



Hi, it's Larry and you're listening to *Disability Nation*, an audio magazine by and for people with disabilities.

As always, thanks for listening. I'm recording this on Memorial Day weekend, so by the time you hear this we'll be past that and past what I guess we call the unofficial start of summer. Unusually cool here in Phoenix, but I'm sure that'll soon change here and everywhere else. At any rate, thanks for tuning in.

This is the first in a two-part series examining what we call "quiet cars," along with pedestrian safety issues that affect blind people but really anyone who is out walking and rolling on the streets with cars around. So in this episode we'll hear from a couple of folks who have been involved in this effort in educating the public, automakers, and other stakeholders about this issue.

Also on the show this week we'll get the latest news from *Inclusion Daily Express*, the international disability rights news service.

And if you want to get in touch with me here at *Disability Nation*, you can do that by sending e-mail to [contact@disabilitynation.net](mailto:contact@disabilitynation.net), by visiting the website at [www.disabilitynation.net](http://www.disabilitynation.net), or by calling the *Disability Nation* phone portal at (480) 302-9300. Again, that's (480) 302-9300. Again, thanks for listening and enjoy the show.

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Larry Wanger:

This week on *Disability Nation* we'll be examining quiet cars and pedestrian safety issues. We use the term "quiet cars" to refer often to vehicles such as hybrids, whether it be the Prius or some of the other ones that are on the market. But even regular cars are getting quieter and quieter these days and causing significant problems for pedestrians.

With me on the show this week are Deborah Kent Stein of the National Federation of the Blind and Ken Stewart who is with the American Council of the Blind. Both of these individuals have been very involved in these issues and are very knowledgeable and have a lot to share on this topic.

Let's start with something really basic. We hear this term called "quiet cars" thrown around. Deborah, could explain to folks listening what exactly that means? What are quiet cars?

Deborah Kent Stein: Well, the automotive industry over the past 30 to 40 years has been working very hard to make cars quieter in response to concerns about noise pollution.

The quiet cars that first came to our attention were hybrid cars, which for part of the time when they're operating are operating on battery or electric motor rather than a combustion motor. When cars are operating on battery, they emit very little -- almost no -- sound; so they are not only quiet, they are virtually silent. In fact, sometimes they're called stealth vehicles.

The fact is, though, that cars that are operating on a standard combustion engine sometimes are almost as quiet as some of the hybrids.

Larry Wanger: I think that it's a correct statement to say that this is probably a larger issue for sure for blind people because we rely so much on hearing these vehicles, hybrids and other cars that are made to be quiet. But I think I would be right if I say that this is probably an issue that all pedestrians should be concerned about?

Ken Stewart: I very much agree with that, Larry, and I think that's been part of our approach to help educate the general public and other stakeholder groups, let's say. In terms of the concern for this, for example, I've gotten the attention of the pedestrian committee of the national organization involved in transportation and they acknowledge that. And they have many bicyclists in their organization, too, and bicyclists have a big stake in this concern.

Larry Wanger: In general I think that the NFB and the ACB are relatively close together on what we're looking for here in terms of resolution or some solutions for this issue. I know that there's lots of ideas that have been thrown around, but Deborah, maybe you can start this part of the discussion by talking about what are some solutions?

Deborah Kent Stein: Well, pedestrians -- and blind pedestrians in particular -- are used to finding out about cars in their vicinity in part, or almost entirely, by hearing them. So the natural solution that we feel the most strongly about would be to add a sound component to cars when they fall below a certain threshold of audibility. And in fact the Society of Automotive Engineers, the SAE, is

currently exploring the possibility of establishing or recommending some kind of a minimum sound standard.

A number of other solutions have been proposed. One would be to have cars be electronically wired in such a way that they would cause -- the pedestrian or the blind pedestrian would carry some sort of a device and when a quiet car is in the vicinity the device would be activated and it would beep or vibrate or in some way indicate that a car is in the vicinity and try to tell you where the car is. I think that is a much less practical solution.

