



**U.S. DEPARTMENT OF TRANSPORTATION**  
***Air Carrier Access Act Advisory Committee***  
**Summary of First Meeting**  
**March 10 – 11, 2020**  
**Washington, D.C.**

The Air Carrier Access Act (ACAA) Advisory Committee met on March 10-11, 2020, in the National Ballroom at the Washington Plaza Hotel, 10 Thomas Circle NW, Washington, D.C., 20005. In accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, the meeting was open to the public. Appendix 1 identifies the Committee members, agency employees, and others who attended the meeting.

Several topics were discussed at the meeting: (1) a presentation and discussion of the draft Airline Passengers with Disabilities Bill of Rights; (2) assistance at airports and on aircraft and related airline training programs; (3) ticketing practices; (4) seating accommodations, including pre-flight seat assignments and bulkhead seating; and (5) stowage of assistive devices. The meeting consisted of a morning and afternoon session each day, and included presentations and opportunity for discussion. The speaker biographies, and all presentation materials that were provided at the meeting are available for public review and comment at [www.regulations.gov](http://www.regulations.gov), docket number DOT-OST-2018-0204. The agenda for the meeting is attached as Appendix 2.

**Day One**  
**March 10, 2020**

**Welcome and Introductory remarks**

The first day of the ACAA Advisory Committee (Committee) meeting began at 9:00 am on March 10, 2020. Blane Workie, Assistant General Counsel for Aviation Enforcement and Proceedings at the U.S. Department of Transportation (DOT) and the Designated Federal Officer (DFO), gave welcoming remarks and provided meeting logistics.

James Sinocchi, Chair of the Committee, gave brief remarks and thanked those present for attending and participating. Mr. Sinocchi encouraged committee members to participate with a spirit of collaboration and a willingness to hear and respect alternative perspectives.

The Committee members introduced themselves and gave brief opening remarks.

**Presentation and Discussion of the Draft Airline Passengers with Disabilities Bill of Rights**

Following the welcome and introductory remarks, the morning session of day one began. The Committee discussed a first draft Airline Passengers with Disabilities Bill of Rights (Bill of Rights) offered by DOT for the Committee's consideration.

John Wood from DOT's Office of Aviation Enforcement and Proceedings explained the key elements of section 434 of the FAA Reauthorization Act of 2018, which requires the DOT to develop the Bill of Rights describing in plain language the basic protections and responsibilities of airlines and people with disabilities under the Air Carrier Access Act. Mr. Wood explained that section 434 requires DOT to consult with stakeholders and DOT seeks feedback from the Committee on the draft Bill of Rights. Mr. Wood then presented the draft Bill of Rights.

Mr. Wood described the first right of the draft Bill of Rights, The Right to be Treated with Dignity and Respect. Mr. Wood then invited the Committee to provide feedback. Below is a summary of the Committee members' discussion and comments:

- Committee members representing air carriers asked DOT to add text to the Bill of Rights describing safety considerations existing in DOT's disability regulations (14 CFR Part 382 or Part 382). In response, Ms. Workie explained that DOT included language in the draft, which states that the Bill of Rights does not expand airlines' legal obligations or establish new legal requirements, clarifying that regulatory provisions still apply. Ms. Workie also said that DOT would go back and look at incorporating safety considerations from Part 382 into the draft Bill of Rights.
- A Committee member representing airport operators suggested that the Bill of Rights should specify how often training should occur and that recurrent training should be yearly. In response, Ms. Workie acknowledged that individuals with disabilities have expressed to her and DOT that training is an area of concern. Ms. Workie referenced the statutory provision that the Bill of Rights cannot expand existing obligations. Ms. Workie explained that Part 382 requires airlines to provide yearly training to each complaint resolution official (CRO) and other airline employees that deal with the traveling public recurrent training at least once every 3 years, although airlines are free to provide training more often. Ms. Workie said the Committee will have a chance to discuss training at a later point during the meeting.
- The Committee chair asked the Committee how the situation can be addressed, in terms of dignity, where individuals who do not need a particular service are provided that service just because they have a disability? The chair provided the example of a deaf individual being brought a wheelchair even though he is not mobility impaired. In response to the chair's question, a Committee member representing air carriers suggested that the Bill of Rights could explain that individuals with disabilities are the experts of their disabilities and assumptions should not be made on what an individual with a disability does or does not need. A Committee member representing contract service providers stated that the issue is not a matter of training, but a matter of communication between the passenger requesting assistance and those providing it. Later on, a Committee member representing air carriers would agree that the airline is only as good the communication it receives from its customers and more communication will help the airline to be responsive to customers' needs. Ms. Workie explained that the chair's scenario is addressed in a later section of the draft on prompt and adequate assistance. Ms. Workie also highlighted the explanatory text in DOT's draft describing airlines' obligation to provide specific training to its personnel relevant to treating individuals with

disabilities with dignity and respect.

- A Committee member representing air carriers noted that the description of the airline's training obligation should be clarified to read consistent with Part 382, which applies to "all personnel who deal with the traveling public."
- In response to comments related to the importance of communication between the individual requesting service and the airline, Ms. Workie referenced the FAA Reauthorization Act's mandate that the Bill of Rights describe in plain-language descriptions of protections, and responsibilities, provided in law. Ms. Workie asked the Committee whether it is helpful to have information about what the responsibilities of air travelers with disabilities are, and, if it is, would the information be helpful as a separate document or merged with the Bill of Rights? Committee members generally provided feedback that the responsibilities of individuals with disabilities should be in one document along with the responsibilities of airlines, but the information need not be lengthy, just relevant.
- A Committee member representing national disability organizations emphasized that the document needs to be able to help individuals who are not regular travelers and attention should be paid to plain language. The Committee member suggested that the information describing who is and what flights are covered by the document should be prominent so travelers can very quickly decide whether the document applies to them.

The Committee then heard remarks from Steven G. Bradbury, General Counsel, United States Department of Transportation.

