tying things up for several
12 miles. Whenever there is an accident, whether it be a
13 tractor trailer that is tipped over or an automobile collision,
14 whatever, it creates congestion and lack of mobility. This
15 region must have mobility to move in order to survive.
16 Therefore, we have got to do something about keeping these
17 corridors alive and available for our future needs.

18 Let me speak a little bit now about the condition
19 of the system. And there were some references in both Mr.
20 Sobel's and Mr. Jenkins' comments about that. In the regional rail
21 where I am not concerned, where most of my experience from the
22 PSICC SEPTA days and PennDOT were. The continuing delays,
23 the switch problems and signal problems, equipment problems,
24 track work and some of those delays are caused by work that
25 is going on to try to repair the lack of maintenance. The

1 years of neglect that were referred to earlier today. Surely
2 there has been neglect of the system.

3 I do think there are ways, however, that we can
4 be causing less interference with the public. We can move
5 people, handicapped or ambulatory, better and more on schedule
6 by more careful planning. I don't remember, when I was with
7 the Milwaukee road in the midwest, that we cut service
8 totally in order to make a track repair. We found a way to
9 keep running. Yes, somethings got a little slow and a little
10 behind schedule. I am told by some of my colleagues, who were
11 here at the time it was done, that when Vine Street in
12 downtown Philadelphia was widened to the state that it was
13 before they started the present work, that the bridge, it was
14 a brand new steel bridge that there was four or more tracks
15 that carried the Reading into the Reading terminal, that
16 bridge was built alongside the old structure or embankment
17 over one weekend. They rolled the new bridge in place and
18 connected it up and were back in service. I share the concern
19 expressed this morning about the three months each year of
20 shutdown of the main trunk of this regional rail system. There
21 has got to be a better alternative than that. And as Frank
22 Jenkins said, and he seems to share this concern, they have
23 got to find it. I was shocked when I sat in on the meetings
24 that were referred to where the plans by the consultants to
25 SEPTA's management were aired, where there were discussions

1 about alternative A, B, C and D and then for economic reasons
2 they went to D, the cheapest one. Well, we are all
3 interested in saving money. But the things that shocked me
4 was I found out they were looking only at construction costs.
5 Nobody had factored into that what were the impacts on
6 revenues not just in one year or in three months. What were
7 going to be the long-term revenue impacts of that total three
8 month, three year shutdown? I think it is time that those
9 hearings or those investigations, that particular capital
10 project got another look at. To find out whether or not there
11 aren't some ways that maybe it will cost a little more, maybe
12 because of the impact on revenues, that maybe there's a way of
13 at least holding onto some of the revenues that surely are
14 going to be lost in the event of a total shutdown.

15 REPRESENTATIVE LINTON: You are saying we always
16 know that when we cut service that it takes us six months,
17 a year, to two years to get ridership to the point that it was
18 prior to that service cut, that delayed service? You are
19 saying those costs, lost revenues were not incorporated in the
20 plan as costs?

21 MR. POLK: That is my understanding.

22 REPRESENTATIVE LINTON: To go from Plan A to Plan
23 D.

24 MR. POLK: That Plan D was looked at and decided
25 upon because it was cheaper than the others that were looked

1 at. That, as I was told, nobody asked the question, well,
2 what is the loss of revenue going to be? If you don't add
3 revenue into that cost, obviously, it is going to be the
4 cheapest cost. If you look at Plan A, it might be the least
5 impact in terms of service, but it might have been also the
6 least impact in terms of loss of revenue. And what is needed
7 is really the net figure, not the gross figure.

8 I am concerned about accidents. I think Mr.
9 Jenkins treated that rather extensively in terms of the
10 testing and what SEPTA is doing. I have seen, as a result of
11 the performance, the problems that SEPTA has had, the switch
12 problems, signaling problems, track work and so on that there
13 are attempts to rebuild from the strite (phonetis) levels of
14 two, three years ago. Ridership is not coming back as well
15 in the past as they had hoped. Even though now there is an
16 airport line. Even though now there is a Center City
17 commuter connection. Those two major capital projects
18 certainly should have done something to boost ridership on
19 the regional rail system. So, I think there are some serious
20 questions to be asked as to what is SEPTA doing in order to
21 improve service reliability, in order to as quickly as
22 possible correct some of these malfunctions in service,
23 equipment, track, signals, switches, whatever. And maybe some
24 of it is management. I do think that may well be the case.
25 In order to try to get the public confidence back, in order to

1 get the public beginning to use the system again, and get that
2 ridership back up, because only with ridership are you going
3 to get the revenues that are going to make this thing
4 approaching more than an economic viable situation.

