

Air Travel for Individuals with Disabilities:

Intersection of ACAA and the ADA
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Today's Presenters



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Goals for this Session



- Review key differences between the Americans with Disabilities Act (ADA) and the Air Carrier Accessibility Act (ACAA)
- Consider different phases of travel from booking a trip to deplaning
- Discuss emerging issues such as traveling with a service animal and emergency evacuation

Before we talk about the law, let's take a look at some numbers...



In the past two years:

- 17% of Americans with disabilities have taken six or more trips, with an average trip length of five days.
- Nearly all travelers have taken a leisure trip in the past two years (96%), and many have taken business trips (14%).

Source: Travel and Hospitality 2015, Open Doors Organization.

In the past two years:



- 96% of travelers with disabilities have eaten at restaurants while traveling;
- 76% have stayed in a hotel;
- 43% have flown; and
- 26% have rented a car.
- Each traveler spends an average of \$500/trip



Source: Travel and Hospitality 2015, Open Doors Organization.

Key Differences: ADA vs. ACAA



ADA

- Covers most elements prior to the boarding of an airplane to assure that airports and terminals are accessible to individuals with disabilities.

ACAA

- Is intended to assure that transition from airport to the plane and the travel on the plane is accessible for all.

Americans with Disabilities Act (ADA)



- Parking
- Entryways
- Restrooms
- Dining and vending
- Drinking Fountains
- Medical Aid Facilities
- Amplified Telephones and TTY

Covered by the ADA... and the ACAA



- Ticket counters and kiosks
- Baggage Check-in and retrieval



Covered by the ADA... and the ACAA



- Jet Bridges and Mobile Lounges
- Level entry boarding ramps
- Information systems using word, letters, or symbols
- Signs indicating location of specific facilities and areas for service animals

Booking a Flight



True or False?

A traveler with a disability has no obligation to provide any advance notice to the airline when booking a flight?

Answer: False



Advance notice within 48 hours for:

- Use of a portable electronic respirator on a flight with over 19 seats
- Transporting an power wheelchair on a flight with less than 60 seats
- Accommodation of 10 or more travelers with disabilities, traveling as a group
- Transport of an emotional support animal in the aircraft cabin

Advance Notice (cont.):



- Transport of any service animal on a flight scheduled to take 8 hours or more
- Accommodation of a passenger with a severe hearing or vision impairment
- Provision of on-board wheelchair for aircraft with no accessible restroom with a person who will need an on-board wheelchair to use the restroom

Security Screenings



- Security personnel may examine an assistive device
- When private screening is requested it must be done in a timely manner to provide adequate time to board the flight

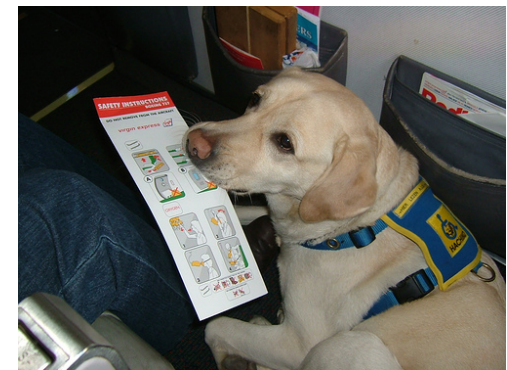


Service Animals



What do you think?

After printing his boarding pass and passing the security screening, a traveler attempts to enter the aircraft with a service animal. What evidence could he provide the flight attendant to verify that the dog is a service animal?



What about Emotional Support Animals?



For emotional support animals the airline has the right to require the passenger to furnish documentation ***no more than 1 year old*** on letterhead of a ***licensed mental health professional*** (including a doctor treating the condition) stating the passenger's need for the animal.

Emergency Evacuation



FAA's rule on exit row seating:

Airlines may place in exit rows only persons who can perform a series of functions necessary in an emergency evacuation.

Boarding and Deplaning: Rights and Responsibilities



- Safety Briefings: Delivered before takeoff and if on video screens must have open captioning and be in high contrast.
- Assistive Devices: May be stowed in cabin/ mobility component parts may be stowed under the seat or overhead if they fit.

Boarding and Deplaning: Rights and Responsibilities



- Wheelchairs and other devices have priority in the cargo area over other items and must be the first unloaded.
- If no wheelchair is on board then other assistive devices have priority over carry on items from passengers or crew.

Boarding and Deplaning: Rights and Responsibilities



- Mobility aides should be returned as close as possible to the door of the aircraft or at the baggage claim area.
- Carriers may not require a passenger to sign a waiver of liability for damage or loss of wheelchairs or other assistive devices.

Customer Service



Under the ACAA, a flight attendant may provide which of the following types of assistance?

- A. Moving to and from seats as part of boarding and deplaning
- B. Accessing carry-on items during the flight
- C. Using the restroom
- D. A & B



When may a person be **REQUIRED** to travel with a companion?



An individual shall not be required to travel with an attendant except when:

- The traveler is in a stretcher or an incubator.
- The person is unable to comprehend or respond to safety instruction.
- Mobility impairment so severe they cannot assist themselves.

Mobility Aids and Assistive Devices



- Wheelchairs and assistive devices shall be returned to the passenger in the condition received by the carrier.
- Compensation for lost or damaged devices is the original purchase price of the device.
- Carriers shall not require that a liability waiver be signed for damage or loss of devices.

Filing a Complaint



- http://airconsumer.ost.dot.gov/CP_Disability_andDiscrimination.htm
- <http://www.justice.gov/crt/how-file-complaint#two>

Emerging Issue

Travelers with Autism



- <https://www.autismspeaks.org/family-services/community-connections/traveling-tips-individuals-autism-and-their-families>
- <http://www.today.com/parents/flying-autism-moms-surprising-letter-jetblue-t21931>

Other Resources



- <http://airconsumer.dot.gov/rules/382short.pdf>
- <http://airconsumer.ost.dot.gov/publications/horizons.htm>
- http://www.ncr.com/wp-content/uploads/14TRVL1974_airport-accessibility_wp_interactive.pdf

In Summary...



- The ACAA and ADA apply to different aspects of air travel.
- Travelers and airline carriers both have rights and responsibilities.
- Plan ahead, speak up, and work with airport and airline personnel to meet your needs!



Upcoming Webinar



Overview of the Proposed Standards for Accessible Medical Diagnostic Equipment

Wednesday, December 9th, 2015

1:00-2:00pm EST

To register, visit:

<http://www.edi.cornell.edu/register/index.cfm?event=5545>

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