### **Remarks by General Counsel Steven G. Bradbury**

DOT General Counsel Steven G. Bradbury gave welcoming remarks. Mr. Bradbury thanked the members for their participation on the Committee. He then discussed a brief history of the Air Carrier Access Act and its implementing regulation, 14 CFR Part 382. Mr. Bradbury then discussed some recent rulemaking actions that the Department is undertaking.

Mr. Bradbury mentioned that DOT issued a Notice of Proposed Rulemaking (NPRM) that proposes to amend its existing rules regarding the carriage of service animals on commercial aircraft. He noted that among the key proposals in the NPRM are: a proposal to require airlines to carry only service animal dogs that are individually trained to do work or perform tasks for the benefit of a person with a disability; a proposal to eliminate the requirement that airlines accept emotional support animals; and a proposal that would allow airlines to require individuals seeking to travel with a service animal to submit forms developed by DOT attesting to a service animal's good behavior, certifying the service animal's good health, and if taking a long flight, attesting that the service animal has the ability either not to relieve itself, or can relieve itself in a sanitary manner.

Mr. Bradbury then mentioned that in December 2020, DOT issued an NPRM that proposes to require airlines that operate new single-aisle aircraft with a seating capacity of 125 or more seats

to ensure the accessibility of certain features within the aircraft lavatory. He noted that the NPRM also proposes to require airlines to include an on-board wheelchair on such aircraft, meeting specific performance standards that are intended to improve the on-board wheelchair's safety and maneuverability, and to permit its entry into the aircraft lavatory, and to require certain training and information requirements. Mr. Bradbury also stated that the NPRM does not propose to increase the size of lavatories on single-aisle aircraft. However, in the near future, the Department plans to issue an advance notice of proposed rulemaking to solicit comment and to gather information on the costs and benefits of requiring airlines to make lavatories on new single-aisle aircraft larger, equivalent to that currently found on twin-aisle aircraft.

Mr. Bradbury also mentioned that DOT has an important role in ensuring that all air travelers have information on which to base their air travel decisions. He noted that last year, for the first time, the Department's Air Travel Consumer Report began including separately the number of wheelchairs and scooters checked and mishandled by airlines, to enable individuals with disabilities to make more informed choices regarding their transportation options.

Mr. Bradbury concluded by indicating that he looks forward to seeing the reports from the Committee, and hearing the Committee's recommendations to the Department.

### **Presentation and Discussion of the Draft Airline Passengers with Disabilities Bill of Rights (Continued)**

Following Mr. Bradbury's remarks, Ms. Workie introduced Ram Rambhatla, a Committee member joining by phone. The Committee then resumed discussion of the first right of DOT's draft Bill of Rights, The Right to be Treated with Dignity and Respect. The following is a summary of the Committee's continued discussion and comments:

- A Committee member representing national disability organizations agreed that improvements should be made to the document regarding plain language. The Committee member encouraged the DOT to make available online an American Sign Language version of the Bill of Rights. Ms. Workie responded that DOT will strive to make the Bill of Rights accessible and will work with the disability representatives on the Committee.
- In response to the discussion on the Bill of Rights addressing responsibilities of individuals with disabilities in the Bill of Rights, a Committee member representing national disability organizations expressed general concern with placing overwhelming onus on individuals with disabilities. The Committee member explained that people with disabilities know to advocate for themselves, but more of the onus should be the airlines to be able to provide accommodations. The Committee member suggested this is where airline employee training is important. In response, Ms. Workie clarified that there should not be anything in the Bill of Rights, for example, regarding passenger obligations, that is not in the regulation.
- Ms. Workie summarized her understanding that everyone who provided feedback on her previous question about including passenger responsibilities in the Bill of Rights believed

it would be helpful to have the airline obligation to provide an accommodation and the related responsibility of the passenger together in one document. In response, a Committee member representing national disability organizations asked DOT to be mindful of the meaning of “self-identify” with respect to individuals traveling with a psychological service animals because these individuals should not be asked to disclose their psychological issue. A Committee member representing national disability organizations stated that it does not envision anything that is not in the regulation to be in the document and expressed concern with adding any additional requirements to the document creating a false assumption that individuals with disabilities bear the burden of providing access.

Mr. Wood then described the second right of the draft Bill of Rights, The Right to Receive Information about a Flight’s Limitation. Mr. Wood then invited the Committee to provide feedback. Below is a summary of the Committee members’ discussion and comments:

- A Committee member representing national disability organizations expressed concern that the use of the word “limitation” in the draft denotes a negative connotation and suggested that the Committee come to agreement on another word. Ms. Workie said she was open to suggestions for a different word. Ms. Workie further explained the word is from the regulation and relates to aircraft-related or service-related or other limitations on the airlines’ ability to accommodate passengers with a disability. The chair proposed that the title read “The Right to Receive Information About a Flight’s Accommodations” with the next line explaining airlines must provide information on the accommodations, or limitations, on the ability to accommodate a passenger. Ms. Workie recognized that both the words “limitation” and “accommodation” are used in the relevant section of the regulation.
- A Committee member representing national disability organizations found that the section is not clear about what information airlines must provide. Ms. Workie explained that the intent is to ensure individual will have information on the accessibility features that an airline cannot provide so individuals can know what to expect from the flight. Ms. Workie explained that the section is broader than wheelchairs and includes limitations on an airline’s ability to provide accommodations, for example, such as to those who are deaf or hard-of-hearing. Committee members representing air carriers suggested that the right to include passenger responsibilities for effectively communicating with the airline because, unless individuals provide an inquiry or request, airlines are not going to know every detail relevant to the individual passenger.
- A Committee member representing national disability organizations expressed that the right does not clearly describe when airlines are obligated to provide this information. Ms. Workie said DOT will clarify this point. Ms. Workie explained that the airlines’ obligation applies at any point, for example, when an individual is making a reservation or calling at a later point. Ms. Workie explained that if a person indicates that he or she needs a wheelchair for boarding, including through an online request, the airline must provide information about any aircraft-related or service-related limitations.