5 I have spoken already about the bridge
6 rehabilitation we have on the Reading trunk and I think that
7 is one of the most important considerations at least for this
8 part of the region at this time. It doesn't face us until
9 '89, I understand physically face us, but certainly the
10 decisions and finding the funding for it has got to all be
11 moving ahead right now.

12 There are some bright lights on the scene and I
13 didn't hear a lot mentioned today about equipment, but I think
14 there have been some improvements by SEPTA in terms of
15 equipment maintenance. They are doing some things to put
16 equipment that has got 25 or more years of miles under it,
17 years under it, through the shops to give it a major overhaul.
18 Meantime, they have entered into a lease plan with Baumbodia
19 (phonetic) for a 35-car fleet of push pull equipment, and I
20 think those improvements when they come on stream this winter,
21 this spring, will certainly be an attraction that will help
22 ridership and improve service reliability as well.

23 I would like to say something now about the
24 future.

25 REPRESENTATIVE NAHILL: Bill, let me interrupt

1 you. We are soon going to have to break for her.

2 MR. POLK: A couple minutes or none at all?

3 REPRESENTATIVE NAHILL: Take a couple seconds.

4 MR. POLK: All right. Well, let me say this.

5 I am going to tie two things together. The search for the
6 general manager and the need for SEPTA's approach to its
7 business in the future. It concerns me that SEPTA has never
8 really marketed themselves. And I want to use this time to
9 say marketing to me is not just advertising and promotion.
10 Marketing is really getting a concept that your whole business
11 depends upon knowing your market and keeping abreast of your
12 market. Even keeping ahead of your market. Therefore, I
13 would like to hope that as an additional qualification for the
14 person who will become the general manager of SEPTA, that they
15 find somebody who is not only an excellent administrator but
16 also someone who has the realization that as a successful
17 is only by taking an approach from a market orientation
18 perspective, can a business be successful.

19 I would like to say more but if we are at the end
20 of the rope here, I better wind it up. I thank you very much
21 for -- I do want to say one other thing, if I may. On
22 funding, there was a reference in Mr. Sobel's reference to
23 the total system concept. He talked about the highway funding
24 as being the way we ought to go. I agree with Paul that the
25 constitutional prohibition there prevents that. However, I

1 certainly agree that we must be looking at alternatives such
2 as a regional sales tax or some other form of taxation in
3 order to provide dedicated funding for the SEPTAs and the PATs
4 and the SEPTAs, whatever, throughout the Commonwealth of
5 Pennsylvania. Thank you very much.

6 REPRESENTATIVE LINTON: Thank you very much. We
7 will take a ten-minute recess for a warmup.

8 (Brief recess.)

9 REPRESENTATIVE LINTON: We will now have Sharon
10 Shneyer, Delaware Valley Association of Railroad Passengers.

11 MS. SHNEYER: My name is Sharon Shneyer, spelled
12 S-H-N-E-Y-E-R, of 245 South Melville Street, Philadelphia
13 19139. I represent the Delaware Valley Association of Railroad
14 Passengers. Our initial suggestions for the improvement of
15 public transportation in the southeastern part of the state
16 comprise nine elements.

17 (1) Change the Subsidy to Make Transportation
18 Authorities More Efficient.

19 Most observers agree that the long-existing
20 deficit-driven funding philosophy for transit provides little
21 incentive to introduce new efficiencies and to develop added
22 revenue.

23 The recently proposed fixed-grant basis should be
24 adopted in order to foster self-help measures in the transit
25 authorities. About 71 percent of the state's funds or some

1 \$150 million annually should go to SEPTA. Since it is proposed
2 to increase the gasoline levy, it is only proper that the
3 general level of state support for public transportation should
4 increase as well. The state's grant should be usable for any
5 combination of operating and capital expenses.

6 (2) Short-Term Service Improvements and
7 Longer-Term Service Restorations Should Be Expected of SEPTA.