It would, first of all, demand more research and development. And secondly it would be very hard to get a device to give all the information that we get from just plain being able to hear a car, because when you hear it, you know where it is, you know what direction it's going, you know how fast it's going, whether it's slowing down, whether it's accelerating, whether it's turning, and you can get all that information for a couple of cars in your environment at once. We really are concerned that an idea like that is not very practical.

Ken Stewart:

I have some strong opinions of my own that I've been trying to share and generate an interest. And my claim is that there are low-tech, low-cost solutions. And I was discussing this recently with another activist member of the American Council of the Blind; we were among about 40 people visiting Sacramento recently in California, visiting state legislators on a number of issues and this was one of them.

And I started explaining my idea to the state senator and her aid, and her aid immediately picked up on it and said, "Oh, yeah, like we used to do as kids. We'd put a playing card in the spokes of a bicycle wheel, making the sounds."

I said, "That's exactly right."

My notion has to do with -- if I can just go out into a parking lot and put a pebble in each of the four hubcaps on the vehicle I claim that would be a solution itself.

If you think about the roulette wheel -- roulette wheel has a little steel ball and when that roulette wheel is spinning fast, it's silent. As the roulette wheel slows down, it starts bouncing around and makes more noise and it's at its loudest when it's just about to stop.

And I claim that it wouldn't be a big deal, wouldn't be brain surgery, wouldn't even be rocket science, to design a hubcap that has a channel in it with a steel ball in it that does just that. When the vehicle is slow, it's making a lot of pretty loud clicks -- relatively speaking loud. Loud enough. Comparable to the sound that an internal combustion engine makes as its slowly turning a corner among pedestrians. And as it speeds up, it'll get quieter and quieter.

And another beauty of the idea of putting something in hubcaps is it would be easy to retrofit all those silent vehicles that are already on the road just by replacing the hubcap. So I claim that there are low-tech, low-cost solutions that could be done and I'm trying to get people to at least try them out.

Larry Wanger:

We'll come back in a second and talk about the automakers and our approach with them, but I want to kind of hit on something that I think is key to this part of the discussion. I'll let either of you handle this question, but there's a reason they've made these cars quieter and obviously one of those is a demand by the driver and society, I suppose, to have less noise pollution. And when we start putting devices or rocks in hubcaps, or whatever it is to make noise, does that at all generate -- as you've talked to people, does that at all generate concern?

Ken Stewart:

Absolutely. I think one of the things we need to put much more attention on is responding to the significant stakeholder group that, as Debbie mentioned earlier, the noise pollution concern. Larry Rosenblum I think the name is?

Deborah Kent Stein:

Yes.

Ken Stewart:

He's been doing op-ed pieces that hits on this subject very effectively. He's trying to assure people that we're not talking about putting coo-coos or chirp-chirps or loud bizarre sounds in vehicles; not at all. And I think this is a very important message because there are lots of people who live in suburban developments and they're all voters and all day and all night they hear the sound of the highway traffic going by and they don't like that. And I share that concern with them.

As he points out, and others have, what they're hearing basically is the sound of tires on pavement and the wind turbulence, and of course the truck laboring up the hill. So we're not talking about anything at all that they're going to hear from their suburban residential development. I think that's a very important message and I sense that that's one of the things that

maybe we'll be running up against in terms of trying to get the federal legislation through, which happily both the ACB and NFB are cooperating closely on. So I think that's very important. We need to assure people we're not talking about adding to noise pollution at all.

Larry Wanger:

Let's talk a little bit about the steps that the respective organizations are taking. Deborah, I'll have you start. Can you talk about -- I know for the past several years the NFB has been involved with this issue, and we'll talk about the legislation here in a second, but just other things, committees that the NFB has formed to address this resolution. What things has the NFB been doing on this issue?

