

Accessible AIR TRAVEL

**A Guide for People
With Disabilities**



**United Spinal
Association**



United Spinal Association

Mission Statement

United Spinal Association's mission is to improve the quality of life of all people living with spinal cord injuries and disorders (SCI/D).

Who We Are

United Spinal Association is the largest non-profit in the United States dedicated to helping people living with SCI/D. We are a 501(c)(3) national disability rights and veterans service organization founded in 1946. United Spinal Association provides active-lifestyle information, peer support and advocacy that empowers people with SCI/D to achieve their highest potential in all facets of life. United Spinal played a significant role in writing the Americans with Disabilities Act, the landmark civil rights law of 1990 that protects people with disabilities from discrimination. It has also made important contributions to the Fair Housing Amendments Act and the Air Carrier Access Act, and was instrumental in getting New York City to create sidewalk curb ramps and accessible public transportation that is currently used as a model for many cities nationwide.

Who We Serve

United Spinal Association's diverse membership includes wheelchair-users, veterans with disabilities and people living with multiple sclerosis, amyotrophic lateral sclerosis (ALS), post-polio, spina bifida and other spinal cord disorders. Each year, United Spinal Association helps thousands of people of all ages overcome the daily challenges of living life with a disability. And we extend our unending support to those most important in their lives-- their family members and caregivers.

Publications

To download any of United Spinal Association's informative publications free of charge, visit www.unitedspinal.org/publications or call 1-800-444-0120 to order printed copies.

Donations

United Spinal Association receives very little government funding. Its programs and services depend on individuals like you and your tax-deductable gifts. In fact, without your generous support, the organization could not exist. If you would like to make a donation to support United Spinal's mission, please visit www.unitedspinal.org/giving or call 1-800-404-2899.

Membership

National Spinal Cord Injury Association is the membership division of United Spinal Association, and welcomes all individuals with a strong interest in our community. Individual membership is free. Visit www.spinalcord.org or call 800-962-9629.

United Spinal Association
75-20 Astoria Boulevard,
East Elmhurst NY, 11370-1177
718-803-3782
www.unitedspinal.org

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Contents

Accessible Air Travel - A Guide for People with Disabilities	4
Air Carrier Access Act	4
Domestic and Foreign Air Carriers	4
Refusal of Service	5
Medical Certificates	6
Advance Notice Requirements	7
Safety Assistants	8
Extra Charges	9
Airline Liability for Equipment.....	10
Information for Passengers.....	10
Airport Accessibility.....	12
Kiosks	13
Security Screening	13
Accessibility of Aircraft	13
Seating Accommodations.....	16
Boarding, Deplaning, and Connecting Assistance	18
Services on the Aircraft	20
Service Animals.....	21
Stowage of Wheelchairs and Other Mobility Aids and Assistive Devices	22
Electronic Respiratory Assistive Devices.....	24
Complaint Procedures	26
Conclusion	28
Tips for Transferring and Lifting	29

Accessible Air Travel:

A Guide for People with Disabilities

It is vitally important for travelers with disabilities and their companions, travel agents, and others involved in air travel to know what to expect from the time an airline reservation is booked to the moment the flight touches down. To assist passengers with disabilities the federal government passed the Air Carrier Access Act of 1986 (ACAA) which affects all aspects of air travel. This booklet provides people who use wheelchairs and other mobility aids with all the information they need to have a safe and enjoyable flight.

Air Carrier Access Act

The ACAA prevents airlines from discriminating directly or through a contractual arrangement against people with disabilities. The ACAA affects all domestic air carriers, foreign carriers that provide flights to and from the United States, and all airport facilities within the United States and its territories, possessions, and commonwealths. Under various laws, new and renovated terminals in the United States must be designed to be accessible to people with disabilities.

The Regulations implementing the ACAA are issued by the United States Department of Transportation (DOT).

Domestic and Foreign Air Carriers

Are the provisions governing domestic and foreign air carriers identical?

No. All US carriers' operations and aircraft, regardless of location, are covered by the regulations. For foreign carriers the rules apply to flights that begin or end at US airports and aircraft used for these flights. For purposes of the regulations, "flight" means a continuous journey in the same aircraft or with one flight number that begins or ends at a US airport.



Refusal of Service

Are air carriers permitted to refuse to serve a qualified person with a disability?

It is unlawful for air carriers to refuse to provide transportation to a qualified individual with a disability based solely on his or her physical or mental condition. To be qualified, a person with a disability must be a passenger with a disability who obtains or attempts to purchase a ticket, gets to the airport, and meets the contract-of-carriage requirements that apply to all passengers. It also applies to a person with a disability who is meeting a traveler or accompanies a traveler using the terminal, ground transportation, or other facilities or services offered by the air carrier. Air carriers must also ensure that any contractors that provide service to the public do not discriminate against persons with disabilities. This assurance must be part of the air carrier's contract with the other entity.