- A Committee member representing air carriers asked a question about when DOT would consider changing words in the draft and when it would not. Ms. Workie said that the Bill of Rights should only include airline obligations and passenger responsibilities that are specifically mentioned in the regulation. Ms. Workie asked the Committee members to let her know her if they believe anything she agrees with, or appears to be heading toward agreement with, is not consistent with the way the regulations are drafted.

Mr. Wood then described the third right of the draft Bill of Rights, The Right to Receive Information in an Accessible Format, and invited the Committee to provide feedback. Below is a summary of the Committee members' discussion and comments:

- A Committee member representing national disability organizations suggested modifying certain phrases used in the explanatory material to describe individuals who are deaf or hard-of-hearing and to incorporate the Deafblind community. She proposed changing "hearing or vision impaired" to "Deaf, Hard-of-Hearing, Blind, or Deafblind," and using "visual and/or hearing assistance" in place of "visual or hearing assistance" and "tactile interpreter" instead of "interpreter." The Committee member also noted that the example in the explanatory text that airline employees should be trained to "take care to enunciate clearly" is not the best example to use in terms of training employees to communicate with people who are deaf or hard-of-hearing because sometimes employees will overenunciate and there will be misunderstanding. Ms. Workie agreed that proper terminology should be used. Ms. Workie said DOT will evaluate the Committee members' suggestions and make changes to the extent they would be consistent with the legal meaning of the regulation.
- The Committee chair asked whether the regulations covered captioning of in-flight entertainment. Ms. Workie responded, explaining that it is not a current requirement, but DOT has an open rulemaking on the issue. Further, as it is not a legal requirement, it is not included in the passenger Bill of Rights.
- A Committee member representing national disability organizations suggested that stronger language, as the word "encourage," be used to emphasize the need for airlines to provide Braille cards. Ms. Workie responded that she would be happy to discuss outside of the Bill of Rights other things that can be done to encourage certain actions, but the Bill of Rights should stay true to the mandate, which is that it does not expand obligations or responsibilities under law.
- A Committee member representing airport operators suggested the references in the explanatory text to "larger airports" may not be entirely consistent as, for example, the regulations requiring accessible kiosks apply at airports with 10,000 or more enplanements. Ms. Workie agreed stating that the requirement applies to small, medium, and large-hub airports, but stated that she is concerned that some members of the public may not understand the hub terminology. The Committee member agreed that he did not think the general-public understood hub size and may associate the language with a connecting hub.

- A Committee member representing national disability organizations stated that it is important to have a paper version of the Bill of Rights for some individuals with disabilities, including those with cognitive disabilities. The Committee member also suggested adding text recognizing special assistance regarding individuals whose disabilities affect cognitive processing. Ms. Workie responded that DOT would look through the regulations to see if there are provisions or examples that specifically apply to intellectual or developmental disabilities. Ms. Workie further stated that in considering accessibility of the document, plain language that someone with an intellectual type of disability should be considered, in addition to American Sign Language and other formats, and DOT may need to work with some organizations that have expertise in this area.

Mr. Wood then described the draft's explanation of the fourth right of the draft Bill of Rights, The Right to Accessible Airport Facilities, and invited the Committee to provide feedback. Below is a summary of the Committee members' discussion and comments:

- Committee members representing airport operators suggested clarifying the description in the explanatory text of airline's obligation to provide ramps and mechanical lifts for boarding to reflect that providing accessible airport facilities at U.S. airports is a joint responsibility between airlines and airports. Ms. Workie agreed acknowledging a joint obligation. Ms. Workie said DOT would adjust the language so it appropriately describes regulatory requirements.
- Committee members representing national disability organizations suggested adding text recognizing that airport facilities that are not within the control of the airline are covered by a different set of laws including the Americans with Disabilities Act (ADA). Ms. Workie recognized that Part 382 references the ADA and airport requirements. Ms. Workie acknowledged that she would feel comfortable including language about airports having ADA related obligations with respect to accessibility at the airport with a link or citation referring the reader to other regulations.
- Ms. Workie asked the Committee members whether they believe the absence of information informing passengers of the accessibility requirements that airports have would leave a big gap for individuals with disabilities within the Right to Accessible Airport Facilities. A Committee member representing airport operators would have no problem with the reference to ADA obligations that airports have.
- A Committee member representing national disability organizations provided that the Bill of Rights should address specific rights regarding boarding and deplaning assistance, including prohibitions against hand carrying individuals except for in an emergency situation. The Committee member cited a recent example of hand carrying of one of its members when there was not an emergency. Ms. Workie acknowledged that the Committee member's comment on hand carrying was a good point, as certain entities may have tried to use hand carrying.

Mr. Wood then described the draft's explanation of the fifth right of the draft Bill of Rights, The Right to Receive Prompt and Adequate Wheelchair, Guidance, and Other Assistance at Airports and on Aircraft. Mr. Wood invited the Committee to provide feedback. Below is a summary of the Committee members' discussion and comments:

- Ms. Workie acknowledged that this right addresses an area in which the Department received a significant number of complaints against airlines.
- With respect to the explanatory text describing prompt and adequate assistance, a Committee member representing air carriers stated that the airlines he represents have worked hard on this wheelchair issue. He noted that the challenge these airlines have faced is that many tickets are booked through travel agents who put in requests defaulting to wheelchairs rather than identifying exactly what the passenger requires. Another Committee member representing air carriers suggested that DOT add the language from the regulation "that they have not requested" to the end of the explanatory text describing that airlines must not require a passenger with a disability to accept a specific form of assistance. Ms. Workie agreed with this suggestion.
- A Committee member representing national disability organizations requested that more information be provided about the meaning of "prompt" and "timely" in the explanatory text. The Committee chair asked whether "prompt" implies making the flight. Ms. Workie explained that the prompt standard is not a "one answer fits all" standard and what is prompt should consider the circumstances presented. Ms. Workie referenced the preamble of the implementing final rule that describes some scenarios when service would not be prompt and suggested that references in the explanatory text of the draft to these examples is about the most DOT would be able to do.

