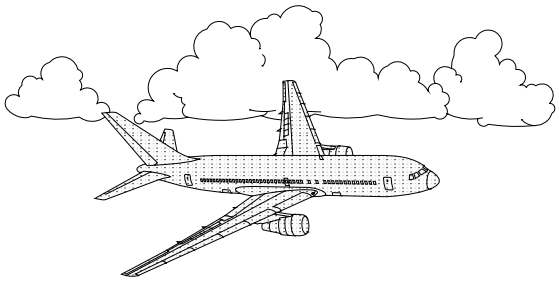
New Horizons

Information for the
Air Traveler with
a Disability



U.S. Department of Transportation

http://airconsumer.ost.dot.gov/publications/horizons.htm

Rev. Feb. 2004

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INTRODUCTION

For years, access to the nation's air travel system for persons with disabilities was an area of substantial dissatisfaction, with both passengers and the airline industry recognizing the need for major improvement. In 1986 Congress passed the Air Carrier Access Act, requiring the Department of Transportation (DOT) to develop new regulations which ensure that persons with disabilities will be treated without discrimination in a way consistent with the safe carriage of all passengers. These regulations were published in March 1990 and have been amended several times since then.

The DOT regulations, referred to here as the Air Carrier Access rules, represent a major stride forward in improving air travel for persons with disabilities. The rules clearly explain the responsibilities of the traveler, the carriers, the airport operators, and contractors, who collectively make up the system which moves over one million passengers per day.

The Air Carrier Access Act was amended effective April 5, 2000, to cover foreign air carriers. The rules that implement the ACAA will be amended to reflect that change.

The Air Carrier Access rules are designed to minimize the special problems that travelers with disabilities face as they negotiate their way through the nation's complex air travel system from origin to destination. This is achieved:

- By recognizing that the physical barriers encountered by passengers with disabilities can frequently be overcome by employing simple changes in layout and technology.
- By adopting the principle that many difficulties confronting passengers with hearing or vision impairments will be relieved if they are provided access to the same information that is available to all other passengers.
- Through training of all air travel personnel who come in day-to-day contact with persons with disabilities, to understand their needs and how they can be accommodated quickly, safely, and with dignity.

This guide is designed to offer travelers with disabilities a brief but authoritative source of information about the Air Carrier Access rules: the accommodations, facilities, and services that are now required to be available. It also describes features required by other regulations designed to make air travel more accessible.

The guide is structured in much the same sequence as a passenger would plan for a trip: the circumstances he or she must consider prior to traveling, what will be encountered at the airport, and what to expect in the transitions from airport to airplane, on the plane, and then airplane to airport.

✈ *Planning Your Trip*

The New Traveling Environment

THE AIR CARRIER ACCESS RULES SWEEP aside many restrictions that formerly discriminated against passengers with disabilities:

- A carrier may not refuse transportation to a passenger solely on the basis of a disability.
- Air carriers may not limit the number of individuals with disabilities on a particular flight.
- All trip information that is made available to other passengers also must be made available to passengers with disabilities.
- Carriers must provide passage to an individual who has a disability that may affect his or her appearance or involuntary behavior, even if this disability may offend, annoy, or be an inconvenience to crew-members or other passengers.

There are a few exceptions:

- The carrier may refuse transportation if the individual with a disability would endanger the health or safety of other passengers, or transporting the person would be a violation of FAA safety rules.
- The carrier may refuse transportation if there are no lifts, boarding chairs or other devices available which can be adapted to enplane the passenger. Airline personnel are not required to carry a mobility-impaired person on or off the aircraft by hand, i.e. to directly pick up the passenger's body in the arms of one or more airline staffers and carry the individual up or down stairs. Lifts or similar devices are currently required for nearly all flights on aircraft with 19 or more seats at airports with 10,000 or more annual enplanements.
- There are special rules about persons with certain disabilities or communicable diseases. These rules are covered in the chapter entitled "At the Airport."
- The carrier may refuse transportation if it is unable to seat the passenger without violating the FAA Exit Row Seating rules. See the chapter "On the Plane."