Air carriers may refuse to provide transportation to any passenger based on safety and Federal Aviation Administration (FAA) regulations, but they must do so in a manner that does not discriminate based on disability. If air carrier personnel determine that a passenger poses a direct threat, the least restrictive means must be employed. For example, if the threat can be avoided without refusal of transportation (i.e., a later flight with fewer

passengers so the air carrier can seat the individual separately) then they must employ that method.

Air carriers cannot limit the number of people with disabilities on a given flight.

What must an air carrier do if it refuses to provide service to any person on the basis of a disability?

The air carrier must give the passenger a written explanation for the refusal, including, where appropriate, the safety basis for the decision. The air carrier must provide the written explanation within 10 calendar days of the incident.

Medical Certificates

May carriers require a passenger with a disability to provide a medical certificate?

A medical certificate is not required from a passenger with a disability except if he/she is traveling on a stretcher or in an incubator, needs medical oxygen during a flight, or whose medical condition is such that there is reasonable doubt that the person can complete the flight safely without requiring extraordinary medical assistance during the flight. A medical certificate under these circumstances is a written statement from the passenger's physician stating the passenger is capable of completing the flight without requiring extraordinary medical assistance during the flight. The certificate must be dated within 10 days of the passenger's initial departing flight.

A medical certificate may also be required of a passenger with a communicable disease or condition that would pose a direct threat to the health and safety of others on the flight. The certificate would need to be issued by the passenger's physician within 10 days of the flight and must



state that the disease or condition in its present state is not communicable to other passengers during the flight.

Passengers traveling with an emotional support or psychiatric service animal must provide a letter from a licensed mental health provider that is no more than a year old stating that the passenger needs the emotional support or psychiatric service animal as an accommodation for air travel and/or for activity at the passenger's destination.

Advance Notice Requirements

Does a person with a disability need to notify an airline in advance of his or her intention to travel or of his or her disability?

Generally, carriers cannot require advance notice. An airline is permitted to require that the passenger provide up to 48 hours advance notice and check-in one hour before the check-in time for the general public for the following accommodations:

- use of carrier supplied in-flight medical oxygen on domestic flights
- transporting an incubator, if this service is available
- connecting a respirator, ventilator, CPAP machine, or POC to the aircraft electrical supply, if this service is available
- accommodating a passenger who must travel on a stretcher, if this service is available
- transporting a power wheelchair on aircraft with fewer than 60 seats
- providing packaging for a battery for a wheelchair or other assistive device
- accommodating 10 or more qualified people with disabilities who make reservations and travel as a group
- providing an on-board wheelchair on aircraft with more than 60 seats that does not have an accessible lavatory
- transportation of an emotional support or psychiatric service animal in the cabin
- transportation of a service animal on a flight segment scheduled to take 8 hours or more
- accommodation of a passenger with both severe vision and hearing impairments

An airline is permitted to require that the passenger provide up to 72

hours advance notice and check in one hour before the check in time for the general public for use of carrier supplied in-flight medical oxygen on international flights.

What are an airline's responsibilities after a person with a disability gives advance notice of his or her needs?

Airline reservation and administrative systems must keep records of properly provided advance notice. Carriers must inform the employees responsible for arranging for the necessary accommodations and must ensure that the services are provided.

If a flight is changed or cancelled and a passenger provided the required advanced notice, the carrier must provide the accommodation on the new flight to the maximum extent feasible.

What happens if an individual with a disability does not provide advance notice or does not check in one hour in advance as required?

In these cases, the carrier must provide the accommodation or service if it can be done with reasonable effort and without delaying the flight.

Safety Assistants

In what situations may an airline require a qualified individual with a disability to fly with a safety assistant?

The DOT regulations specifically exclude the word attendant, as an air carrier cannot require a person with a disability to travel with an attendant. A safety assistant can be required for the sole function of assisting the passenger in exiting the aircraft in case of an emergency or to establish communication with carrier personnel for purposes of the required safety briefing. A safety assistant can be required only after airline personnel have asked the passenger whether she can physically assist in her own evacuation and the airline reasonably concludes that the passenger cannot do so.

What happens if a person with a disability believes he or she can travel independently, but the air carrier personnel determines that this person must travel with a safety assistant?

DOT's Aviation Enforcement Office interprets this provision as allowing the carrier to require the passenger to pay for the transportation of a safety assistant if the passenger cannot state how she is able to physically assist or concedes that she is unable to do so. If the passenger explains how she can physically assist in her evacuation and maintains that she can do so, but the carrier disagrees, the carrier may require the passenger to find a safety assistant but the carrier may not charge for the transportation of the safety assistant. The carrier may choose to provide a safety assistant to the passenger by asking another passenger or an off-duty crew member to serve as the safety assistant.

If a passenger with a disability decides to travel with a personal care attendant or a safety assistant without being required to do so by the airline, the airline may charge for that person.

Extra Charges

May air carriers impose charges on passengers with disabilities for providing services and accommodations required by the regulations?

