



August 8, 2022

Stephen Gardner
President
National Passenger Railroad Corporation/Amtrak
1 Massachusetts Ave., NW
Washington DC 20001

Dear President Gardner:

On January 19, 2022, we wrote to you to express our concern that Amtrak's new Intercity Trainsets will be inaccessible because the aisles will be too narrow for passengers who use wheelchairs, walkers, and other mobility devices.

On April 15 you responded identifying "three basic strategies" for addressing seat and aisle width along with other reasons supporting Amtrak's choice of a 24 inch wide aisle as opposed to a fully accessible 32 inch wide aisle. What follows is our response to your April 15 letter.

First, your contention that seats would have to be 17.5 inches with a 32 inch wide aisle is not supported by available information.

Your letter indicated that to provide a 32 inch wide aisle, Amtrak would have to "specify a narrower, 17.5 inch seat compared to today's roughly 20-inch seat on Amfleet equipment." However, that is not what the facts show as demonstrated first by the dimensions on the Brightline trains and the California and Midwest Siemens cars. These cars have 32 inch wide aisles and approximately 19 inch wide seats. Information provided by the Federal Rail Administration (FRA) provides the measurements of seat pair widths of the Brightline and California and Midwest cars as being 41 inches. The 19 inch width of the seat presumably reflects the reduction in the width in the pair of seats taken up by the armrests.

Next, the same document notes that existing Amfleet cars have varying widths of aisles “mostly 18-22 inches with the Horizon cars having 25 inch wide aisles and seat pair widths of 46 inches which provide seats considerably wider than the “roughly 20-inch seat on Amfleet equipment.” Using the Horizon information, it appears that you could have a 32 inch wide aisle with a seat around 20 inches wide. Thus, the available information contradicts your assertion that the seats would have to be 17.5 inches wide to have a 32 inch wide aisle.

Your letter then goes on to contend that in order to provide 32 inch wide aisles, you would have to remove a seat from each row, but as noted above, removing a seat from each row is unnecessary if the seat pairs are 41 inches wide. Amtrak could also choose to have an additional business class car with wider seats in a 1 x 2 configuration to meet the perceived demand for wider seats while maintaining 32 inch wide aisles.

Second, your assumption that retaining the current configuration of aisles and seats is supported by current ridership levels of people with disabilities ignores the impact of Amtrak’s accessibility issues on people with disabilities utilizing Amtrak.

Your letter goes on to describe the need to “retain the aisle and seat width specified for the new Acela trainsets consistent with current Amfleet seating in order to retain current, broad customer-experience levels.” You then proceed to support that configuration by asserting that this design configuration will be enough to accommodate all of the (wheelchair using) passengers that currently, on average, ride Amtrak daily. In your December 9, 2021, Presentation to the Disability Community you indicated that between March of 2019 and 2020 only 0.04 percent of trips had more than “four or more wheeled mobility devices onboard” (Amtrak 2021).

The problem with this assertion is that ridership may now be so low in part because of the current inaccessibility of a large number of train stations. For example, those Americans with mobility devices living near the 225 stations that remained out of compliance as of April 28, 2022 are unlikely to try to ride on Amtrak. If Amtrak is dedicated to accessibility, it should understand that as more stations, facilities, and trains become accessible, more passengers with disabilities will view Amtrak as a viable

transportation option. As Amtrak unlocks more stations that now comply with the ADA based on its settlement agreement with the U.S. Department of Justice, more opportunities to use the train continue to arise.

Even more significant, Amtrak's Amfleet cars have exterior doors that are not 32 inches wide, have a protruding latch mechanism at a height that presents a hazard particularly to power wheelchair users, and have narrow vestibules, making turns into the cars difficult. See photo of Amfleet car doorway and vestibule below.



Finally, both the Amfleet and Horizon cars also have an “accessible” restroom that is not actually accessible and usable by many wheelchair users.

