

ANNUAL REPORT
ON
DISABILITY-RELATED
AIR TRAVEL COMPLAINTS
RECEIVED DURING
CALENDAR YEAR 2018

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Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2018

Report of the Secretary of Transportation to the United States Congress

Overview

The Air Carrier Access Act (ACAA), 49 U.S.C. 41705, prohibits discriminatory treatment of persons with disabilities in air transportation. The ACAA also requires that the Secretary of Transportation “regularly review all complaints received by air carriers alleging discrimination on the basis of disability” and “report annually to Congress on the results of such review.” This annual report to Congress covers disability-related complaints received in 2018 by U.S. and foreign air carriers conducting passenger operations to, from, and within the U.S., with at least one aircraft having a designed seating capacity of more than 60 passengers.¹ and complies with this requirement.

Summary of Findings

During the 2018 reporting period, 31 U.S. carriers and 149 foreign carriers conducted passenger operations to, from, and within the U.S., with at least one aircraft having a designed seating capacity of more than 60 passengers. These U.S. and foreign carriers were required to submit disability-related complaint data for the period between January 1, 2018 and December 31, 2018. The total number of carriers that were required to submitted data for the 2018 reporting period has decreased by three carriers in comparison to the 2017 reporting period. This decrease accounts for a number of U.S. and foreign carriers that ceased operations or discontinued passenger service to the U.S. in 2018 and the number of carriers that received new authority to operate passenger service to, from, or within the U.S. during the same time period. The Department continuously informs new carriers of their reporting obligations and makes efforts to identify the carriers to which the reporting rule applies.

The 31 U.S. carriers that submitted data for the 2018 calendar year reported receiving 30,950 disability-related air travel complaints, and the 149 foreign air carriers reported receiving 5,980 complaints during the same time period, for a total of 36,930 complaints received by these 180 carriers. Of all the complaints reported, 17,124 (46%) concerned the failure to provide adequate assistance to persons using wheelchairs, an increase of 1,917 complaints compared to 2017. The overall number of disability-related complaints received by carriers for calendar year 2018 (36,930) increased by 7.5% over the number received by carriers in calendar year 2017 (34,351). There was a 4.99% percent increase in the number of passenger enplanements² over this same period. Although the overall number of complaints may appear to be large, millions of persons with disabilities in the U.S. travel by air each year and the vast majority of them do not file a

¹ 14 CFR 382.157(b)

² Domestic and international passenger enplanements by U.S. and foreign carriers increased between 2017 and 2018 from 964,549,368 to 1,012,738,403, an increase of 4.99 % percent.

disability related air travel complaint.³ The increase in the overall number of complaints (2,579) comes from a 5.6% increase (1,638) in complaints received by U.S. air carriers and a 18.7% (941) increase in complaints received by foreign air carriers. We are unable to determine the reason for the year-over-year increase in the overall number of disability-related complaints. However, the Department’s Office of Aviation Enforcement and Proceedings (Aviation Enforcement Office) within the Office of the General Counsel routinely investigates carriers that experience significant spikes or variations in the number of disability complaints they report to the Department from year-to-year.

A summary of the 2017 and 2018 disability complaint data is set forth in the table below.

Calendar Year	Total Number of Disability Complaints Received by Domestic Carriers	Total Number of Disability Complaints Received by Foreign Carriers	Total Number of Disability Complaints Received by All Carriers	Total Enplanements
2017	29,312	5,039	34,351	964,549,368
2018	30,950	5,980	36,930	1,012,738,403

The complaint numbers should not be interpreted as reflecting violations of law. The data was taken directly from reports submitted by carriers, and the Department has not reviewed the substance of each of the complaints filed with the carriers to determine whether the incidents constituted violations of the ACAA or the provisions of 14 CFR Part 382, the Department’s regulations concerning nondiscrimination on the basis of disability. The Department’s Aviation Enforcement Office does, however, investigate each complaint against carriers that it receives directly from passengers, and audits carriers as it deems necessary to ensure accurate reporting.

Four categories of information are being presented in this report: Appendix A contains summary totals for all carriers; Appendix B contains summary totals for U.S. air carriers; Appendix C

³ According to data from the Center for Disease Control and Prevention (CDC), in 2017, 65 million Americans (roughly 1 in 4) had a disability (an increase from 61 million the year before). See *Centers for Disease Control and Prevention, National Center on Birth Defects and Developmental Disabilities, Division of Human Development and Disability. Disability and Health Data System (DHDS) Data*, <https://dhds.cdc.gov> (accessed Dec 30, 2019). The Department does not have data regarding the number of persons with disabilities who travel by air; however, we assume that 40% of Americans with disabilities travel by air. This assumption is based on research suggesting that nearly 50% of the U.S. population has traveled by air and the Department’s Bureau of Transportation Statistics’ finding that persons with disabilities travel less frequently than person without disabilities. See Chris Jackson, *Nearly Half of Americans Report Having Flown on an Airline in 2017*, Feb. 20, 2018, <https://www.ipsos.com/en-us/news-polls/Nearly-Half-of-Americans-Report-Having-Flown-on-an-Airline-in-2017>; see also Stephen Brumbaugh, *Issue Brief: Travel Patterns of American Adults with Disabilities*, September 2018, <https://www.bts.gov/travel-patterns-with-disabilities>. Under this assumption, the number of enplanements for passengers with disabilities in 2017 was approximately 26 million. If we assume that the number of enplanements for passengers with a disability increased at the same rate as enplanements for the general public, i.e., a rate of 4.99%, the number of passengers with a disability in 2018 was approximately 27 million.

contains summary totals for foreign air carriers; and Appendix D contains detailed data from each carrier.