Generally no, but a carrier may charge a passenger for services not required by the Air Carrier Access Act regulations. A carrier may charge for use of more than one seat if the passenger's size or condition causes him/her to occupy the space of more than one seat.

Air carriers are allowed to charge passengers with disabilities for oxygen they provide, however they are not required to provide oxygen under the regulations.

If a carrier's commercial website is inaccessible to passengers with visual disabilities, is that carrier required to disclose the existence of, and sell discounted web-based fares to a passenger with a visual disability who calls or appears in person to inquire about airfares, make a reservation, or purchase a ticket?

If an air carrier's website is inaccessible to passengers with disabilities, the carrier cannot charge an extra fee for using another booking method. Also, if a discount is offered to passengers who make their reservations on the website, but a passenger with a disability cannot

use the website because it is inaccessible, the same discount must be given when they book via another method.

Airline Liability for Equipment

May airlines require passengers with disabilities to sign waivers of liability for their wheelchairs and other assistive devices?

Passengers with disabilities cannot be required to sign waivers of liability for damage to or loss of their wheelchairs or other assistive devices. Carriers may note pre-existing damage to an assistive device to the same extent that carriers do this with respect to other baggage.

Do baggage liability limits apply to mobility aids and other assistive devices?

For domestic US flights, the baggage liability limits do not apply to liability for loss, damage, or delay of a wheelchair or other mobility aid. The compensation for such incidents is based on the original purchase price of the device. Compensation for damage to assistive device by foreign or domestic carriers on international flights is subject to the Warsaw/Montreal Conventions, which do impose monetary limits.

Information for Passengers

What flight-related information must air carriers provide to qualified passengers with disabilities?

Upon request by a passenger with a disability or someone acting on their behalf, the air carrier must provide the following information concerning the accessibility of the aircraft expected to be used on the particular flight:

- the specific location, if any, of seats with movable aisle armrests
- the location of seats the carrier does not make available to passengers with disabilities based on the regulation (i.e., emergency exit row)
- any aircraft or service-related limitation, including limitation on level entry boarding
- any limitation on the availability of storage facilities in the cabin or in the cargo bay for mobility assistive devices
- if the aircraft has an accessible lavatory
- types of services not available to passengers with disabilities on the flight

Must information and reservation services of air carriers be accessible to individuals who are deaf, hard of hearing, or deaf-blind?

If an air carrier provides telephone reservation and information services to the public, they must provide services to individuals who use a text telephone (TTY) either by having their own TTY, voice relay service, or other available technology. Access to TTY users must be during the same hours as telephone service is provided to the general public. Response time and level of service must be substantially equivalent and no additional charges can be assessed the TTY user. Wherever the telephone information for reservations and information is listed, the TTY number must also be listed. If one is not available then an air carrier must state how TTY users can reach the reservation and information service.

Foreign Carriers must comply with this requirement unless a foreign country's telecommunications infrastructure does not permit compliance.



Must air carriers provide copies of the Air Carrier Access Regulations?

A copy of the current regulation must be kept at each airport an air carrier serves. For foreign air carriers, a copy must be kept at each airport serving flights that begin or end in the United States. If an air carrier has a Web site, information on how to obtain a copy of the regulations must be provided in an accessible format.

Airport Accessibility

What types of airport facilities must be accessible?

Facilities in the United States that an air carrier owns, leases, or operates must meet accessibility requirements applicable to public accommodations under the Americans with Disabilities Act and the ADA Accessibility Guidelines (ADAAG). This includes an accessible path between gate and boarding area when level entry boarding is not available; inter-terminal and intra-terminal transportation owned, leased, or controlled by a carrier; and animal relief areas for service animals. Also, captioning must be enabled on all televisions and other audio-visual displays that are capable of captioning. As televisions and other audio-visual displays are replaced they must be replaced with equipment that has high-contrast captioning capability. All new televisions and other audio-visual displays acquired after May 13, 2009 must be equipped with high-contrast captioning capability.

For areas of terminals in foreign airports that serve flights that begin or end in the United States, access to people with disabilities must be provided. This can be achieved through any combination of facility accessibility, auxiliary aids, equipment, the assistance of personnel, or other appropriate means consistent with safety and dignity of passengers with disabilities.

Kiosks

Are Kiosks currently required to be accessible to people with disabilities?

Currently, kiosks are not required to be accessible under the ACAA regulations, but on September 26, 2011 DOT issued a Supplemental Notice of Proposed Rulemaking (SNPRM). The SNPRM can be found at <http://www.regulations.gov>.

What accommodations can air carriers offer if kiosks are not accessible?

If a carrier's automated kiosks at an airport terminal cannot readily be used by a person with a disability for such functions as ticketing or issuing boarding passes then equivalent facilitation must be provided to the passenger with disabilities. For example, an air carrier employee can assist the person at the kiosk or the passenger with a disability can be allowed to go to the front of the line at the check-in counter.