8 We'd like to remind our listeners that our region's
9 various rail services -- streetcars, suburban railcars,
10 subway-elevated and regional rail trains -- provide 60 percent
11 of the total mileage consumed by SEPTA's passengers. Yet
12 within the last decade, the bulk of SEPTA's service cuts have
13 occurred on rail lines. We've lost rail service on several
14 streetcar lines in the city. On the regional rail commuter
15 lines, service to some 30 stations within the region has been
16 terminated. The latest regression is on the Chestnut Hill West
17 line because of an old and poorly maintained bridge.

18 The Committee has rightly told SEPTA that a billion
19 or more dollars will not be forthcoming to SEPTA anytime soon.
20 Analysis of that SEPTA request reveals that the Authority
21 would have liked to work under a virtual replace everything
22 scenario. In an industry where many of the facilities are
23 long-lived, that is not a responsible, cost effective
24 philosophy.

25 SEPTA must learn the art and science of conservation

1 and good management. It must skillfully reconstruct while
2 maintaining service. Most private businesses operate that way;
3 so must SEPTA.

4 SEPTA must restore discontinued rail service in an
5 attractive and cost effective manner. It must introduce new
6 service in areas where traffic congestion and accidents are
7 making the daily commute extremely unpleasant. We would
8 suggest several corridors for new or restored rail service:
9 (1) Philadelphia-Newton, (2) Philadelphia-Pottstown and
10 beyond, (3) Philadelphia-Quakertown and beyond, (4) via
11 existing rail lines which parallel route 202 and the
12 Pennsylvania Turnpike, and (5) the discontinued North
13 Philadelphia streetcar lines.

14 (3) The Problem of the Harrisburg Rail Line Must
15 Be Faced.

16 To the rail lines discontinued by SEPTA must
17 properly be added the one which AMTRAK owns and operates
18 between Philadelphia, Lancaster and Harrisburg. It's no
19 secret that AMTRAK is retreating from fully serving this route.

20 Half of the route lies within SEPTA's jurisdiction.
21 The other half lies within rapidly growing Lancaster County
22 and Dauphin County. Additional SEPTA-operated service within
23 its segment has been met with a large ridership and brimful
24 parking lots. So far, the growing areas west of Chester
25 County seem to have shown little real interest in preserving

1 the rail line and its electrification and in supporting the
2 service to offset their growing traffic problems.

3 This lack of foresight must be reversed. The state
4 must take the lead, encouraging Lancaster and Dauphin Counties
5 and their local communities to support rail commuter service
6 all along the line.

7 (4) Elsewhere, Too, the Problem of Long-Distance
8 Commuting Must Be Faced.

9 Commutes of 20, 30, and even 50 miles are becoming
10 increasingly common, due to the more temporary duration of
11 jobs and the dispersal of employment and housing. To serve
12 long-distance commuting needs, the state must encourage the
13 various transit authorities of southeastern Pennsylvania to
14 link up their unconnected services. Especially attractive
15 for such long commutes will be rail commuter service over
16 existing rail lines.

17 The six eastern Massachusetts transit authorities
18 now jointly support a regional rail commuter system operated
19 by one of them across jurisdictional lines. A similar
20 arrangement must be fostered by Pennsylvania to add the
21 counties of Lehigh, Northampton, Berks, and Schuylkill to the
22 range of commuter service now operating in the Philadelphia
23 area. State leadership, coordination of planning,
24 improvement of tracks, provision of parking lots, et cetera,
25 will be necessary.

1 Pennsylvania should also assist the restoration of
2 rail commuter service over heavily traveled corridors between
3 eastern Montgomery County and North Jersey and New York, and
4 also between Delaware County and Wilmington, Delaware, through
5 increased cooperation with the states of New Jersey and
6 Delaware.

7 (5) In Philadelphia, There Are Unmet Needs for
8 Better Surface Transit.

9 Traffic congestion, accidents and high insurance
10 rates, excessive fuel use and pollution especially afflict the
11 city of Philadelphia. Subway-elevated lines and parts of
12 the regional rail system well serve some of the city's
13 neighborhoods. Unfortunately many other neighborhoods and
14 major travel corridors do not have such advantage.

15 However, on some of these routes, streetcars
16 operate or recently have operated. Two studies are currently
17 being made to ascertain the effectiveness of upgrading these
18 rail lines. The state should refrain from downgrading any of
19 the associated facilities.