Recognizing the time allotted in the agenda to the decision on DOT's draft Bill of Rights was almost up, Ms. Workie suggested options for considering the remainder of the draft Bill of Rights: 1) continue the discussion until lunch and reserve the remainder of the discussion for the next Advisory Committee meeting; or 2) establish a subcommittee to consider the Bill of Rights before the next full committee meeting. Committee members provided feedback and suggested other options:

- A Committee member representing national disability organizations asked Ms. Workie when the Advisory Committee would next meet. Ms. Workie said the next meeting would likely not be until Fall 2020.
- A Committee member representing airport operators suggested that Committee members could submit comments on the draft Bill of Rights by email which the DOT could put together. Ms. Workie noted DOT would docket the comments it receives as deliberations of the advisory Committee are public.
- A Committee member representing air carriers expressed preference for assigning the Bill of Rights to a subcommittee. The Committee member said the option of emailing comments to DOT might make it difficult for Committee members to follow the source



of any DOT changes.

- A Committee member representing national disability organizations expressed concern that some points of view would be missed using the subcommittee approach. Ms. Workie acknowledged that this concern is why the Bill of Rights was initially assigned to the full Committee.
- Ms. Workie concluded that the Committee should continue to discuss the Bill of Rights until lunch and that she would follow-up later with the Committee on how to best address the remaining points of the Bill of Rights.

The Committee then resumed discussing the fifth right of the draft Bill of Rights, The Right to Receive Prompt and Adequate Wheelchair, Guidance, and Other Assistance at Airports and on Aircraft:

- Multiple Committee members expressed concerns with the draft's use of "must" with the "prompt" standard for providing assistance. A Committee member representing airport operators referenced the volume of wheelchair requests and abuse of that service and is concerned that airlines would be unfairly penalized. A Committee member representing contract service providers highlighted many variables outside their control such as weather-related gate changes. She said the words "must" and "prompt" are not fair to anyone, as the expectation should be to work with the system based on the circumstances. Ms. Workie acknowledged that these types of conversations would be best for later portions of the meeting. Ms. Workie stated that the current requirement is that airlines provide prompt assistance and that would not be changing in the Bill of Rights. Ms. Workie added that DOT does not put a time frame on "prompt." Instead, after DOT solicited comments on the "prompt" standard during rulemaking, it determined the best approach would be to look at associated factors.
- Committee members representing national disability organizations expressed that they do not believe the requirement of prompt and timely service placed an undue burden on airports or airlines and found the standards relevant.
- A Committee member representing national disability organizations requested that DOT include in the Bill of Rights the requirement in Part 382 that passengers using a wheelchair have the right not to be left unattended. Ms. Workie said DOT will add that section and explained the requirement only covers those who are not independently mobile.
- A Committee member representing a national disability organization recommended clarifying the right to provide adequate assistance to include assistance to pet relief areas. She explained that her organization receives complaints that pet relief areas are often not accessible for individuals using wheelchairs or are outside of the airport. Ms. Workie suggested that this clarification could go in the current section or in the later section addressing accessible airport facilities as there is a joint requirement on airlines and airports to have service animal relief areas.

Following this discussion, the Committee adjourned for lunch at 12:00 p.m.

### **Assistance at Airports and an Aircraft and Related Airline Training Programs**

During the afternoon session, the Committee heard from speakers and panelists who presented overviews of assistance at airports and on aircraft and related airline training programs. After each presentation, the Committee was invited to ask questions and make comments.

#### Overview of DOT Requirements, Complaints, and Programs; Overview GAO Report

##### *Speakers:*

- *Clereece Kroha, U.S. Department of Transportation*
- *Ryan Patanaphan, U.S. Department of Transportation*

The Committee heard from Clereece Kroha and Ryan Patanaphan from DOT's Office of Aviation Enforcement and Proceedings about section 440 of the FAA Reauthorization Act of 2018, DOT's regulations related to the provision of assistance to passengers with disabilities and the training requirements related to this assistance, and the Office of Aviation Enforcement and Proceedings' review of consumer complaints regarding assistance issues.

Mr. Patanaphan first spoke about section 440 of the FAA Reauthorization Act, noting that the provision requires DOT to review its regulations to ensure that passengers with disabilities who request assistance get dignified, timely, and effective assistance at airports and on aircraft from trained personnel. The provision also provides for DOT to revise those regulations, if necessary.

Mr. Patanaphan then spoke about DOT's regulations dealing with passenger assistance. He stated that DOT requires airlines to provide assistance from the curb or terminal entrance to the departure gate, and from the arrival gate to the baggage claim, terminal exit, or connecting gate when a flight arrives. He added that airlines are required to provide assistance entering and exiting aircraft, as well as transporting carry-on baggage, if the passenger needs that assistance because of a disability. Mr. Patanaphan stated that the assistance must be prompt, and the passenger must self-identify to carrier personnel at the airport that he or she needs assistance. Mr. Patanaphan stated that, on aircraft, the airline has to assist with the stowage and retrieval of assistive devices and other carry-on baggage, as well as assistance with an on-board wheelchair, if the passenger requests that assistance on account of his or her disability.

Mr. Patanaphan then discussed DOT's regulations requiring training for airline personnel and contractors providing assistance to passengers with disabilities. He stated that 14 CFR Part 382 requires carriers to provide training, depending on the employee's duties. If the employee is a public contact employee such as a ticket agent, gate agent, or baggage handler, etc., the employee must be provided training specific to his/her duties. Mr. Patanaphan stated that when the employee is a complaints resolution official (CRO), the training must be broader. He added that the CRO is the carrier's expert on DOT's disability regulations and needs to be well-trained and empowered to resolve situations dealing with accommodations. Mr. Patanaphan also stated that airlines have to make a CRO available and make the passenger aware of the availability of a CRO either in-person or by telephone. He noted that all employees must be trained to

proficiency and receive general awareness training. Mr. Patanaphan stated that CROs must receive training every year and other airline employees and contractors must receive training at least once every three years.