Security Screening

May air carriers impose additional screening for passengers with disabilities beyond TSA requirements?

People with disabilities are subject to the same TSA security screening provisions as all other passengers. Passengers with an assistive device cannot be required to undergo special security procedures if they clear the security system without activating it. Security personnel are entitled, however, to examine assistive devices they believe may conceal a weapon or other prohibited items. Passengers with disabilities may also request private screenings, but if the airline has the kind of technology that makes physical searches unnecessary, a private screening would not be required.

Accessibility of Aircraft

Which aircraft are required to have seats with movable aisle armrests?

On aircraft with 30 or more passenger seats on which the aisle seats have armrests, 50 percent of the aisle seats on rows in which passengers

with mobility impairments are permitted to sit under FAA or foreign government safety rules must have movable aisle armrests.

Which classes of service are required to have seats with movable aisle armrests?

Movable aisle armrests must be provided proportionally in all classes of service in the cabin. Thus, if 20 percent of the seats are in first class, than 20 percent of the seats with movable aisle armrests must be in first class.

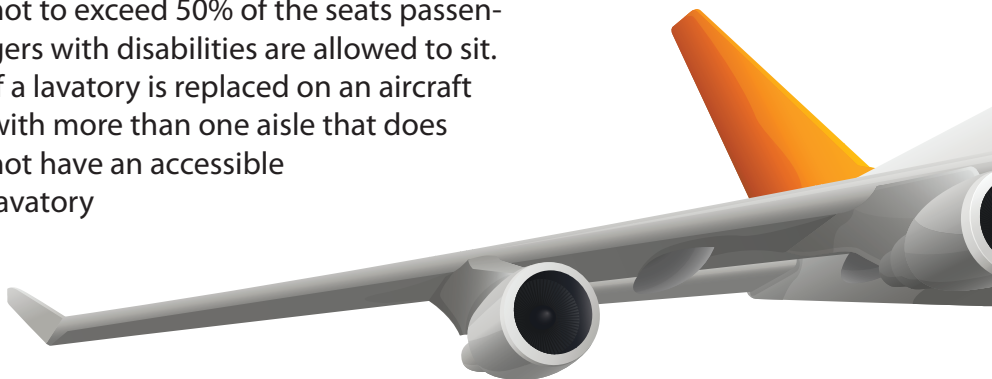
What are the requirements for accessible lavatories?

On aircraft with more than one aisle, one lavatory must be accessible. In aircraft with one aisle, an air carrier may provide an accessible lavatory but it is not required. Accessible lavatories must allow a person with a disability to enter, maneuver within to use all the facilities, and exit. It must provide doors that lock, accessible call buttons, grab bars, faucets, and other controls and dispensers usable by persons with disabilities.

When is the applicable date for these accessible aircraft features?

For US carriers, these requirements have been applicable to new aircraft that were initially ordered after April 5, 1990 or which were delivered after April 5, 1992. For foreign carriers, these aircraft access features apply to aircraft that serve flights that begin or end in the US and that are initially ordered after May 13, 2009 or are delivered after May 13, 2010.

These provisions do not apply to existing aircraft. If seats are replaced within the aircraft with newly manufactured seats, however, then those seats must have movable aisle armrests not to exceed 50% of the seats passengers with disabilities are allowed to sit. If a lavatory is replaced on an aircraft with more than one aisle that does not have an accessible lavatory



then it must be accessible.

When must on-board wheelchairs be provided?

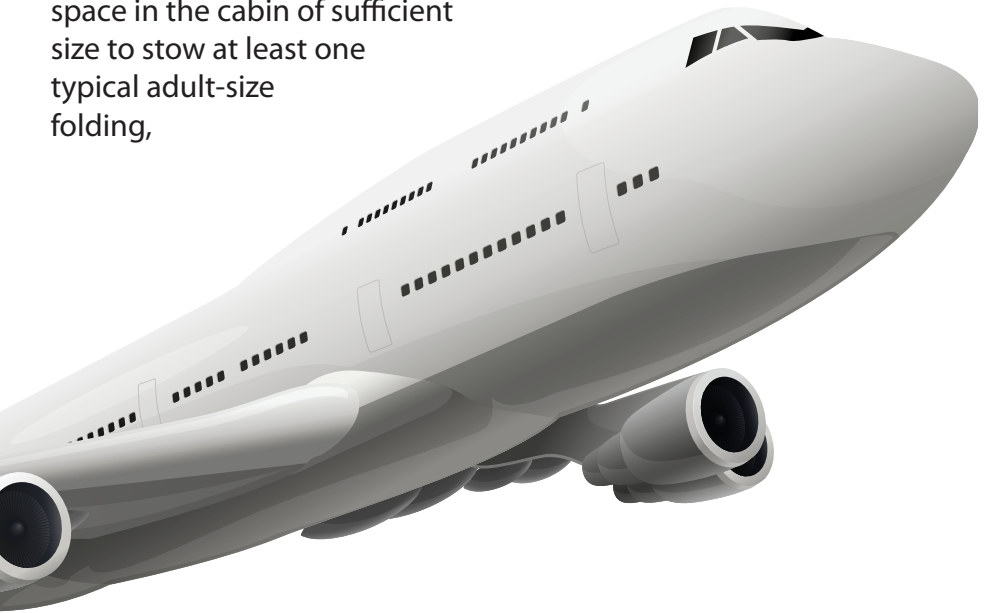
Any aircraft with more than 60 passenger seats and has an accessible lavatory must provide an on-board wheelchair. The Aerospatale/Aeritalia ATR-72 and the British Aerospace Advanced Turboprop (ATP), having between 60 and 70 passenger seats, are exempt from this requirement.