20 SEPTA's organic law recognizes the value of
21 electric-powered transit vehicles and of off-street transit
22 rights of way to lessen pollution and attract motorists to
23 transit. These advantages, unfortunately, are not being
24 realized because there is no specific state funding to support
25 the introduction and operation of high-quality surface transit.

1 We suggest that the law be strengthened by
2 providing specific additional state aid to favor electric
3 propulsion and off-street transit rights of way. DVARP urges
4 that a two-mill "bounty" be paid to each transit authority --
5 in addition to normal funding -- for each mile that a
6 passenger travels on an electric-powered transit vehicle.
7 Similarly, an additional two-mill bounty should be paid for
8 each passenger mile operated over an off-street, reserved, or
9 private right of way. Such added funding will furnish SEPTA
10 with about \$3 million extra yearly to support enhanced quality
11 transit services.

12 (6) SEPTA's "Part-Time" Rail-Line Philosophy
13 Requires Legislative Modification.

14 A traditional philosophy of railroad and transit
15 reconstruction has been one of continuing a maximum level of
16 service while performing construction work. This still is
17 the philosophy in most areas. SEPTA, however, plans otherwise
18 while rebuilding several railroad bridges in North
19 Philadelphia. For three summers it intends to terminate
20 through train service between the northern suburbs and Center
21 City in favor of passenger transfers to and from the subway.
22 15,000 commuters will have their journeys lengthened and
23 inconvenienced. Despite protest from many sectors outside
24 SEPTA and even from within the Authority that this is a stupid
25 way to run a railroad, management is adamant, refusing to take

1 an undistorted look at alternate construction methods.

2 Moreover, recent reports indicate that SEPTA is
3 processing plans to shut down continuously for about three
4 years and one-third of the Frankford Elevated north of Spring
5 Garden Street -- inconveniencing 50,000 passengers -- in order
6 to rebuild that structure.

7 These measures are unprecedented and unnecessary.
8 However, due to the concentration of unlimited power in SEPTA,
9 we have no recourse but to ask you in the name of the tens of
10 thousands of affected passengers to provide legislative relief.

11 Transit law should provide that any recipient of
12 state transportation assistance who operates a rail line
13 consisting of two or more tracks must plan any construction or
14 maintenance work on such a line so that at least 60 percent
15 of normal service operated between the weekday hours of five
16 a.m. and eight p.m. continues to operate expeditiously during
17 the work period. That would give SEPTA's contractors 93 hours
18 per week to do their work without passage of trains; that is
19 more than enough time for two work shifts.

20 (7) Improved Public Information and Participation
21 Is Needed.

22 Citizens must be kept informed of the problems,
23 plans, and progress of its transportation authorities; and it
24 must be encouraged to participate at all of the various stages
25 of the planning process.

1 The current annual Mass Transit Statistical Report must
2 continue to be published, so that the public may compare their
3 transit authority's progress with that of others. In
4 addition, each transit operator should be required to furnish
5 its public annually with each route's ridership, its on-time
6 performance, vehicle failure, rate of cost recovery, et cetera.

7 (8) The Public Hearing Process Must Be
8 Strengthened.

9 Each authority should be required to conduct at
10 least one general public hearing annually, previous to which
11 the Authority has "laid on the table" all of its missions,
12 goals, service standards, and problems.

13 In capital budget hearings, too much is hidden
14 from the public within ten-million-dollar-plus "grab bag"
15 projects. Authorities must be required to show the public the
16 same line item budgets which they show PennDOT.

17 The period of applicability of a public hearing
18 must be limited. Recent SEPTA discontinuance of streetcar
19 service was made on the basis of public hearings held several
20 years before the actual discontinuance. This sort of thing
21 is a travesty of the public hearing process. The law should
22 require that any proposal not effected within six months of
23 the relevant public hearing, should, due to the possibility of
24 changed conditions, require a re-hearing.

25 (9) Privatization Should Be Pursued.

1 Competition stimulates lower costs and leads to a
2 better product everywhere in the business world. Transit law
3 should be amended to require privatization of the transit
4 authorities in any task in which cost savings can be realized
5 without lessening quality or risking the system's long-term
6 capitalization. SEPTA should see itself more as a provider
7 of good public transportation than as its producer.

8 Thank you, Mr. Chairman.

9 REPRESENTATIVE LINTON: Thank you very much, Miss
10 Shneyer. Before you leave I would like to check to see if
11 any members have any questions. Representative Nahill.