Ms. Kroha then discussed DOT's review of consumer complaints. Ms. Kroha stated that DOT reviews consumer complaints on disability issues and categorizes complaints as violations, no-violations, or "see remarks" when there is conflicting or insufficient information. DOT reviewed its database of disability complaints on passenger assistance for the period January 2017 through October 2018. Ms. Kroha stated that the data were reviewed for the top ten U.S. marketing carriers and top five foreign carriers by enplanements to/from the United States. Ms. Kroha stated there were 524 complaints to DOT that dealt with the assistance provisions of 14 CFR Part 382 during the time frame analyzed, of which 52% were found to be violations, 16% were no-violations, and 32% were categorized as "see remarks." Ms. Kroha said that DOT found several recurring problems: human factors (such as agents taking passengers to the wrong gate, or never returning to provide follow-up assistance, or using incorrect assistance techniques, etc.), untimeliness, and failure to provide assistance. Ms. Kroha stated that, based on carrier responses, the causes of these problems include inadequate resources (personnel or equipment), and technological issues (e.g. failure to enter the proper code into the reservation system or the failure to transfer a code onto a new re-booked flight). Ms. Kroha then discussed potential measures that could be taken to mitigate the problems. She stated that training could be improved to resolve the human factors, procedures could be improved (particularly to put systems in place to deal with flight irregularities and certain high-volume periods), and accountability could be improved (i.e. improving internal audits and investigative procedures). Ms. Kroha also mentioned that complaints categorized as non-violations often involved a disconnect between passenger expectations and the regulatory requirements. She added that passengers could be served in this regard if they are provided accurate and on-target information by carriers. She stated that carriers should train agents to ask the right questions when passengers make assistance requests, and that improvements to passenger communication could assist with passenger education.

Mr. Patanaphan then discussed the Government Accountability Office's (GAO) 2017 report on airline training programs, noting that the GAO reviewed the programs of 12 carriers and found that all had training programs meeting the requirements of the Air Carrier Access Act. Mr. Patanaphan also stated that GAO found that DOT issued 13 enforcement orders that involved carrier training programs, and Mr. Patanaphan described two orders in which DOT found training violations.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- The Committee chair expressed concern about a lack of uniformity in appearance or visible signs for passengers to know where and with whom to obtain assistance. He expressed his view that DOT could help with examining standards for informing people where to go for assistance.
- A Committee member representing airport operators noted that airlines often tell

customers that wheelchair service is not available until the passenger reaches the ticket counter.

- A Committee member representing national disability organizations asked whether TSA and DOT were trying to find ways to make assistance through TSA more seamless. Ms. Workie responded that her office has not recently worked with TSA on these specific issues, but that the office has a practice of working closely with TSA and lets them know if there are certain issues that the office is seeing in consumer complaints.
- A Committee member representing air carriers suggested that the Committee consider encouraging passengers to request service in advance to alleviate problems with resources. The Committee member also noted that when tickets are purchased through online travel or ticket agencies, assistance requests are often not transferred accurately to the carrier. A different Committee member representing air carriers noted that the resource issue is exacerbated by passengers who request wheelchairs but do not need them as a disability accommodation. The Committee member suggested that DOT consider addressing instances of fraud when changing regulations, similar to DOT's handling of the NPRM on service animals. Another Committee member representing national disability organizations called for consideration of statistics or studies to back up claims of fraud, rather than anecdotal information.
- A Committee member representing air carriers indicated that the information requests were not being transferred properly, and that particular assistance needs required on departure should be communicated to agents greeting the passenger on arrival (e.g. additional assistants are required, no wheelchair is needed, etc.).
- A Committee member representing national disability organizations stated that his association's members often have been left on planes for 25 to 30 minutes after the plane was emptied and cleaning crews boarded. The Committee member said that airline agents do not seem to be taking responsibility for their wait and are pointing to contractors as responsible. The Committee member expressed concern about accountability and the rate of turnover in personnel providing assistance, and suggested that DOT conduct more audits of contractors.

#### Challenges Faced by Passengers with Disabilities (Panel)

##### *Panelists:*

- *Charles Brown, Paralyzed Veterans of America*
- *Molly Burgdorf, The Arc*
- *Tony Stephens, American Council of the Blind*
- *Kenneth Thompson, Easterseals*
- *Moderator: Blane Workie, U.S. Department of Transportation*

The Committee next heard from a panel of disability rights advocates about challenges faced by air travelers with disabilities.

The panelists were asked to describe the air travel experience for individuals with disabilities. Mr. Brown stated that much has changed over the years and generally, airlines, airports, and their personnel do their best to make sure individuals with disabilities have better travel experiences. Mr. Brown stated, however, that it can be difficult to deal with airline agents at the ticket counter and gate. Mr. Brown recounted an incident from last year in which a new airline agent accidentally dropped his legs while being transferred from his personal chair to an aisle chair. He stated that as a result, he sustained significant injuries. Mr. Brown emphasized that airline personnel need to receive proper training and need to slow down and communicate with individuals with disabilities.

Mr. Thompson agree that the air travel experience for individuals with disabilities and the elderly has improved throughout the years. He pointed out that some elderly passengers do not consider themselves as having a disability and will not request disability assistance. Mr. Thompson stated that sometimes, elderly passengers would simply like an easy way to get in touch with airline representatives to help them get information and navigate the airport. Mr. Thompson added that making information easier to find and improving “way-finding” could greatly benefit elderly passengers and make it easier for them to travel.