If a passenger requests an on-board wheelchair in an aircraft with more than 60 seats but that does not have an accessible

lavatory, an air carrier must provide the on-board wheelchair if the passenger indicates he can use the inaccessible lavatory but can only reach it via the on-board wheelchair. An air carrier can request 48 hours advanced notice.

What are the requirements for priority space in the cabin to store passengers' wheelchairs?

An air carrier must provide a priority space in the cabin of sufficient size to stow at least one typical adult-size folding,



collapsible, or break-down manual passenger wheelchair in an aircraft with 100 or more passenger seats. This space must be other than the overhead compartments and under-seat spaces routinely used for passenger carry-on baggage.

Foreign carriers must meet this requirement for new aircraft ordered after May 13, 2009 or delivered after May 13, 2010.

What requirements must air carriers meet concerning the accessibility of videos, DVDs, and other audio-visual presentations shown on aircraft?

Air Carriers must ensure all new videos, DVDs, and other audio-visual displays played on aircraft for safety or informational purposes created under the control of the airline provide high-contrast captioning. This requirement went into effect on November 10, 2009 for safety displays and on January 8, 2010 for informational displays.

Seating Accommodations

Air carriers must make seating accommodations for which passengers?

Passengers who use an aisle chair to access the aircraft and who cannot transfer over a fixed aisle armrest must be assigned a seat in a row with a movable aisle armrest.

Passengers with disabilities must be provided an adjoining seat if they are traveling with a personal care attendant, a reader/assistant, or an interpreter who will be performing functions for the passenger during the flight, or a safety assistant.

Passengers with disabilities traveling with a service animal must be assigned a bulkhead seat or another seat as per their request.

Passengers with a fused or immobilized leg must be assigned a seat that provides greater legroom, such as a bulkhead seat.

Passengers who require seating accommodations must self-identify. For air carriers who provide seat assignments in advance, the passenger

must make the request at least 24 hours before the flight is scheduled to depart and check in at least 1 hour before departure. If a passenger does not make the request at least 24 hours in advance, the carrier must still satisfy the request, if possible.

The carrier is not required, however, to reassign a seat already assigned to another passenger. If the carrier does not assign passengers seats in advance, then the seating accommodations required for passengers with disabilities must be provided by allowing these passengers to board the aircraft before all other passengers.

May an airline refuse to allow a person with a disability to sit in a particular seat?

Airlines cannot exclude passengers with disabilities from a particular seat or require them to sit in a certain seat, except to comply with FAA safety regulations, such as exit row seating.

What are the FAA regulations concerning seating next to emergency exits?

The FAA requires air carriers to determine, in a nondiscriminatory manner, if a passenger can perform the duties required of someone sitting in an exit row. Passengers seated in exit rows must be able to perform the following emergency functions:

- locate the door and quickly follow oral and written instructions
- determine when to open the door
- open the door
- move quickly through the open exit
- devote full attention to the emergency task

Under FAA regulations, an airline cannot deny transportation, but may refuse exit row seating, to passengers who:

- lack sufficient mobility, strength, or dexterity in both arms and hands or both legs to perform emergency evacuation tasks
- are less than 15 years-old or need adult assistance to carry out the functions related to sitting in an exit row
- are unable to read or understand evacuation instructions
- lack the visual capacity to carry out emergency functions
- lack the ability to communicate orally

- have other responsibilities, such as caring for small children, which might prevent them from carrying out emergency functions in an exit row seat
- may injure themselves when carrying out emergency functions

The FAA requires cabin crews to inform passengers about the emergency duties associated with exit row seating and to request that passengers in exit row seats who believe they cannot or do not want to fulfill these duties ask to be relocated to a seat not in an exit row. Airlines cannot require passengers to disclose their reasons for requesting reseating.

Boarding, Deplaning, and Connecting Assistance

What assistance must air carriers provide to passengers with disabilities in the terminal?