12 REPRESENTATIVE NAHILL: I thank you very much for
13 what is a well thought out presentation. I am looking forward
14 to going through, back through it. I think there is some very
15 valid points in there. I think we may be coming back to you
16 for perhaps some more clarification. But I thank you.

17 MS. SHNEYER: Surely.

18 REPRESENTATIVE LINTON: Mr. Sanders. We apologize
19 for the late hour.

20 MR. SANDERS: My name is Mark D. Sanders of 8215
21 Cadwalader Avenue, Elkins Park, Pennsylvania 19117.

22 One of the most disturbing regional trends in
23 recent years has been the widespread cessation of rail
24 operations throughout the SEPTA metropolitan area. This trend,
25 if it continues unchecked, threatens the viability of both

1 SEPTA's commuter rail and light rail systems.

2 One the Pennsy side of the commuter rail system,
3 the past couple years have witnessed the demise of rail service
4 between Elwyn and West Chester, between Bala Cynwyd and Ivy
5 Ridge, and most recently between Allens Lane and Chestnut Hill.
6 On the Reading side, trains no longer run between Norristown
7 and Pottstown, between Lansdale and Quakertown, or between
8 Fox Chase and Newtown.

9 SEPTA has not committed itself to maintaining or
10 retaining any of these disused facilities on the Pennsy side
11 so as to provide for the possibility of resumed operation, and
12 on the Reading side the future disposition of these lines in
13 part hinges upon SEPTA's thus far unsuccessful attempts at
14 privatization.

15 Within the city of Philadelphia, SEPTA has
16 discontinued rail operation on all but two of the seven surface
17 streetcar routes. Since the conversion of these routes to
18 diesel bus operation, SEPTA has either formally abandoned their
19 streetcar facilities or permitted these facilities to fall
20 into such a state of disrepair that streetcar operation is no
21 longer currently possible. On both the streetcar and the
22 commuter rail systems the pattern is clear: Service
23 abandonment inexorably leads to infrastructure abandonment.

24 So that SEPTA should not continue to squander its
25 capital assets in the blind pursuit of short-term savings and

1 operational simplicity, I would like to suggest the following
2 ideas for the Committee's consideration.

3 (1) The legislature should require that no
4 infrastructure abandonments take place without the formal
5 permission of the Public Utility Commission. The SEPTA Act of
6 1968 ceded to SEPTA the PUC's route-making and rate-making
7 authority. However, the PUC still holds statutory authority
8 over alterations to all highway/rail crossings of the commuter
9 rail system and the removal or alteration of streetcar track
10 in the sense that such track comprises a continuous
11 highway/rail crossing. It is my belief that the legislature
12 should enhance this authority.

13 (2) As an alternative, though by no means a
14 mutually exclusive one, the legislature should require that no
15 infrastructure abandonments take place without the consent of
16 the SEPTA Citizen Advisory Committee, which the legislature
17 created in 1980. Experience has shown that SEPTA routinely
18 ignores the views of the Citizen Advisory Committee on such
19 matters.

20 (3) The legislature should enforce compliance
21 with State Act 101, which requires, "The board shall make
22 every effort to utilize high speed rights of way, private or
23 otherwise, to the maximum extent practicable to avoid air
24 pollution by its vehicles, to abandon no physical property
25 which has useful and economical capabilities...."

1 (4) As SEPTA's commuter rail and streetcar
2 systems comprise an important part of the state's
3 infrastructure, the legislature should also consider the
4 alternative of requiring that no abandonments take place
5 without its permission.

6 (5) The legislature should also create a
7 statewide rail bank, which would prevent the destruction and
8 disappearance of disused rail lines, so that in the future
9 they could be reactivated for the purpose of passenger service.
10 The nearby Stony Creek branch and the nearby Plymouth branch,
11 which has been partially dismantled, would be ideal candidates
12 for inclusion in such a rail bank. SEPTA has never operated
13 trains on either line; however, as Montgomery County
14 continues to develop, these rights of way may serve as
15 important transit corridors in the future.

16 (6) The legislature should promote the
17 development of light rail transit throughout southeastern
18 Pennsylvania. The Federal Environmental Protection Agency
19 recently announced that Philadelphia has failed to meet the
20 1987 clean air guidelines, extended since 1982. As continued
21 operation of all seven surface streetcar routes comprises a
22 significant element of the State Implementation Plan of the
23 EPA-mandated Reserve Strategy, the state for this reason alone
24 has a vested interest in their preservation or restoration.
25 In this connection, may I add that PennDOT's obliteration of

1 streetcar rights of way such as on Allegheny Avenue jeopardizes
2 the availability of UMTA funds for resuscitation of these
3 facilities, forcing such projects out of the "Demonstration"
4 category, into the more restrictive "New Start" category.