Census Bureau data show that there is a large population of people with disabilities that could be riding Amtrak. According to the Census Bureau there are 332 million people in America (U.S. Department of Commerce

2022). The Bureau of Transportation Statistics predicts that there are “25.5 million Americans aged 5 and older that have self-reported travel-limiting disabilities.” (2022) 38.4 percent of these people use either a walker (which are often wider than 24 inches), wheelchair, or motorized wheelchair. For a comparison of the number of wheelchairs users who travelled before the pandemic, in 2019, the airline industry reported between 35,000 to 69,000 wheelchairs and scooters emplaned each month.¹

Using these statistics, we can predict that 2.89 percent of the population would benefit from 32 inch wide aisles. If Amtrak had accessible stations and train sets we would expect on a standard eight car train, which seats 433 people, at least 12 passengers who will require accessible spaces.

However, Amtrak’s design with 24 inch wide aisles does not provide an equal experience for all passengers if there are more than five wheelchair users on a train. As discussed below, any additional passengers will experience a segregated second class experience by being unable to access the café cars whenever they like or have access to a quiet car.

Amtrak’s currently low ridership of people with disabilities is likely a result of people with disabilities choosing more accessible forms of transport. If a wheelchair user has difficulty using the station, boarding the trains, cannot use the restrooms on the train, or is uncomfortable riding the train because they are stuck next to the restrooms, the number of people with disabilities riding Amtrak is going to be limited. Basing a decision to not make the train universally accessible on data from when train stations and train sets are not accessible is clearly predetermining the answer and outcome.

Universally designed trains with full accessibility to the entire train will encourage rather than discourage ridership by people with disabilities. As so eloquently stated in the movie Field of Dreams – If you build it they will come.

¹ U.S. DOT Aviation Consumer Protection 2019 Monthly Air Travel Consumer Reports. An “enplanement” is each time a wheelchair is loaded onto an aircraft, so because some air travel trips require a connecting flight, the number of wheelchair travelers each month will be somewhat less than the number of enplanements.

Third, the Limited Capacity of the “All-amenity Accessible” Space Threatens to Segregate and Separate Groups of Passengers with Disabilities.

In your letter, you state Amtrak will go “above and beyond” ADA compliance by having “Five accessible spaces with direct access to food service car per train” (pg. 2). We believe that regardless of your faith that this policy complies with the ADA, this design fails to be as accessible to wheelchair users as for people without disabilities and risks creating more accessibility barriers than it removes.

In the proposed design, two accessible spaces will be facing each other, with a table between them, in the food service car. Two additional accessible spaces will also be facing each other, with a table, in the business class car. Finally, there would be one area in the car next to the food service car where a person with a mobility disability can be and have access to the food service car. This layout does not allow more than two wheelchair users to sit together in one place. So unlike people without disabilities that can move around the train to visit friends and companions seated in other areas, people with disabilities would have the ability to only interact with one other individual for the trip. Additionally, what if the person with a disability does not want to spend the entire time of the trip in the food service car? They have no ability, like people without mobility disabilities to leave and go elsewhere on the train.

Amtrak has indicated that if there are more than three passengers requiring the use of accessible spaces, “passengers with wheeled mobility devices and their companions [will] be assigned the two accessible spaces in business class at coach pricing.” (4). While appreciated, this fails to address accessibility and integration issues that occur. For example, a family of four is traveling to a location and the other seats are already booked. So in this case two of the group gets to interact during the trip while the person with a disability cannot traverse the train to see the other two people because of narrow aisles, unless willing to pay business fare. Or will this lead to individuals in business class complaining if the others in the group come back to interact with the person with the disability during the trip? Considering accessibility and universal access at the beginning by having 32 inch wide aisles helps avoid these problems.