An air carrier must provide assistance to a passenger in transportation between gates, from the airport entrance to the person's gate, and from the gate to the entrance of the airport. This assistance includes accessing key functional areas, such as ticket counters and baggage claim. It also includes a stop at a restroom if it is on the route to the destination and the stop can be made without unreasonable delay. Also, an air carrier must provide an escort to a passenger with a service animal to an animal relief area. If a passenger with a disability is



unable to carry his own carry-on luggage due to his/her disability the air carrier will provide assistance. If a passenger is unable to provide credible assurance that they are unable to carry their luggage, an air carrier may request documentation as a condition to providing the service.

Must air carriers offer pre-boarding to passengers with disabilities?

Yes, an air carrier must offer pre-boarding to passengers with disabilities who self-identify at the gate as needing extra time or assistance to board, stow accessibility equipment, or be seated.

What are air carriers' general obligations with respect to boarding and deplaning assistance?

Air carriers must provide personnel, ground wheelchairs, boarding wheelchairs, and ramps or mechanical lifts. Level-entry boarding platforms or accessible mobile lounges must be used where they are available. When level-entry boarding is not available, airlines must use ramps or lifts. This applies to all US airports with 10,000 or more annual enplanements.

What types of aircraft does the requirement to provide boarding and deplaning assistance through the use of lifts apply?

For aircraft with 19 or more seats, carriers are required to provide boarding assistance to passengers with disabilities by providing a lift, ramp, or other suitable device. Certain 19-seat aircrafts are exempt, such as the Fairchild Metro, the Jetstream 31 and 32, the Beech 1900 models C and D, the Embraer EMB-120, and any other aircraft determined by DOT to be unsuitable for boarding and deplaning by a lift, ramp, or other suitable device.

May an air carrier leave a passenger unattended in a wheelchair or other device?

A passenger who has requested assistance must not be left unattended by the personnel responsible for enplaning, deplaning, or connecting assistance in a ground wheelchair or other device in which the passenger is not independently mobile for more than 30 minutes even if another person (i.e., family member) is accompanying the passenger, unless the passenger explicitly waives the obligation.

What is the responsibility of air carriers at foreign airports at which the airport operators have responsibility for enplaning, deplaning, and connecting assistance?

If the services provided by the airport operator are not sufficient to meet the provisions of the Air Carrier Access Act regulations, the air carrier must supplement the airport operator's services. If the air carrier is precluded by law from supplementing the services, the air carrier can apply to DOT for a waiver.

Services on the Aircraft

What services must air carrier personnel provide to passengers with disabilities on board the aircraft?

When requested, flight personnel must help passengers:

- move to and from seats while getting on or off the airplane
- prepare for eating, for instance by opening food packages (airline personnel do not have to help a passenger eat)
- use an on-board wheelchair to move to and from the lavatory (airline personnel do not have to help any passenger within the restroom)

- assist a semi-ambulatory person in moving to and from the lavatory, not involving lifting or carrying the person
- store and retrieve carry-on luggage

What information must air carriers provide individuals with vision or hearing disabilities on the aircraft?

Air carriers must provide passengers with disabilities who identify themselves as needing visual or hearing assistance to the same information provided to other passengers, including flight safety information, procedures for takeoff and landing, flight delays, schedule or aircraft changes, diversion to a different airport, weather conditions at flight's destination, beverage and menu options, baggage claim, and emergencies.



Service Animals

Must Air Carriers permit passengers with disabilities to travel with a service animal?

Yes. If a flight segment is scheduled to take 8 hours or more, an air carrier may condition permitting a service animal to travel in the cabin upon the passenger providing documentation that the animal will not need to relieve itself on the flight or that the animal can relieve itself in a way that does not create a health or sanitation issue on the flight. An air carrier must accept as evidence identification cards, other written documentation, presence of a harness or tags, or the credible verbal assurance of the individual with a disability using the animal.

Passengers traveling with an emotional support or psychiatric service animal must provide a letter from a licensed mental health provider that is no more than one year old stating that the passenger needs the emo-

tional support or psychiatric service animal as an accommodation for air travel and/or for activity at the passenger's destination.

Air carriers are not required to accommodate certain unusual animals, such as snakes, other reptiles, ferrets, rodents, and spiders.

With respect to other unusual or exotic animals that are presented as service animals, such as miniature horses, pigs, or monkeys, a US carrier must determine any factors that preclude the animal from traveling in the cabin. Factors include size, weight, if it would cause a significant disruption, if it poses a direct threat, or if it would be prohibited from entering a foreign country that is the flight's destination.

If an air carrier decides not to accept an animal as a service animal, a written explanation must be given to the passenger within 10 calendar days of the incident.

Foreign carriers are only required to carry dogs as service animals.

Stowage of Wheelchairs and Other Mobility Aids and Assistive Devices

What mobility aids and other assistive devices may passengers with disabilities bring into the aircraft cabin?

Passengers may bring manual wheelchairs, canes, crutches, walkers, prescription medications, and any medical device needed to administer them such as syringes, vision enhancers, portable oxygen concentrators (POCs), and respirators and ventilators that use non-spillable batteries as long as they comply with applicable safety, security, and hazardous material rules. These assistive devices are not counted toward a passenger's carry-on baggage.