Ms. Burgdorf stated that some of the challenges that individuals with intellectual and developmental disabilities face are being in unfamiliar situations and feeling rushed or forced to do something. Ms. Burgdorf stated that it is important for airline and airport staff to be understanding and to provide individuals with intellectual and developmental disabilities with a little more flexibility, better communication, and extra time during their travels. Ms. Burgdorf stated that some airlines and airports have been working with her organization to improve air travel for individuals with intellectual and developmental disabilities and have been participating in the “Wings for Autism” program. Through this program, individuals with intellectual and developmental disabilities and their families are able to come to the airport before their actual date of travel and rehearse the process going through the airport and security and boarding the aircraft. Ms. Burgdorf added that the “Wings for Autism” program also gives airline and airport staff experience with interacting with individuals with intellectual and developmental disabilities.

Mr. Stevens stated that technology has helped people who are blind or visually-impaired to be more independent when they travel. He stated, however, travelers who are blind and visually-impaired still face many challenges. Mr. Stevens explained that travelers who are blind and visually-impaired may be forced to sit in a wheelchair when all they require is someone to escort them around the airport. He added that communication with airline and airport personnel can be difficult and confusing. Mr. Stevens agreed with Ms. Burgdorf’s statement that airline and airport staff must be understanding and provide individuals with disabilities with a little more flexibility, better communication, and extra time.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- The Committee chair stated that it is important to standardize disability-related processes and procedures so that when a person with a disability shows up at San Francisco Airport

or Miami, for example, they know what to expect. A Committee member representing airport operators stated that it may be impossible to come up with a uniform standard because each airport has its own unique size, layout, circumstances, and organizational structure. He added that airports have spent a significant amount of time and energy in improving “way-finding,” and perhaps that is an area that could become more standardized and consistent throughout the country. A Committee member representing air carriers agreed that it would be extremely difficult to develop a standard system throughout the country. He explained that airlines have different service and business models. He added that Airlines for America (A4A) has a Committee that deals specifically with accommodating passengers with disabilities. He stated that through the A4A committee, airlines can share best practices and work with each other to improve accessibility. Another Committee member representing air carriers pointed out that in 1952, International Air Transport Association (IATA) adopted Resolution 700, which sets global industry standards and best practices for the treatment and handling of passengers with disabilities. He stated that IATA continually works with its member airlines to enhance disability-related standards and services.

- Several Committee members representing national disability organizations stated that airline and airport personnel should receive more training on how to properly interact with individuals with disabilities. A Committee member representing air carriers suggested that perhaps the ACAA Advisory Committee could assemble a list of organizations that are willing to come in and provide training to airline and airport personnel.

Ms. Workie then provided the Committee a summary of the issues that Committee members identified up to this point in the meeting:

- Standardizing procedures;
- Placing airline representatives at a set stations within airports so passengers with disabilities know where they can go to ask for assistance;
- Researching data regarding how many passengers with disabilities make ad hoc request for assistance and how many request assistance in advance;
- Researching why airlines and airports lack the resources to provide proper disability-related assistance and whether the lack of resources is related to abuses in the system;
- Looking into how airports should be involved with providing disability-related assistance, particularly at U.S. airports;
- Improving how information is relayed to individuals with disabilities;
- Auditing airline vendors and contractors that provide disability-related services; and
- Improving the training of airline and airport personnel on how to properly interact with individuals with disabilities.
- Assembling a list of various organizations and individuals that are open to providing etiquette training to airline and airport personnel.

#### Airline and Vendor Practices (Panel)

##### *Panelists:*

- *Joy Jenkins, Frontier Airlines*

- *Don O’Leary, Delta Air Lines*
- *Dolores Tullos, Prospect Airport Services, Inc.*
- *Moderator: Ryan Patanaphan, U.S. Department of Transportation*

The Committee then heard from a panel of industry representatives about airline and vendor practices in providing assistance to passengers with disabilities.

The panelists first spoke about the operations of their respective organizations. Ms. Jenkins discussed the experience of Frontier Airlines, an ultra-low-cost carrier. She noted that one of Frontier’s challenges is that many of its passengers are experiencing air travel for the first time, so Frontier places importance on communication and keeping things simple. Mr. O’Leary spoke about Delta Air Lines’ experience, noting that the company has large global operations and partners. Mr. O’Leary stated that Delta primarily provides assistance to passengers with disabilities based on an outsourcing model. He added that Delta handles over three million special service requests each year. Ms. Tullos spoke about Prospect Airport Services, a contract service provider operating at 33 airports. Ms. Tullos noted that the logistics in each airport varies, and that as an aviation support service, the company enters agreements with airlines which discuss how information will be communicated to Prospect. Ms. Tullos stated that Prospect handled 9.2 million special service requests in 2018, and then 11.7 million requests in 2019. Ms. Tullos noted that ad hoc and advance requests for assistance are handled the same way by her company.

Regarding the allocation of resources, Ms. Tullos stated that Prospect closely monitors historical data on assistance requests and carrier growth and passenger numbers to determine future resource needs at each location it operates. Mr. O’Leary stated that Delta uses technology and historical data at its hubs to feed data to its assistance vendors, and that the technology also enables Delta to review special service requests on a seven-day basis to publish to station leaders. Ms. Jenkins stated that Frontier feeds information to its wheelchair handling partners directly from the carrier’s booking system. She added that Frontier also has forms that passengers can complete to indicate their assistance needs. Ms. Jenkins stated that Frontier reviews historical data at a flight level to inform their decisions on resource allocation.