There are new procedures for resolving disputes:

- All carriers are now required to have a Complaints Resolution Official (CRO) immediately available (even if by phone) to resolve disagreements which may arise between the carrier and passengers with disabilities.
- Travelers who disagree with a carrier's actions toward them can pursue the issue with the carrier's CRO on the spot.
- A carrier that refuses transportation to any person based on a disability must provide a written statement to that person within 10 calendar days, stating the basis for the refusal. The statement must include, where applicable, the basis for the carrier's opinion that transporting the person could be harmful to the safety of the flight.
- If the passenger is still not satisfied, he or she may pursue DOT enforcement action.

Getting Advance Information About the Aircraft

Travelers with disabilities must be provided information upon request concerning facilities and services available to them. When feasible this information will pertain to the specific aircraft scheduled for a specific flight. Such information includes:

- Any limitations concerning the ability of the aircraft to accommodate an individual with a disability (the carrier shall provide this information to any passenger who states that he or she uses a wheelchair for boarding,

even if the passenger does not explicitly request the information);

- The location of seats (if any) with movable aisle armrests and any seats which the carrier does not make available to an individual with a disability (e.g., exit rows);
- Any limitations on the availability of storage facilities in the cabin or in the cargo bay for mobility aids or other equipment commonly used by an individual with a disability;
- Whether the aircraft has an accessible lavatory.

Normally, advance information about the aircraft will be requested by phone. Any carrier that provides telephone service for the purpose of making reservations or offering general information must provide comparable services for hearing-impaired individuals, utilizing telecommunications devices for the deaf (TDDs), or text telephones (TTs). The TTs shall be available during the same hours that the general public has access to regular phone service. The response time to answer calls on the TT line shall also be equivalent to the response time available to the general public. Charges for the call, if any, shall be the same as charges made to the general public.

When Advance Notice Can Be Required

Airlines may not require passengers with disabilities to provide advance notice of their intent to travel or of their disability except as provided below. Nonetheless, letting the airline know in advance how they can help you will generally result in a smoother trip.

Carriers may require up to 48 hours advance notice and one hour advance check-in from a person with a disability who wishes to receive any of the following services:

- Transportation for an electric wheelchair on an aircraft with fewer than 60 seats;
- Provision by the carrier of hazardous materials packaging for the battery of a wheelchair or other assistive device;
- Accommodations for 10 or more passengers with disabilities who travel as a group;
- Provision of an on-board wheelchair on an aircraft that does not have an accessible lavatory for persons who can use an inaccessible lavatory but need an on-board chair to do so.

An airline that uses a“block seating” approach to provide special seating for passengers with disabilities is free to require 24 hours advance notice for such accommodations. See the “Seating” section later in this booklet.

Carriers are not required to provide the following services or equipment, but should they choose to provide them, they may require 48 hours advance notice and a one hour advance check-in:

- Medical oxygen for use on board the aircraft;
- Carriage of an incubator;
- Hook-up for a respirator to the aircraft's electrical supply;
- Accommodations for a passenger who must travel on a stretcher.

Carriers may impose reasonable, non-discriminatory charges for these optional services.

Where a service is required by the rule, the airline must ensure that it is provided if appropriate notice has been given and the service requested is available on that particular flight. If a passenger does not meet advance notice or check-in requirements, carriers must make a reasonable effort to accommodate the requested service, providing this does not delay the flight.

If a passenger with a disability provides the required notice but is required to fly on another carrier (for example, if the flight is cancelled), the original carrier must, to the maximum extent feasible, provide assistance to the second carrier in furnishing the accommodation requested by the individual.

It must be recognized that even when a passenger has requested information in advance on

the accessibility features of the scheduled aircraft, carriers sometimes have to substitute a different aircraft at the last minute for safety, mechanical or other reasons. The substitute aircraft may not be as fully accessible—a condition that may prevail until the retirement of the last of the aircraft that were in service before the implementation of the Air Carrier Access rules.

When Attendants Can Be Required

Carriers may require the following individuals to be accompanied by an attendant:

- A person traveling on a stretcher or in an incubator (for flights where such service is offered);
- A person who, because of a mental disability, is unable to comprehend or respond appropriately to safety instructions from carrier personnel;
- A person with a mobility impairment so severe that the individual is unable to assist in his or her own evacuation from the aircraft;
- A person who has both severe hearing and severe vision impairments which prevent him or her from receiving and acting on necessary instructions from carrier personnel when evacuating the aircraft during an emergency.