What are the requirements concerning priority cabin stowage for wheelchairs and other assistive devices?

If a passenger avails himself of pre-boarding he is afforded priority over other items to stow his manual wheelchair or other mobility device. If the passenger with a disability does not take advantage of pre-boarding he is able to stow his wheelchair or other assistive device on a first-come

first-serve basis.

When can passengers expect to have their wheelchairs removed from the baggage compartment and returned to them?

Wheelchairs and other assistive devices must be returned to their owners in a timely manner and as close as possible to the airplane door. Passengers may also ask to have their wheelchairs and other devices returned at the baggage claim area. Personal mobility equipment must be among the first items removed from the baggage compartment.

Airlines must give priority to wheelchairs and other assistive devices in the baggage compartment. If this results in the bumping of luggage, the carrier must make its best efforts to ensure that the bumped baggage reaches its destination on the carrier's next flight to that destination.

What procedures apply to stowage of battery-powered mobility aids?

Passengers with disabilities wishing to have battery-powered wheelchairs or other similar mobility devices transported on a flight may be required to check in one hour before the check-in time for the general public. If the passenger checks in after this time the device will be carried if it can be done with a reasonable effort and without delaying the flight.

If the battery on the device has been labeled by the manufacturer as non-spillable or if a battery-powered wheelchair with a spillable battery can be loaded in an upright position, an air carrier cannot require the battery be removed and separately packaged. An air carrier must remove and package separately any battery that is inadequately secured to a wheelchair or for a spillable battery on a wheelchair that cannot be loaded, stowed, secured, and unloaded in an upright position. A damaged or leaking battery will not be transported. Batteries must not be drained.

What procedures apply when passengers' wheelchairs or other devices must be disassembled for stowage?

Air carriers must permit passengers with disabilities to provide written

directions concerning the disassembly and reassembly of their wheelchairs, other mobility aids, and other assistive devices. All assistive devices must be returned to their owners assembled and in the same condition as when they were stored.

Electronic Respiratory Assistive Devices

What are the requirements concerning the evaluation and use of passenger-supplied electronic devices that assist passengers with respiration in the cabin during flight?

US air carriers must allow a person with a disability to use in the passenger cabin during air transportation a ventilator, respirator, continuous positive airway pressure machine (CPAP), or an FAA-approved portable oxygen concentrator (POC) on all flights operated on aircraft originally designed to have 19 or more passenger seats.

The air carrier can refuse to allow the device if it does not meet the applicable FAA requirements for such devices and does not display a manufacturer's label that indicates the device meets the FAA requirements or if the device cannot be stowed and used in the passenger cabin consistent with applicable TSA, FAA, and PHMSA rules. Foreign air carriers must also allow such devices on flights to or from the United States on aircraft with 19 or more passenger seats unless the device does not meet the requirements for such devices set by the foreign carrier's government if such requirement exists and it does not display a manufacturer's label that indicates the device meets those requirements; or the device does not meet the applicable FAA requirements for such devices and does not display a manufacturer's label that indicates the device meets the FAA requirements if no requirements have been set by the foreign carrier's government and the foreign carrier elects to apply the FAA requirements; or if the device cannot be stowed and used in the passenger cabin consistent with applicable TSA, FAA, and PHMSA rules and the safety or security regulations of the foreign carrier's government.

Wheelchair-Friendly Travel.

ABLE to Travel is a full-service travel agency specializing exclusively in the needs of individuals with disabilities. In addition to having many years of experience booking accessible trouble-free vacation and business trips, our agents are knowledgeable about the medical and health care needs of people with disabilities. We know the right questions to ask, ensuring that your trip is safe and enjoyable. Here are a few of the exciting travel packages we offer:

- Eastern Caribbean Cruise: a 9-night cruise that departs from Cape Liberty Port, NJ
- Alaska Cruise: a 7-night cruise that departs from Seattle, WA
- Way more than a cruise: 7- to 11-night vacation/cruise that departs from Cape Canaveral, FL consisting of a Royal Caribbean cruise to the Bahamas and a vacation at Universal-Orlando Resort®
- Orlando: Land packages at Walt Disney World Resort® are now more flexible so you can get a dream vacation at your budget level



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What information must be provided to passengers with disabilities who need to use these devices on board the aircraft?

Upon inquiry from an individual concerning the use of these devices, a US air carrier must provide the following information:

- the device must be labeled by the manufacturer to reflect it has been tested to meet the applicable FAA regulations for such devices
- the maximum weight and dimensions (length, width, height) of the device that can be accommodated in the aircraft cabin
- the number of batteries needed to power the device during the flight (DOT requires enough batteries to power the device for 150 percent of the maximum flight duration) and how they should be packaged
- whether the passenger is required to give 48-hour notice prior to the flight to learn the expected maximum duration of the flight in order to determine number of batteries required
- whether the passenger is required to check in one hour prior to general check-in time
- requirement for any doctor's note

Foreign air carriers are required to provide the same information along with any additional requirements imposed by the foreign government.