In addition to these five accessible spaces, by the food service car, there will be 3-5 additional accessible spaces depending on the length of the trainset with one in each additional coach car. These accessible spaces are next to the restroom. While Amtrak has changed the configuration of the cars so that the restrooms in the adjacent car will be available in most cars, the narrow aisles leave the wheelchair space in one car having access to only one restroom. Passengers who use wheelchairs will also not be able to enter or exit quiet cars; another example of unequal access to the services of the train.

Fourth, Narrow Aisles Prevent Passengers with Disabilities from Experiencing Key Elements of the Amtrak Experience

In addition to the negative consequences of being relegated to these limited number of areas, Amtrak's proposed narrow aisles will deprive passengers with mobility devices from enjoying a fundamental element of the Amtrak experience: the ability to "roam" around the train.

Based on Amtrak's own advertising materials, the ability to move around an Amtrak train is one of the key features of the nation's intercity passenger rail service. Amtrak's website, amtrak.com/how-to-ride-amtrak, lists the "lack of restrictions on when you can move around" as one of the things that makes "traveling on Amtrak differ from other travel options such as travel by air".

The screenshot shows the Amtrak website's 'How to Amtrak' page. The header includes the Amtrak logo, navigation links (Join, Sign In, English, Need help? Ask Julie), and a search icon. Below the header is a dark blue navigation bar with links: DESTINATIONS, EXPERIENCE, DEALS, SCHEDULES, GUEST REWARDS, TRAIN STATUS, MODIFY TRIP, and a prominent BOOK NOW button. The main content area has a light blue background. The title 'Traveling on Amtrak for the First Time: Your Essential Questions Answered' is displayed. Below the title, there are two columns of text. The left column welcomes new passengers and provides information on booking and train travel. The right column mentions Amtrak's extensive network and provides a link to a travel planning map. Below this, the section 'How to Amtrak' is introduced with 'Amtrak 101 Tips'. A sub-section titled 'How does traveling on Amtrak differ from other travel options?' follows. This section contains three columns of text. The first column discusses ticket costs and amenities like Free WiFi. The second column mentions baggage policy and carry-on bags. The third column lists travel options like coach, business, and first class, and mentions quiet cars and private rooms. A final column, highlighted with a blue background, lists amenities that Amtrak does not have, such as middle seats, airplane mode, and restrictions on when you can move around.

AMTRAK® Join | Sign In | English | Need help? Ask Julie

DESTINATIONS EXPERIENCE DEALS SCHEDULES GUEST REWARDS TRAIN STATUS MODIFY TRIP **BOOK NOW**

Traveling on Amtrak for the First Time: Your Essential Questions Answered

New to Amtrak? Welcome. Here's everything you need to know about what train travel is like, from how to book, when to arrive at the station, what it's like onboard, train etiquette and how to get the best deals.

Amtrak travels to 500 destinations across the country — use our [travel planning map](#) to find a station near you.

How to Amtrak

Amtrak 101 Tips

Let's start with answering some questions for first timers on how to ride Amtrak. We'll give you train travel tips and things you need to know – basically a little Amtrak guide.

How does traveling on Amtrak differ from other travel options?

What comes with the cost of your ticket? [Free WiFi](#) on most trains and spacious, comfortable seats. For us, extra legroom comes standard.

With our [baggage policy](#), two personal items and two carry-on bags also come standard.

Like other travel options, we offer [coach class](#), [business class](#) on many routes and [first class](#) on Acela. Unlike other travel options, many routes offer a [Quiet Car](#) and [private rooms](#).

Here's what Amtrak doesn't have — [middle seats](#), [airplane mode](#) and [restrictions on when you can move around](#)

Figure 1. The image is a screenshot of the relevant page on Amtrak's website. The text quoted in the previous paragraph is partially highlighted.

Amtrak's Twitter account also asserts that "room to roam" is a key feature of the Amtrak experience.

