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Statement by Secretary of Transportation Drew Lewis
on the May 26th D.C. Court of Appeals Decision on
DOT 504 Regulations

On May 26, 1981, a federal appeals court issued a decision that the 1979 DOT regulations which require that local transit authorities provide accessible transportation for handicapped persons exceeds DOT's authority to enforce Section 504 of the Rehabilitation Act.

One of the Reagan Administration's first actions was to call for review of those regulations; the court decision is entirely consistent with the reviews being conducted by the department.

Service can be provided to handicapped persons in a far less expensive way than the system-wide accessibility required by the present regulations.

In addition to DOT's review the Presidential Task Force on Regulatory Relief also targeted DOT's Section 504 regulation as one deserving priority review and possible modification. We are cooperating fully with the OMB and the Presidential Task Force in conducting an expeditious review of the regulations.

Also, as part of a legislative proposal sent to Congress to restructure the federal transit assistance program, we have proposed that recipients of federal assistance be authorized to meet federal requirements for the transportation of handicapped persons using approaches other than making entire transit systems accessible.

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In transmitting this proposed legislation to Congress on March 17 I said, "We look forward to working with the Congress to develop an effective solution to this difficult issue."

We are convinced that transportation can be provided to handicapped persons without imposing an unreasonable cost on local transit systems. We are pursuing this objective both legislatively and administratively.

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