5 In closing, I would like to take note of the state
6 legislature's meeting last Friday in special session on
7 Independence Mall. Some of you gentlemen might have caught
8 sight of the recently rebuilt streetcar track, lying derelict
9 in the middle of Fifth Street. It is a uniquely historic
10 stretch of track, part of Philadelphia's very first streetcar
11 line, opened in 1858. It is also a modern transit facility,
12 part of a \$5,000,000 capital improvement which SEPTA has
13 cavalierly discarded. It is the most telling example I know
14 of the need for statutory oversight of SEPTA's custodianship
15 of the region's transit facilities.

16 Thank you, Mr. Chairman.

17 REPRESENTATIVE LINTON: Thank you very much, Mr.
18 Sanders, for your remarks.

19 BY REPRESENTATIVE LINTON:

20 Q Are you affiliated with any of the railroad
21 associations?

22 A Yes, I am. However, these comments are prepared
23 simply on my own behalf last night.

24 Q I just wanted to ask.

25 A Some additional thoughts.

1 Q It seems like you put in a lot of time and
2 research into your remarks. I was wondering. It seems to go
3 beyond the kind of investment normal consumers make into
4 transit?

5 A Well, as Representative Nahill knows, I have been
6 involved in this issue for quite some time. I cannot
7 overemphasize the fact that even though the streetcar system
8 operates almost exclusively in Philadelphia, it should be
9 regarded as a regional asset. That a sickness in one part of
10 SEPTA adversely affects the well-being of its operation
11 throughout the region.

12 I also feel that SEPTA's attitude toward the
13 streetcar lines of North Philadelphia is of a piece with its
14 attitude toward privatization and paratransit. It is
15 something that they have been saddled with by other
16 government agencies. It is something that they are not
17 particularly interested in doing properly themselves. So, as
18 long as they are left to do as they please, they will do only
19 the bare minimum and only as much as they can possibly get
20 away with. Again, these are only my own personal feelings.
21 I am sure that there are those who would highly dispute them,
22 but I am only calling the shots as I see them.

23 REPRESENTATIVE LINTON: Okay, Mr. Sanders. Do we
24 have any questions?

25 REPRESENTATIVE NAHILL. We have corresponded back

1 and forth. I know where he stands.

2 REPRESENTATIVE LINTON: Larry Gordon, Executive
3 Director of the Committee.

4 BY MR. GORDON.

5 Q The idea of the statewide rail bank, do any other
6 states have that concept?

7 A Yes, they do. Connecticut for one has for some
8 time had a policy of preserving inactive derelict rights of way
9 with or without the track. Even though there might be no use
10 foreseen on the horizon.

11 Q Does the state finance the program?

12 A Yes, that is my understanding. Also, I believe
13 it is the state of Kansas which has, for several years, been
14 insistent upon retention of Milwaukee roads' abandoned tracks
15 from between its eastern and western borders even though in
16 contiguous states tracks have completely disappeared.

17 Given the repetity and the frequency with which
18 railroads right of ways have been disappearing throughout
19 southeastern Pennsylvania, I feel that it is high time that
20 somebody take a look.

21 MR. LANDIS: That is a recommendation that the
22 state Rail Freight Policies Committee and the Report has
23 established to pick up lines, be they freight or passenger
24 because a lot of times they have joint needs. That is one of
25 the recommendations.

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MR. SANDERS: Thank you very much.

REPRESENTATIVE LINTON: Thank you, Mr. Sanders,
for your testimony. If there are no further questions or
individuals to testify, I would like to thank all of those who
have come out today to provide testimony to our Committee and
would like to declare this Committee meeting is now adjourned.

(Whereupon at 2:40 p.m. the hearing was adjourned.)

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I hereby certify that the proceedings and evidence taken by me in the within matter are fully and accurately indicated in my notes and that this is a true and correct transcript of same.

Dorothy M. Malone
Dorothy M. Malone
Registered Professional Reporter
135 South Landis Street
Hummelstown, Pennsylvania 17036

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