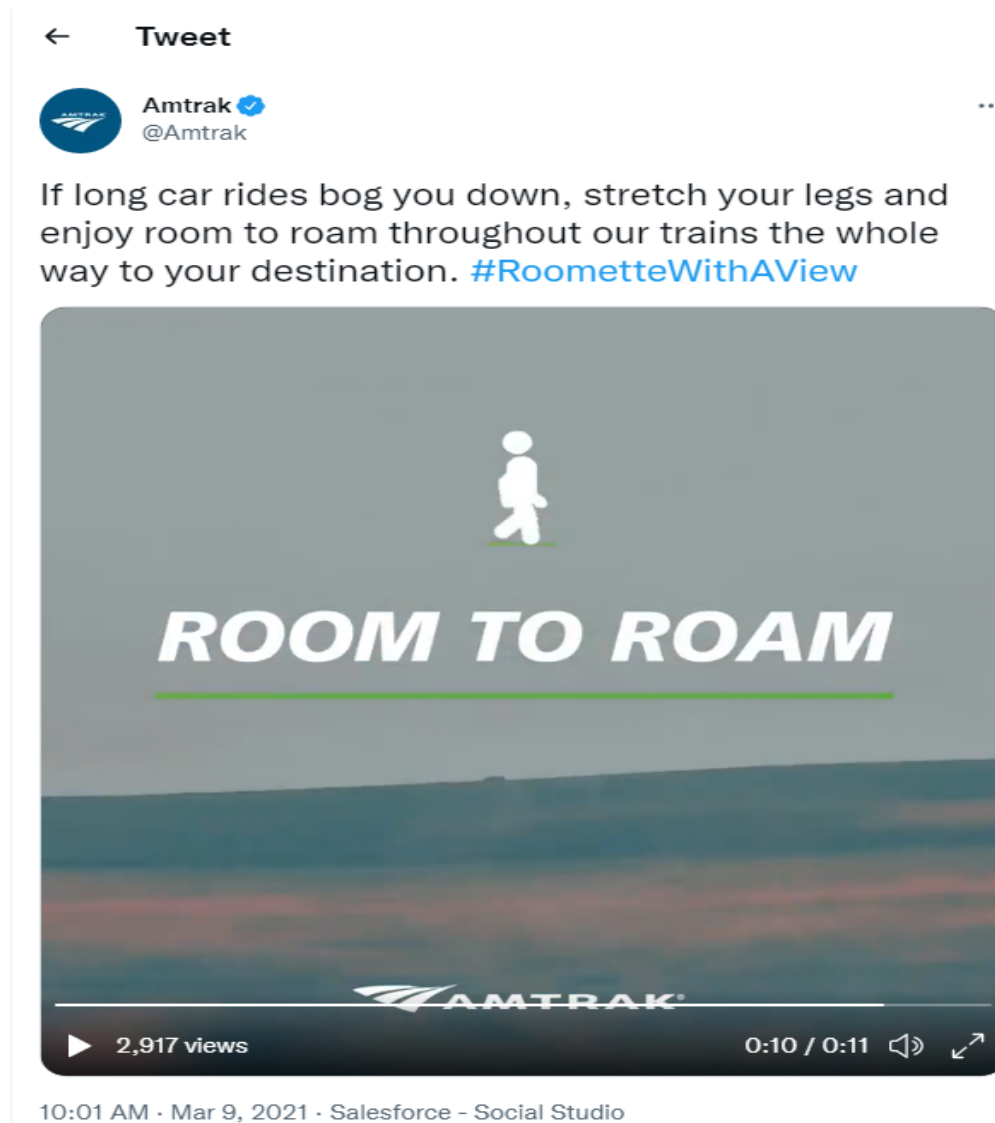


Figure 2. The image is a screenshot of a tweet from @Amtrak. It includes a video taken from a person's point of view as they move around a train. The video concludes showing a stick figure walking with the caption "room to roam" (Amtrak 2021).