The carrier and the passenger may disagree about the applicability of one of these criteria. In such cases, the airline can require the passenger to travel with an attendant, contrary to the passenger's assurances that he or she can travel alone. However, the carrier cannot charge for the transportation of the attendant.

The airline can choose an attendant in a number of ways. It could designate an-off duty employee who happened to be traveling on the same flight to act as the attendant. The carrier or the passenger with a disability could seek a volunteer from among other passengers on the flight to act as the attendant. The carrier could provide a free ticket to an attendant of the passenger's choice for that flight segment. In the end, however, a carrier is not required to find or furnish an attendant.

The attendant would not be required to provide personal service to the passenger with a disability other than to provide assistance in the event of an emergency evacuation. This is in contrast to the case of the passenger that usually travels accompanied by a personal attendant, who would provide the passenger whatever service he or she requests.

If there is not a seat available on the flight for an attendant, and as a result a person with a disability holding a confirmed reservation is denied travel on the flight, the passenger with a disability is eligible for denied boarding compensation.

For purposes of determining whether a seat is available for an attendant, the attendant shall be deemed to have checked in at the same time as the person with the disability.

✈ *At The Airport*

Airport Accessibility

UNTIL A FEW YEARS AGO, ONLY THOSE AIRPORT facilities designed, constructed, or renovated by or for a recipient of federal funds had to comply with federal accessibility standards. Even at federally-assisted airports, not all facilities and activities were required to be accessible. Examples are privately-owned ground transportation and concessions selling goods or services to the public. As a result of the Air Carrier Access rules, and the Americans with Disabilities Act of 1990 (ADA) and implementing regulations, these privately-owned facilities must also be made accessible.

In general, airports under construction or being refurbished must comply with the ADA Accessibility Guidelines (ADAAG) and other regulations governing accessibility in accordance with a timetable established in the ADA. The ADAAGs can be found at http://www.access-board.gov/adaag/html/adaag.htm. Note in particular section 10.4, "Airports." Thus, while there are still many changes to be made, the accessibility of most airports is improving. With few exceptions, the following services should be available in all air carrier terminals within the next few years:

- Accessible parking near the terminal;
- Signs indicating accessible parking and the easiest access from those spaces to the terminal;
- Accessible medical aid facilities and travelers aid stations;
- Accessible restrooms;
- Accessible drinking fountains;
- Accessible ticketing systems at primary fare collection areas;
- Amplified telephones and text telephones (TTs) for use by persons with hearing and speech impairments (there must be at least one TT in each terminal in a clearly marked accessible location);
- Accessible baggage check-in and retrieval areas;
- Jet bridges and mobile lounges that are accessible (at airports that have such facilities);
- Level entry boarding ramps, lifts or other means of assisting an individual with a disability on and off an aircraft;
- Information systems using visual words, letters or symbols with lighting and color coding, and systems for providing information orally;
- Signs indicating the location of specific facilities and services.

Moving Through the Airport

To make travel easier for an individual with a disability, major airports will be required to make the following services accessible under new rules being put into effect in the next several years:

- Shuttle vehicles, owned or operated by airports, transporting people between parking lots and terminal buildings;
- People movers and moving walkways within and between terminals and gates.

All carrier facilities must currently include one accessible route from an airport entrance to ticket counters, boarding locations and baggage handling areas. These routes must minimize any extra distance that wheelchair users must travel compared to other passengers to reach these facilities. Outbound and inbound baggage facilities must provide efficient baggage handling for individuals with a disability, and these facilities must be designed and operated so as to be

accessible. There must be appropriate signs to indicate the location of accessible services.

Carriers cannot restrict the movements of persons with disabilities in terminals or require them to remain in a holding area or other location while awaiting transportation and other assistance.

Curbside baggage check-in (available only for domestic flights) may be helpful to passengers with a disability.

Passenger Information

Carriers must ensure that individuals with disabilities, including those with vision and hearing impairments, have timely access to the same information provided to other passengers,including (but not limited to) information on:

- ticketing;
- scheduled departure times and gates;
- change of gate assignments;
- status of flight delays;
- schedule changes;
- flight check-in;
- checking and claiming of luggage.

This information must be made available upon request. A crew member is not required to interrupt his or her immediate safety duties to supply such information.

A copy of the Air Carrier Access rules must be made available by carriers for inspection upon request at each airport.