When asked about challenges encountered by their companies, Ms. Jenkins stated that one of Frontier’s bigger challenges is that there are no airport consortium wheelchair handlers or partners at Frontier’s smaller cities. As a result, Frontier’s employees at these airports have multiple roles as ticket agents, gate agents, and ramp work. Ms. Jenkins states that in such situations, the allocation of resources is difficult when there is an assistance request that the airline was not expecting. Ms. Jenkins indicated that knowing passenger needs in advance would enable the carrier to better prepare for such situations. She added that there may be reasons why the experience at small airports is easier as well; for example, the terminals are smaller, so passenger assistance may not be as resource-intensive, and communication is easier as the team can be easily assembled and allocated. Mr. O’Leary said that Delta sees challenges at its large hubs as a result of air traffic delays (which shorten connection times), difficulties in adjusting resources to meet high and low volumes of passengers, insufficient elevators, and a lack of information about when passengers will arrive at the airport. Mr. O’Leary said that EU regulations require 36-hours advance notice for wheelchair requests. He stated that Delta has

sought to address the challenges by conducting analyses on when passengers arrive at each of its hub airports for a departing flight, dispatching technology such as terminal beacons, and using its brand team to produce signage that identifies, for example, a door location or counter position that passengers with assistance should be approaching. Ms. Tullos responded that there should be more awareness generally by everyone working at the airport of where passengers should go to receive assistance. Mr. O’Leary also stated that Delta coordinates with government agencies to look into opportunities to expedite the screening of passengers receiving assistance, such as the use of dedicated lines during peak times.

Regarding quality assurance, Mr. O’Leary stated that Delta sends surveys to customers who make assistance requests, and the carrier measures ten attributes, including timeliness, that are vendor-related down to the station level. He said his team conducts monthly performance reviews with the vendors. Ms. Tullos noted that Prospect sees challenges from limited real estate not keeping up with the air travel demand of passengers needing assistance, referencing specifically a significant number of terminal inclines and declines, carpeted areas that limit mobility, and a limited number of elevators. Ms. Tullos also stated that, although line skipping is not required by the law, in reality wheelchair assistants have to serve many passengers and expediting the assistance each passenger receives is needed. Language barriers can also pose a challenge. Ms. Tullos stated that Prospect has developed its own technology, include beacon and information systems, to manage resources.

The panelists then spoke about their companies’ respective training programs. Ms. Jenkins said that Frontier provides training to all front-line employees every year, which they found necessary due to higher levels of employee attrition at the airport level and to reinforce policies and processes. Frontier also trains call center supervisors as CROs in case a CRO is not present at the airport.

Mr. O’Leary stated that Delta offers six modules on subjects such as assistive devices, transfer assistance, seating accommodations, and loading mobility aids, and that training is required within 60 days of hire. He added that Delta measures station performance on damage to assistive devices. Mr. O’Leary said that Delta reviews the training of its vendor partners, and that Delta performs annual training as well. He added that individual vendors typically conduct the full training every three years, but that there is some monthly training depending on requirements.

Ms. Tullos noted that Prospect deals with significant attrition, so all of the company’s instructors are required to come to Prospect’s “academy” and be certified in order to train the front line. These instructors go through several modules including training techniques, and they learn to deal with language barriers for the personnel they train. Ms. Tullos said that the front line receives annual recurrent training, and instructors are required to be recertified every two years.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- A Committee member representing national disability organizations expressed concern about preemptive assistance requests and her experience with not receiving appropriate assistance after a preemptive request. The Committee member asked whether the



information transferred to carrier personnel from a preemptive request was detailed in the needs of the passenger or simply a headcount of passengers that need assistance. Mr. O’Leary responded that Delta places pre-planned requests for assistance into computer records which get transmitted to the service provider. He added that Delta will be aware that a passenger is on a particular flight and that assistance is requested, but would not know what time the passenger will arrive at the airport. Another Committee member representing national disability organizations followed up by asking what information the airlines relay down to the service provider about an individual’s needs. Ms. Jenkins responded that having the passenger’s assistance request in advance is helpful, and at check-in the Frontier agent would see the request in the record and ask the passenger how the carrier can provide assistance. Ms. Jenkins added that Frontier agents have the ability to transmit messages to other stations to inform them of special requirements that they may need to prepare for. Ms. Tullos stated that preemptive requests for assistance are helpful to the vendor for resource allocation purposes.

- A Committee member representing national disability organizations asked whether the flight crew was responsible for communicating assistance needs to personnel at the downline station, or whether the responsibility rests with other personnel. Ms. Jenkins responded that at Frontier, it is the responsibility of the gate agent at the origin airport to communicate the correct assistance needs of the passenger to the destination airport. Mr. O’Leary added that at Delta, it becomes the responsibility then turns to the gate agent or vendor at the arrival airport, provided that the correct code is put into the system.
- A Committee member representing national disability organizations member asked whether there is communication between different airlines if the passenger has to transfer between airlines. Ms. Tullos stated that the vendor’s obligation is to get the passenger to the next airline. Mr. O’Leary said that Delta works closely with its airline partners and will send the special service request codes to the partners, but he was not sure if the systems accepted these codes on every partner carrier. He added that Delta has working groups to look at those connections.

#### Use of Technology to Improve Access (Panel)

##### *Panelists:*

- *Justin Gagnon, WHILL, Inc.*
- *John Kloosterman, United Airlines*
- *Linda Ristagno, International Air Transport Association*
- *Paul Schroeder, Aira Tech Corp*
- *Moderator: Clereece Kroha, U.S. Department of Transportation*

The final panel of the day presented on the use of technology to improve access at airports and on aircraft. The Committee first heard from Ms. Ristagno. Ms. Ristagno first introduced an IATA Resolution passed unanimously by all its member airlines in 2019, which calls for a consistent global approach and greater collaboration among stakeholders to achieve safe and dignified travel for all passengers. Ms. Ristagno then discussed IATA’s first Accessibility Symposiums, during which the topic of technology innovation was extensively discussed among airlines, disability advocacy groups and technology providers such as Google and Microsoft. Ms.

Ristagno then introduced IATA's latest "Hackathon" event held in Seattle, during which more than one hundred technology developers engaged in 28 hours of coding "marathon" to offer solutions for two challenges provided by IATA - assisting passengers to track mobility aids during air travel and to enhancing the booking experience for passengers with disabilities.