Deborah Kent Stein:

Well, we really started out by trying to reach out to other organizations, and particularly to the Department of Transportation and the automotive industry, trying to open up dialogue about this issue with people who might be the decision makers. And it took quite some time, but at this point we do have the ear of at least some people in the automotive field and we have also opened up communication with NHTSA, which is the National Highway Traffic Safety Administration, part of the Department of Transportation. So the issue has finally worked its way up to getting some attention from the people who actually can do something about it.

I think one of the key things was when the SAE, the Society of Automotive Engineers, when they agreed to talk to us and were not at all a tough sell. In fact, said, "Yes, we want to work on this with you. We want to establish a committee to look into what kind of minimum sound standard we might recommend."

The SAE is very highly respected in the automotive industry and so I think the fact that they were willing to take this issue very seriously got some other people taking it seriously also.

We have met with a gentleman from GM. He came out to our national office in Baltimore and we spent a day with him. He is in charge of external sound. They actually have a department which has been working on trying to limit external sound and make things quieter, and so for him this is kind of a twist because, as he said, "I spent the last 30 years trying to make things quieter and now I'm starting to realize that they can be too quiet." He acknowledged people at GM have been concerned about this issue and hadn't quite been able to figure out what to do, but they are thinking about it.

Larry Wanger: Ken, I know you've helped in developing some resolutions and been talking with folks about this issue for quite a while also. What has the ACB been trying to do related to this issue?

Ken Stewart: Well, I can tell you some of the things that have been happening here locally. I think we need to not overlook the fact of things that can be done on a local level, state level, as well as national level.

Michel Bloomberg got a lot of national publicity not too long ago when his plan for congestion pricing and a lot of very important and very valuable things to do about vehicle transportation. And one of the times in that very long report said let's get hybrid taxis for the sake of the air pollution and environment and so forth. And we have about -- something like 13,000 licensed taxis in New York City, so we're talking about a huge fleet of vehicles.

Well, the general public here -- and we're all pedestrians, virtually -- are very concerned about -- I think that the greatest scare for any pedestrian in New York is the taxicabs. So the idea of a taxi being silent I think is the most frightening thought of all.

Larry Wanger: Absolutely.

Ken Stewart: I contacted the Mayor's office for people with disabilities and Commissioner Matt Sapolin immediately agreed with me that we need to be sure if we're going to get hybrid taxis they need to have an audible aspect. So, good to get that support. But I think we need to keep after all local jurisdictions on that, that they have a stake in terms of saying what they'll permit on their local streets in terms of vehicle sounds for the sake of all pedestrians.

And again, we're talking about areas of pedestrian-vehicle conflict. We're not talking about the suburban highways, which the GM person that Debbie talks about, and others, want to make quieter. It's compatible with that, entirely compatible with that.

Another aspect that I just recently had an opportunity to speak about with local decision makers, governmental decision makers, is the whole area of accident data. I believe that we're not capturing what's actually happening in terms of pedestrian-vehicle conflicts because of our accident data. And it's nobody's fault, it's just a new area that we need to pay very close attention to. I've urged the public officials who are now in New York state trying to put some more money and attention to how we actually collect pedestrian data. It's going to be difficult, but we're going

to try to -- I hope -- come up with new standards and procedures so that we can find out how many of these accidents -- I'm convinced that we don't have a clue as to how many things are going on.

Larry Wanger:

One thing I want to talk about is state versus federal efforts. And here in Arizona we just had a piece of legislation that actually gained a little bit of traction in our state house and senate. I don't believe it went very far, but it did get out a committee and I've heard about other legislation in other states. And my concern is that we probably can't have 50 states with 50 different standards, versus the federal government setting one standard on this issue. And whoever wants to take this, what are your thoughts about that?

Deborah Kent Stein:

Let me talk to you about this because in a way this has really been pretty basic to our strategy. And I completely agree with you; it's untenable to have a whole variety of state laws that have slightly different standards.

The automotive industry is very well aware of this also and, in fact, they are terrified of exactly this. When NHTSA discovered that we were trying to support state laws, our contact person there was quite upset and indicated to me that -- sort of a warning that the auto industry is not going to like that you're doing this. And we thought about that and kind of weighed the fact, are we going to lose good faith with some of the people who are willing to work with us, or is this a way to keep the pressure on and keep them wanting to work with us? And we decided the latter.