As previously noted, any carrier that provides telephone service for the purpose of making reservations or offering general information shall also provide TT service. This service for people with speech and hearing impairments must be available during the same hours that the general public has access to regular phone service, with equivalent response times and charges.

Security Screening

An individual with a disability must undergo the same security screening as any other member of the traveling public.

If an individual with a disability is able to pass through the security system without activating it, the person shall not be subject to special screening procedures. Security personnel are free to examine an assistive device that they believe is capable of concealing a weapon or other prohibited item. If an individual with a disability is not able to pass through the system without activating it, the person will be subject to further screening in the same manner as any other passenger activating the system.

Security screening personnel at some airports may employ a hand-held device that will allow them to complete the screening without having to physically search the individual. If this method is still unable to clear the individual and a physical search becomes necessary, then at the passenger's request, the search must be done in private.

If the passenger requests a private screening in a timely manner, the carrier must provide it in time for the passenger to board the aircraft. Such private screenings will not be required, however, to a greater extent or for any different reason than for other passengers. However, they may take more time.

Medical Certificates

A medical certificate is a written statement from the passenger's physician saying that the passenger is capable of completing the flight safely without requiring extraordinary medical care.

A disability is not sufficient grounds for a carrier to request a medical certificate. Carriers shall not require passengers to present a medical certificate unless the person:

- Is on a stretcher or in an incubator (where such service is offered);
- Needs medical oxygen during flight (where such service is offered);

- Has a medical condition which causes the carrier to have reasonable doubt that the individual can complete the flight safely, without requiring extraordinary medical assistance during the flight; or
- Has a communicable disease or infection that has been determined by federal public health authorities to be generally transmittable during flight.

If the medical certificate is necessitated by a communicable disease (see next section), it must say that the disease or infection will not be communicable to other persons during the normal course of flight, or it shall state any conditions or precautions that would have to be observed to prevent transmission of the disease or infection to others.

Carriers cannot mandate separate treatment for an individual with a disability except for reasons of safety or to prevent the spread of a communicable disease or infection.

Communicable Diseases

As part of their responsibility to their passengers, air carriers try to prevent the spread of infection or a communicable disease on board an aircraft. If a person who seeks passage has an infection or disease that would be transmittable during the normal course of a flight, and that has been deemed so by a federal public health authority knowledgeable about the disease or infection, then the carrier may:

- Refuse to provide transportation to the person;
- Require the person to provide a medical certificate stating that the disease at its current stage would not be transmittable during the normal course of flight, or describing measures which would prevent transmission during flight;
- Impose on the person a condition or requirement not imposed on other passengers (e.g., wearing a mask).

If the individual has a contagious disease but presents a medical certificate describing conditions or precautions that would prevent the transmission of the disease during the flight, the carrier shall provide transportation unless it is not feasible to act upon the conditions set forth in the certificate to prevent transmission of the disease.

✈ *Getting On And Off The Plane*

The Safety Briefing

FAA REGULATIONS REQUIRE THAT carrier personnel provide a safety briefing to all passengers before takeoff. This briefing is for the passengers' own safety and is intended for that purpose only.

Carrier personnel may offer an individual briefing to a person whose disability precludes him or her from receiving the information presented in the general briefing. The individual briefing must be provided as inconspicuously and discretely as possible. Most carriers choose to offer this briefing before other passengers board the flight if the passenger with a disability chooses to pre-board the flight. A carrier can present the special briefing at any time before takeoff that does not interfere with other safety duties.

Carriers may not 'quiz' the individual about the material presented in the briefing, except to the same degree they quiz all passengers about the general briefing. A carrier cannot take any adverse action against the passenger on the basis that, in the carrier's opinion, the passenger did not understand the safety briefing.

Safety briefings presented to passengers on video screens must have an open caption or an insert for a sign language interpreter, unless this would interfere with the video or would not be large enough to be seen. This requirement takes effect as old videos are replaced in the normal course of business.

Handling of Mobility Aids and Assistive Devices

To the extent consistent with various FAA safety regulations, passengers may bring on board and use ventilators and respirators, powered by non-spillable batteries. Assistive devices brought into the cabin by an individual with a disability shall not count toward a limit on carry-on items.

