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## **LAWSUIT CHALLENGES UBER'S DISCRIMINATION AGAINST BLIND CUSTOMERS WITH SERVICE ANIMALS**

**SAN FRANCISCO, CA** – The California affiliate of the National Federation of the Blind (“NFB of California”) and Michael Hingson, a member of the NFB of California and a guide dog user, filed suit today in United States District Court for the Northern District of California against Uber Technologies, Inc. (“Uber”) to challenge discrimination against blind guide dog users in the provision of Uber’s UberX taxi service. Uber offers reliable taxi services to sighted customers. However, the drivers who Uber dispatches to transport blind customers have on many occasions refused to transport blind customers with service animals. The complaint alleges violations of the Americans with Disabilities Act, the California Unruh Civil Rights Act, and the California Disabled Persons Act.

Uber, a large and rapidly growing for-profit transportation network company based in California, provides taxi services through thousands of vehicles in California. Uber uses smart-phone software applications to arrange rides between its customers and its fleet of drivers, to bill customers, and to handle all other transportation logistics, creating a convenient, streamlined taxi experience. UberX, one of Uber’s taxi services, is very popular because it is widely available and often more affordable than other taxi services.

UberX drivers have refused to transport many blind guide dog users, including members of NFB of California. Many of these blind individuals have been denied rides on multiple occasions. In addition, after UberX drivers have refused to provide transportation, Uber has charged some blind riders with service animals cancellation fees.

Moreover, some UberX drivers have mishandled guide dogs or harassed blind guide dog users even when they have not outright denied the provision of taxi service. One UberX driver locked a blind passenger’s guide dog in the sealed trunk of a sedan. When the blind woman protested and demanded that the driver stop the vehicle and let her retrieve her dog, the driver refused and continued driving. Blind riders have also needed to explain service

animals to uninformed UberX drivers before drivers are willing to transport them. Others have been yelled at by drivers who are hostile toward their service animals.

Blind customers who have experienced this discrimination have submitted written complaints to Uber. However, Uber failed to notify most of these individuals as to whether Uber had fully investigated their complaints, disciplined the drivers, or taken any other steps to meaningfully ensure that these drivers would not continue to discriminate against other individuals with service animals. Instead, Uber has claimed that it is not a transportation provider and that it is not responsible for its drivers' conduct.

In an attempt to avoid the need for litigation, NFB of California and Mr. Hingson proposed collaborating with Uber through structured negotiations to identify policies and procedures that will prevent or reduce discrimination against blind customers who use guide dogs. However, Uber refused to attempt structured negotiations to resolve this matter.

Mary Willows, president of the California Affiliate of the National Federation of the Blind, stated that "the ability to travel independently is central to the ability of blind people to live independent, fulfilling, and productive lives. Taxis are a valuable method of transportation for blind people, particularly in California where public transportation is not always available. Our right to independent travel is unjustly jeopardized when Uber drivers refuse to transport or harass blind customers due to the presence of their service animals. Federal and California State law require – and blind Californians demand – that Uber provide its taxi services to blind customers in a nondiscriminatory manner."

Michael Hingson, a public speaker and best-selling author, stated "I routinely travel throughout California for business. I would really like to enjoy the convenience and affordability of Uber's UberX taxi service, but I don't use it because I worry that Uber's drivers will discriminate against me as they have discriminated against so many other blind customers."

Michael Nunez, staff attorney at Disability Rights Advocates, said "Uber has the technology and ability to implement policies and procedures that will prevent or significantly reduce discrimination against blind guide dog users. It is therefore very disappointing that Uber has refused to take meaningful steps to ensure that blind guide dog users can reliably enjoy the UberX service just as other customers do."

Timothy Elder, principal attorney for the TRE Legal Practice said, "Blind people who use guide dogs want Uber and similar services to flourish. It baffles me why Uber would choose to litigate in court rather than negotiate with the blindness community to make Uber's services accessible to more paying customers."

NFB of California and Michael Hingson are represented in this matter by Laurence Paradis and Michael Nunez of the Berkeley nonprofit firm Disability Rights Advocates and Timothy Elder of the Fremont firm TRE Legal Practice. Attorneys for the plaintiffs are interested in speaking with any blind or visually-impaired individuals with service animals who have been denied service by Uber drivers.

*About the California Affiliate of the National Federation of the Blind:*

The NFB of California is a nonprofit association of blind Californians. It is the California State affiliate of the National Federation of the Blind. The National Federation of the Blind knows that blindness is not the characteristic that defines you or your future. Every day we raise the expectations of blind people, because low expectations create obstacles between blind people and our dreams. You can live the life you want; blindness is not what holds you back. For more information, visit <http://sixdots.org/>.

*About Disability Rights Advocates:*

Disability Rights Advocates is one of the leading non-profit disability rights legal centers in the nation. With offices in Berkeley and New York City, DRA's mission is to advance equal rights and opportunities for people with all types of disabilities nationwide. To advance that mission, DRA regularly advocates for greater access to transportation services and modern technologies. DRA recently negotiated a landmark settlement that will dramatically improve access to taxis in New York for people with mobility disabilities. DRA has also negotiated access improvements to several types of popular modern technologies, including the website Target.com in *National Federation of the Blind v. Target, Corp.* and Redbox touchscreen video rental kiosks in *Lighthouse for the Blind and Visually Impaired et al. v. Redbox Automated Retail, LLC et al.* For more information, visit [www.drlegal.org](http://www.drlegal.org).

*About TRE Legal:*

Founded by Timothy Elder, TRE Legal is a civil rights law firm fighting discrimination and specializing in the rights of the blind and other disabled people to access employment, education, government programs, public accommodations, digital information and all other aspects of modern society. TRE Legal has helped negotiate collaboration agreements between the blindness community and several mobile app developers to make their respective technologies independently accessible to the blind. For more information, visit [www.trelegal.com](http://www.trelegal.com).

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