If any of these state laws were to pass and we continue working on the federal legislation -- if federal legislation passes it would obviously preempt any other state laws under it. I think that the fact that we've been working on these state legislation pieces has really helped to get attention to the issue and has really helped us get the federal bill into Congress.

Ken Stewart:

I want to respond too, Larry, if I may. I think one of the most important things of all the valuable things that Debbie is saying is that the auto industry was terrified by that. All along I've seen that as the principle benefit to efforts in various states to get legislation. I didn't think there was much chance for them to go all the way in any state, but it would accomplish two things in my mind.

One was to terrify the automotive -- at least motivate -- let me put it that way -- motivate the automobile industry that they've got to take initiative and get working on this. And the other aspect of it which I talked about earlier, that is educating the consumers too. I think as consumers that are about to buy a hybrid, express concern about, "Gee, what about my own little child that's going to be playing in the driveway when my husband backs his car out of the driveway?" We need the automobile industry to be concerned that they're going to start losing customers too because of this. So it's a good motivator that there was some effort in various states to do this.

Larry Wanger: Deborah, can you talk a little bit about what we've mentioned a couple times, this federal legislation? And I know that NFB played a big role in that and it's supported, obviously, by ACB, I believe. But can you talk a little bit about the legislation, what it's all about, and where that's at right now?

Deborah Kent Stein: Sure. It's called the Pedestrian Safety Enhancement Act and the number right now is H.R. 5734. We drafted this bill with the help of the sponsor Edolfus Towns from New York and the sponsor Cliff Stearns from Florida. Towns is a Democrat; Stearns is a Republican.

So we got their interest; we showed them a model bill; they made some changes to it that they would like to see. In particular, Stearns wanted to see a section in there which would call for some research and development and so we added that, which I think strengthens the bill. And right now we have, last I heard, 30 sponsors. So it's getting some attention. It needs a lot more. We need to get I believe 218 sponsors in order to get it up to a point where it can be voted.

It's very important that anybody who has a stake in this issue, anybody who's interested in this issue, contact their representatives and try to get them to sign on to H.R. 5734.

Larry Wanger: The last thing I really want to hit on here is really the interaction between the blind community and hopefully bringing on board other pedestrian safety groups. What has been the response of the auto industry and their receptiveness to this and what things would they like to do or have suggested as options for addressing this issue?

Deborah Kent Stein: About a week ago a sighted child was hit up in Minnesota by a quiet car, by a Prius. He was hit on his bike. Fortunately he wasn't hurt; he was thrown up onto the hood of the car. His

mother recognized immediately that this was a car she couldn't hear. She felt that the quietness of it had indeed been a significant factor in why her son was hit. She has been very vocal and in fact appeared on a very nice story done by CNN.

And in response to the fact that here we have a sighted child hit, Toyota made a stronger statement than I have heard them make before saying, "Yep, we are going to have to back up and think some more about this issue." To us they've been saying things like, "Well, drivers are going to have to be more careful and so are pedestrians," which we as blind people have found very frustrating because it's not really clear how they expect us to be more careful around cars that we can't hear.

So I think that as we start to get more reports from sighted people, and particularly reports of sighted children being hit and injured, it is a very strong wake-up call that this is not just a blindness issue and I think it's helping get a stronger response from the industry. However, we haven't seen yet a real strong response from parents groups, senior groups, other pedestrian groups, bicyclist groups, really pushing legislators.

Larry Wanger:

Ken, did you have any comments?

Ken Stewart:

Yeah, I'll add one other player in this mix that I think is significant, and that is the actual people that make decisions for governmental entities and their purchases. Governments buy a lot of vehicles. New York City, it's the largest fleet of buses in North America; something like 4,500 -- I think it's even higher than that at 4,700. They are substantially adding to their hybrid vehicles; it's probably between 500 and 1,000 vehicles now.