Persons using canes and other assistive devices may stow these items on board the aircraft, consistent with safety regulations. Carriers shall permit passengers to stow wheelchairs or component parts of a mobility device under seats, or in overhead compartments.

Carriers must permit one folding wheelchair to be stowed in a cabin closet, or other approved priority storage area, if the aircraft has such areas and stowage can be accomplished in accordance with FAA safety regulations. If the passenger using it pre-boards, stowage of the wheelchair takes priority over the carry-on items brought on by other passengers enplaning at the same airport (including passengers in another cabin, such as First Class), but not over items of passengers who boarded at previous stops.

When stowed in the cargo compartment, wheelchairs and other assistive devices must be given priority over cargo and baggage, and must be among the first items unloaded. Mobility aids shall be returned to the owner as close as possible to the door of the aircraft (consistent with DOT hazardous materials regulations) or at the baggage claim area, in accordance with whatever request was made by the passenger before boarding.

If the priority storage accorded to mobility aids prevents another passenger's baggage from being carried, the carrier shall make its best efforts to ensure the other baggage arrives within four hours.

On certain aircraft, some assistive devices will have to be disassembled in order to be transported (e.g., electric wheelchairs, other devices too large to fit in the cabin or in the cargo hold in one piece). When assistive devices are disassembled, carriers are obligated to return them to passengers in the condition that the carrier received them (e.g., assembled).

Carriers must transport battery-powered wheelchairs, except where cargo compartment size or aircraft airworthiness considerations do not permit doing so. Electric wheelchairs must be

treated in accordance with both DOT regulations for handling hazardous materials, and DOT Air Carrier Access regulations, which differentiate between spillable and non-spillable batteries:

❒ *Spillable Batteries.* If the chair is powered by a spillable battery, the battery must be removed unless the wheelchair can be loaded, stored, secured, and unloaded always in an upright position. When it is possible to load, store, secure, and unload with the wheelchair always in an upright position and the battery is securely attached to the wheelchair, the carrier may not remove the battery from the chair.

❒ *Nonspillable batteries*. It is never necessary under the DOT hazardous materials regulations to remove a battery that is marked as nonspillable from a wheelchair before stowing it. DOT issued rules that require new non-spillable batteries to be marked as such effective September 1995.

The carrier may remove a battery that is not marked as nonspillable from the mobility aid if it cannot be loaded, stored, secured and unloaded always in an upright position. An across-the-board assumption that all batteries are spillable is not consistent with the Air Carrier Access rules.

A nonspillable battery may be removed where it appears to be damaged and leakage of battery fluid is possible.

Other provisions concerning electric wheelchairs:

- The battery of a wheelchair may not be drained.
- When DOT hazardous materials regulations require detaching the battery from the wheelchair, the carrier shall upon request provide packaging for the battery that will meet safety requirements.
- Carriers may not charge for packaging wheelchair batteries.
- Carriers may require passengers with electric wheelchairs to check in one hour before flight time.
- If a passenger checks in less than one hour before flight time, the carrier shall make a reasonable effort to carry his or her wheelchair unless this would delay the flight.
- Carriers must allow passengers to provide written instructions concerning the disassembly and assembly of their wheelchairs.

Carriers may not require a passenger with a disability to sign a waiver of liability for damage or loss of wheelchairs or other assistive devices. The carrier may make note of any pre-existing defect to the device.

On domestic trips, airlines are permitted to limit their liability for loss, damage or delay to checked baggage to $2,800 per passenger. This limit does not apply to wheelchairs or other assistive devices, however. When an assistive device is lost or destroyed on a domestic trip, the criterion for calculating the compensation is the original purchase price of the device.

This expanded liability for assistive devices does not extend to international trips, where the Warsaw Convention applies. For most international trips (including the domestic portions of an international trip) the current liability is approximately $9.07 per pound for checked baggage and $400 per passenger for unchecked baggage, including assistive devices. [1]

Boarding and Deplaning

Properly trained service personnel who are knowledgeable on how to assist individuals with a disability in boarding and exiting must be available if needed. Equipment used for assisting

[1] As with any passenger baggage, this limit may be increased through Excess Valuation coverage purchased through the individual airline. The passenger should also check his or her homeowners or renters insurance to determine whether it provides additional coverage.

passengers must be kept in good working condition.