Another page on Amtrak's website lists "room to roam" as one of the "many benefits" of the "unique Amtrak experience" (Amtrak). Clearly the ability to roam the train is an essential experience of Amtrak, but if you go forward with the 24 inch wide aisles, you are limiting this essential experience to only people without disabilities. Again, if you start with universal design and 32 inch wide aisles, then people with disabilities can participate in this essential experience of riding Amtrak.

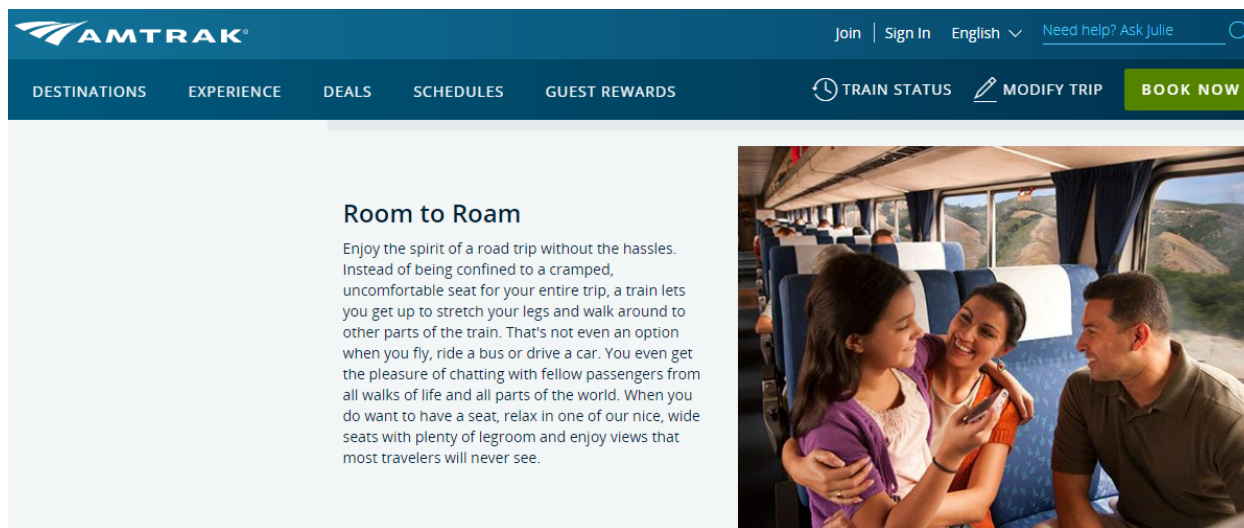


Figure 3. The image is a screenshot of the relevant page on Amtrak's website.

Finally, the 1999 Supreme Court Ruling of *Olmstead v. L.C.* Requires Full Integration of People with Disabilities

Your April 15 letter completely overlooks the requirements of the 1999 Supreme Court ruling of *Olmstead v. L.C.* This landmark ruling calls for full integration for all persons with disabilities, including travel. As previously described, passengers with disabilities should not be limited to one specific area of the train. They must have the freedom to integrate into the overall experience of Amtrak train travel. This includes accessing different sections of the train within one set travel route. Without such dedication to universal design through 32 inch wide aisles, Amtrak ensures that people with mobility disabilities will not be fully integrated travelers on the nation's railroads.

We again urge you to procure train cars which allow all Americans to enjoy the entire Amtrak experience. To facilitate a productive dialogue about the accessibility of Amtrak's trains, we ask that your agency make public all

data you have collected on consumer preferences regarding aisle and seat width changes. We also request access to any other records that Amtrak produced while determining that an accessible aisle would require Amtrak to specify seats which are 2.5 inches narrower than those currently in use. Sharing these records will allow Amtrak and its constituents to engage in a more collaborative dialogue.

Please respond back to Claire Stanley, Public Policy Analyst, at Claire.stanley@ndrn.org, or at 202 567-3501.

Sincerely,



Eric Buehlmann
Deputy Executive Director of Public Policy