The head of the Department of Buses in New York City had a personal conversation with me not long ago, was telling me how impressed he was with how quiet. He said, "You know, the last thing I could hear was the windshield wipers."

Another administrator in the Transit Authority was talking about being near a hybrid vehicle recently. He said, "It's spooky." He actually used that word "spooky."

Another administrator from the Department of Buses mentioned to me that they were experiencing a spike in accidents with the buses. Well, at first I figured that's great evidence, but then I investigated and it turns out they're talking about vehicle to vehicle accidents because the hybrid buses have a faster acceleration rate and apparently their chase overhangs

the back axle farther than it was. But they're dealing with the manufacturers to do retrofitting and adjust that.

So that same parallel can be followed I think in terms of the consumer base saying to manufacturers, "We don't want to buy the chauffeur-driven cars that our governors and leaders are driving around if they're going to be threatening pedestrians. Give us a limousine that has an audible aspect." So I think that's another group that we need to tap into even more, to get them saying to the automobile industry what we need.

*For links and more information about quiet cars and the pedestrian safety issue, or to download a transcript of this episode, be sure to visit the Disability Nation website at [www.disabilitynation.net](http://www.disabilitynation.net).*

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*Here are some brief headlines in this week's disability rights and advocacy news, as reported by Inclusion Daily Express, the international disability rights news service.*

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A federal appeals court ruled Tuesday that the U.S. Treasury Department must find a way to design paper currency so that blind people can independently tell the difference between a \$1 bill, a \$5, \$10, or \$20, and so forth.

The U.S. court of appeals for the District of Columbia circuit agreed with the American Council of the Blind which said in a 2002 lawsuit that the department discriminated against blind Americans in violation of section 504 of the Rehabilitation Act which guarantees equal access in government programs. The court noted that scores of other countries that issue paper current have found ways to make their bills accessible.

The council had proposed several options, including printing bills of different sizes, adding embossed dots or foil to the paper, or using raised ink.

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In what Canadian disability rights advocates are hailing as a legal victory, the country's federal court of appeals has turned down a request by air carriers to hear an appeal of a new policy requiring airlines to offer free seating for personal attendants of passengers with disabilities.

In January the Canadian Transportation Agency ruled that airlines must stop charging a second fare for people who need an attendant for medical reasons. The policy also applies to overweight people who need two seats. The panel ordered Air Canada, Air Canada Jazz and WestJet to develop and implement policies within one year to reflect the new rule.

Air Canada and WestJet appealed, arguing that the new rule would create a financial hardship for the airlines. The CTA, however, argued that the airlines had failed to prove that. According to the Canadian Broadcasting Corporation, the appellate court rejected the airline's appeal in a May 5th ruling.

The ruling comes nearly five years after the council filed a formal complaint on behalf of two airline passengers with disabilities. In that complaint they claim that forcing people to purchase tickets for attendants amounts to discrimination. The new rule brings air travel in line with other modes of travel, such as train, bus and ferry, which do not charge to transport attendants for passengers with disabilities.

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The U.S. Department of Justice has filed a Fair Housing lawsuit against the city of Satsuma, Alabama for trying to keep three people with intellectual disabilities from moving into a group home. According to a DOJ press statement, the suit was filed on May 7th in U.S. district court for the Southern District of Alabama on behalf of the women who are served by professional care providers.

The department sued after the U.S. Department of Housing and Urban Development received a number of complaints alleging that the town had discriminated against the women, in violation of the Federal Fair Housing Act. The town's zoning codes allow up to five unrelated people to live together in single-family homes. The suit asked the court to order the city to stop discriminating against people with disabilities, to require it to grant the accommodations the women need, to pay unspecified monetary damages to the women, and pay a fine.

*Expanded coverage of these stories, and links to dozens more disability rights news articles, commentary, and resources, are available through our daily and weekly email updates at [www.InclusionDaily.com](http://www.InclusionDaily.com).*

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