Boarding and exiting most medium and large-size jet aircraft is almost always by way of level boarding ramps or mobile lounges, which must be accessible. If ramps or mobile lounges are not used, then on most flights using aircraft with 19 or more seats a lifting device (other than a device used for freight) must be provided to assist persons with limited mobility safely on and off the aircraft. On flights on smaller aircraft, passengers with mobility impairments are generally carried up and down the aircraft's boarding stairs using a "boarding chair." Airlines are not permitted to hand-carry passengers on and off aircraft, i.e., to directly pick a passenger's body in the arms of airline personnel.

In order to provide some personal assistance and extra time, the air carrier may offer a passenger with a disability, or any passenger that may be in need of assistance, the opportunity to pre-board the aircraft. The passenger has the option to accept or decline the offer.

On connecting flights, the delivering carrier is responsible for providing assistance to the individual with a disability in reaching his or her connecting flight.

Carriers cannot leave a passenger unattended for more than 30 minutes in a ground wheelchair, boarding chair, or other device in which the passenger is not independently mobile.

✈ *On The Plane*

Aircraft Accessibility

PRIOR TO THE ENACTMENT OF THE AIR Carrier Access Act of 1986, accessibility requirements for aircraft were very limited. The rules implementing that law require that new aircraft delivered after April 1992 have the following accessibility features:

- For aircraft with 30 or more passenger seats:
  - At least one half of the armrests on aisle seats shall be movable to facilitate transferring passengers from on-board wheelchairs to the aisle seat;
  - Carriers shall establish procedures to ensure that individuals with disabilities can readily obtain seating in rows with movable aisle armrests;
  - An aisle seat is not required to have a movable armrest if not feasible or if a person with a disability would be precluded from sitting there by FAA safety rules (e.g., an exit row).
- For aircraft with 100 or more seats:
  - Priority space in the cabin shall be provided for stowage of at least one passenger's folding wheelchair. (This rule also applies to aircraft of smaller size, if there is a closet large enough to accommodate a folding wheelchair.)
- For aircraft with more than one aisle:
  - At least one accessible lavatory (with door locks, call buttons, grab bars, and lever faucets) shall be available which will have sufficient room to allow a passenger using an on-board wheelchair to enter, maneuver, and use the facilities with the same degree of privacy as other passengers.

Aircraft with more than 60 seats must have an operable on-board wheelchair if

- There is an accessible lavatory, or
- A passenger provides advance notice that he or she can use an inaccessible lavatory but needs an on-board chair to reach it, even if the aircraft predated the rule and has not been refurbished (see below).

An aircraft delivered before April 1992 does not have to be made accessible until its interior is refurbished. At that time the relevant accessibility features shall be added.

Airplanes in the commercial fleet have their seats replaced under different schedules depending on the carrier. At the time when all seats are being replaced on an aircraft with 30 or more passenger seats,half of the aisle seats must be equipped with movable aisle armrests. This shall be done on smaller aircraft to the extent it is not inconsistent with structural, weight, balance, operational or interior configuration limitations.

Similarly, all aircraft undergoing replacement of cabin interior elements or lavatories must meet the accessibility requirements for the affected features, including cabin storage space for a folding wheelchair, and an on-board wheelchair if there is an accessible lavatory (unless prohibited by structural, weight, balance, or configuration limitations).

Seat Assignments

An individual with a disability cannot be required to sit in a particular seat or be excluded from any seat, except as provided by FAA safety rules, such as the FAA Exit Row Seating rule. For safety reasons, that rule limits seating in exit rows to those persons with the most potential to be able to operate the emergency exit and help in an aircraft evacuation. The carrier cannot deny transport, but may deny specific seats to travelers who are less than age 15 or lack the capacity to act without an adult, or who lack sufficient mobility,

strength, dexterity, vision, hearing, speech, reading or comprehension abilities to perform emergency evacuation functions. The carrier may also deny specific seats to persons with a condition or responsibilities, such as caring for small children, that might prevent the person from performing emergency evacuation functions, or cause harm to themselves in doing so.

A traveler with a disability may also be denied certain seats if:

- The passenger's involuntary behavior is such that it could compromise safety of the flight and the safety problem can be mitigated to an acceptable degree by assigning the passenger a specific seat rather than refusing service;
- The seat desired cannot accommodate guide dogs or service animals.