If a passenger refuses to comply with these requirements, the air carrier can deny boarding. If this occurs, the air carrier must provide a written explanation.

Complaint Procedures

Who handles passenger complaints regarding compliance with ACAA regulations?

Every carrier that operates scheduled service on aircraft with 19 or more passenger seats must designate at least one Complaints Resolution Official (CRO) to resolve ACAA complaints at each airport it serves. The CRO must be available in person or by telephone, at all times the airline is operating at a given airport. When CROs are available by telephone, they must be able to communicate by means of a TTY or similar technology.

What must a CRO do to resolve a complaint?

The CRO must take direct action, either personally or through another employee, to resolve any violations of the ACAA. The CRO cannot, however, overturn a decision made by the pilot-in-command based on safety concerns.

What happens when the CRO agrees with the passenger that an airline has violated ACAA regulations?

If the CRO agrees with the passenger that a violation of the ACAA has occurred, the CRO must provide the passenger with a written statement summarizing the problem and outlining what steps the carrier will take in response to the violation.

What if the CRO determines that the airline's actions did not violate the ACAA?

The CRO must provide a written summary of the determination within 30 calendar days and advise the passenger of his or her right to file a complaint with the DOT.

May passengers file written complaints with the air carrier?

Air carriers must have procedures for resolving written complaints concerning ACAA violations. Carriers are not required to respond to any complaints postmarked more than 45 days after the alleged violation unless the complaint is referred by DOT. The airline must make a dispositive written response to the complaint within 30 days after receiving it. The response must specifically admit or deny that a violation occurred.

What information should a passenger include in a written complaint?

Written complaints concerning suspected violations of the ACAA should include:

- flight information, including name of air carrier and number, date, and time of flight and connecting flight, if applicable
- whether the passenger contacted a CRO
- the name of the CRO and the date contacted, if applicable
- copies of any written response received from the CRO

What other recourse is available to passengers who believe that an airline has violated ACAA regulations?

Anyone who believes a carrier may have violated ACAA regulations may contact the DOT within 6 months of the incident by going to the Web site - <http://airconsumer.ost.dot.gov/>

and selecting "Air Travel Problems and Complaints" or by writing to:

U.S. Department of Transportation

Aviation Consumer Protection Division, C-75

1200 New Jersey Avenue, SE

Washington, DC 20590

A formal complaint analogous to a civil lawsuit may also be filed with the DOT within 6 months of the incident. This complaint must comply with specific rules of procedure found in 14 CFR Part 302.

To ask questions or to complain about an incident Call DOT's Aviation Consumer Protection Toll-free disability hotline: [1-800-778-4838](tel:1-800-778-4838) (Mon-Fri. 9:00 am -5:00 pm except federal holidays)

Conclusion

Air travel for people with disabilities continues to improve as new, more accessible airplanes and airports are constructed and as airlines train their employees to be more sensitive to the needs of passengers with disabilities. To take full advantage of these improvements in accessibility, it is important for people with disabilities to know their own responsibilities and rights as well as those of the air carriers. As we move toward a barrier-free society, United Spinal Association hopes that this booklet will make air travel a more enjoyable experience for all.

Tips for Transferring and Lifting

Aircraft personnel are trained to assist you with transferring and lifting. There are two transfers involved: from wheelchair to boarding chair and from boarding chair to aircraft seat. To ensure transfers are performed safely from wheelchair to boarding chair:

- Personnel should explain what they will do before attempting to do so.
- Both chairs should be locked and stabilized.
- Personnel should check that you are secured in the boarding chair. Straps are applied around the torso and feet to prevent slipping or bouncing.
- Personnel should place the boarding chair as close as possible to your wheelchair.
- You should tell personnel how you would like to be transferred. If you cannot transfer yourself to the boarding chair, indicate which is your best transferring side and the lifting procedure you are most comfortable with.
- You may bring a sliding board to be used to assist the transfer. It will be placed between your wheelchair and the boarding chair. The board provides a smooth flat surface that allows personnel to slide the passenger between chairs.

To ensure transfers are performed safely from boarding chair to aircraft seat:

- Personnel will move the boarding chair backwards down the aisle for greater stability.
- The armrest on your aircraft seat will be placed in an upright position and the seat in front of your aircraft seat moved forward to increase space for transferring.
- If you cannot transfer yourself to the aircraft seat, indicate the lifting procedure you are most comfortable with.
- Personnel can assist with securing your seat belt.

Improving the Quality of Life of People Living with
Spinal Cord Injuries and Disorders

United Spinal Association
75-20 Astoria Boulevard,
East Elmhurst NY, 11370-1177
718-803-3782
www.unitedspinal.org