In each instance, carriers are obligated to offer alternative seat locations.

Service Animals

Carriers must permit dog guides or other service animals with appropriate identification to accompany an individual with a disability on a flight. Identification may include cards or other documentation, presence of a harness or markings on a harness, tags, or the credible verbal assurance of the passenger using the animal.

If carriers provide special information to passengers concerning the transportation of animals outside the continental United States, they must provide such information to all passengers with animals on such flights, not simply to passengers with disabilities who are traveling with service animals.

Carriers must permit a service animal to accompany a traveler with a disability to any seat in which the person sits, unless the animal obstructs an aisle or other area that must remain clear in order to facilitate an emergency evacuation, in which case the passenger will be assigned another seat.

In-Cabin Service

Air carrier personnel shall assist a passenger with a disability to:

- Move to and from seats as a part of the boarding and exiting process;
- Open packages and identify food (assistance with actual eating is not required);
- Use an on-board wheelchair when available to enable the passenger to move to and from the lavatory;
- Move to and from the lavatory, in the case of a semi-ambulatory person (as long as this does not require lifting or carrying by the airline employee);
- Load and retrieve carry-on items, including mobility aids and other assistive devices stowed on board the aircraft.

Carrier personnel are not required to provide assistance inside the lavatory or at the passenger's seat with elimination functions. The carrier personnel are also not required to perform medical services for an individual with a disability.

Charges for Accommodations Prohibited

Carriers cannot impose charges for providing facilities, equipment, or services to an individual with a disability that are required by DOT's Air Carrier Access regulations. They may charge for optional services, however, such as oxygen and accommodation of stretchers.

Personnel Training

Carriers must provide training on passengers with disabilities for all personnel who deal with the traveling public. This training shall be appropriate to the duties of each employee and will be designed to help the employee understand the special needs of these travelers, and how they can be accommodated quickly, safely, and with dignity. The training must familiarize employees with:

- The Department of Transportation's rules on the provision of air service to an individual with a disability;
- The carrier's procedures for providing transportation to persons with disabilities, including the proper and safe operation of any equipment used to accommodate such persons;
- How to respond appropriately to persons with different disabilities, including persons with mobility, sensory, mental, and emotional disabilities.

✈ *Compliance Procedures*

EACH CARRIER MUST HAVE AT LEAST one Complaints Resolution Official (CRO) available at each airport during times of scheduled carrier operations. The CRO can be made available by telephone.

Any passenger having a complaint of alleged violations of the Air Carrier Access rules is entitled to communicate with a CRO, who has authority to resolve complaints on behalf of the carrier.

If a CRO receives a complaint before the action of carrier personnel has resulted in violation of the Air Carrier Access rules, the CRO must take or direct other carrier personnel to take action to ensure compliance with the rule. The CRO, however, does not have authority to countermand a safety-based decision made by the pilot-in-command of an aircraft.

If the CRO agrees with the passenger that a violation of the rule occurred, he must provide the passenger a written statement summarizing the facts and what steps if any, the carrier proposes to take in response to the violation.

If the CRO determines that no violation has occurred, he must provide the passenger a written statement summarizing the facts and reasons for the decision or conclusion.

The written statement must inform the interested party of his or her right to pursue DOT enforcement action if the passenger is still not satisfied with the response. If possible, the written statement by the CRO must be given to the passenger at the airport; otherwise, it shall be sent to the passenger within 10 days of the incident.

Carriers shall establish a procedure for resolving written complaints alleging violations of any Air Carrier Access rule provision. If a passenger chooses to file a written complaint, the complaint should note whether the passenger contacted the CRO at the time of the alleged violation, including the CRO's name and the date of contact, if available. It should include any written response received from the CRO. A carrier shall not be required to respond to a complaint postmarked more than 45 days after the date of an alleged violation.

A carrier must respond to a written complaint within 30 days after receiving it. The response must state the airline's position on the alleged violation, and may also state whether and why no violation occurred, or what the airline plans to do about the problem. The carrier must also inform the passenger of his or her right to pursue DOT enforcement action.

Any person believing that a carrier has violated any provision of the rule may contact the following office for assistance:

Department of Transportation
Aviation Consumer Protection
Division, C-75
400 Seventh Street, S.W.
Washington, D.C. 20590

E-mail: airconsumer@ost.dot.gov