Mr. Kloosterman was the second speaker for the panel. He stated that United has made significant investment to enhance the travel experience of its customers and a lot of the investments are technology-related. Mr. Kloosterman then introduced a pilot program that was initiated in 2018, which would allow customers to request and track wheelchair services via their smartphones via the United mobile app. Mr. Kloosterman stated that the project was tested in two airports (Los Angeles and Las Vegas) for about a year and was discontinued due to lower than expected usage. Mr. Kloosterman attributed the low usage to the difference between the demographic of the wheelchair users and the mobile app users, but concluded that the pilot program did allow United to establish interactive communications with its vendors, and it will facilitate future improvements. Mr. Kloosterman then introduced another project that United plans to roll out very soon, to place tablets in the check-in lobbies of its hub airports, which would allow customers to request wheelchair services on an ad-hoc basis. An additional function of this program would allow the ad-hoc request to be tied to the passenger's PNR so the special service request would apply to the entire itinerary. In the past, an ad hoc request would only apply to the specific segment and the passenger would need to make a request for each segment in order to receive the assistance. Next, Mr. Kloosterman introduced the "EZ Chat" feature that United is rolling out across its system. The feature would allow all United team members working on a departing or arriving flight to communicate, in real time and on a single platform, through their handheld devices. Mr. Kloosterman noted that the feature would provide great benefits to passengers who require assistance by allowing the right team members to know that the customer is ready for boarding and deplaning, and by allowing the airlines better insight into things like when a customer's personal wheelchair has been loaded into the plane's hold for departure, or brought back to the jetway for their use upon arrival. Lastly, Mr. Kloosterman also introduced United's new in-flight entertainment system, "Entertainment for All" that provides greater accessibility features.

The third speaker for the panel was Mr. Paul Shroeder. Mr. Shroeder introduced the service launched by Aira three years ago that uses a user's smartphone app to connect the user, who is blind or visually-impaired, with an Aira agent, who watches the streamed video taken by the user's smartphone and guides the user through places like airports. As Aira is a cell-based subscription service, Mr. Shroeder stated that Aira worked with various airports to build "Aira Access" services that provide connection at participating airports for free to non-subscribers. Mr. Shroeder stated that Aira services is now available at over 50 airports in the United States and it is a great service to supplement assistance provided by agents or to be used alone. Mr. Shroeder stated that Aira agents are vetted, trained, paid, and attention is paid to preserve the users' privacy. Mr. Shroeder presented a short video demonstrating a user traveling by a ride-share car to the airport and onward to his flight, assisted and guided by an Aira agent. In closing, Mr. Shroeder pointed out that there are many developing technologies on mapping that would assist indoor way-finding. Mr. Shroeder stated that Aira uses these technologies to assist users to get a general understanding about their surroundings when they arrive at an airport.

Mr. Shroeder made remarks that these technologies have great potential to help passengers with other disabilities as well as assist everyone to use airports more efficiently and effectively.

The last speaker for this panel was Mr. Gagnon. Mr. Gagnon introduced the “mobility as-a-service” (MaaS) model autonomous wheelchair that it has developed to address the deficiencies in the traditional “push service” for mobility assistance. Mr. Gagnon commented on WHILLS’ partnership with Scoot Around, a company that has been in the mobility industry for over 20 years, providing loaner wheelchairs and scooters for travelers while their own devices were being repaired. Mr. Gagnon described the partnership between WHILLS and Scoot Around as an attempt to connect the dots and provide seamless travel experiences for customers for the entire journey. Mr. Gagnon discussed the cost-saving aspect of the new technology in comparison with push services but stated that he does not believe that the new technology is going to replace the push service, but will supplement it. Mr. Gagnon commented that WHILLS uses 3-D mapping technology to map out an airport and based on the information, it can create routes from a staging area, such as a ticket counter or security checkpoint, to a gate. Mr. Gagnon stated that WHILLS is also working with airlines to use the tablet interface to scan the boarding pass, which then enables the MaaS device to take the passenger to the correct gate automatically. Mr. Gagnon discussed several trials WHILLS has conducted at airports, and that it is working with several airlines to try out its model AI. Mr. Gagnon then presented a video to demonstrate the MaaS model in an airport setting, showing the equipment with sensing technology, cameras, and interface tablet. Mr. Gagnon concluded his presentation by stating that WHILLS devices are expected to be in full operation at Haneda Airport in Tokyo within the next three to four months.

As a last-minute addition to the panel, the moderator invited Mr. Ray Prentice of Alaska Airlines to demonstrate its “Fly For All” app that assists passengers with cognitive and developmental disabilities. As a background introduction, Mr. Prentice stated that Alaska Airlines conducts six practice flights for passengers who are on the spectrum of autism and the demand for participation is extremely high, which inspired the airline to work with a developer to create the app. Mr. Prentice then demonstrated the app to show features it has to guide and assist passengers with developmental or cognitive disabilities through the airport and on the airplane, with the goal of providing information that they may need and reducing stress and anxiety.

The panel concluded without question and answer session due to time constraints.

### **Closing Remarks**

Following the presentations, Ms. Workie noted that all the information presented to the Committee would be available on the ACAA Advisory Committee docket. The meeting was adjourned for the day around 5:00 PM and scheduled to reconvene at 9:00 AM the following day.

## **Day Two March 11, 2020**

### **Welcome and Meeting Logistics**

The second day of the meeting of the ACAA Advisory Committee began at 9:15 AM on March 11, 2020, in the National Ballroom at the Washington Plaza Hotel. Ms. Workie gave brief welcoming remarks and provided meeting logistics.

### **Ticketing Practices**

Following the welcome and introductory remarks, the morning session of day two began. The Committee first heard from speakers and panelists who presented on ticketing practices. After each presentation, the Committee was invited to ask questions and make comments.

#### Overview of DOT Requirements, Complaints, and Programs

*Speaker:*

- *Maegan Johnson, U.S. Department of Transportation*

The Committee heard from Maegan Johnson from DOT's Office of Aviation Enforcement and Proceedings about the different ways to purchase air transportation, in person, on the phone and online. Ms. Johnson discussed both airport and airline responsibilities with respect to ensuring accessibility for individuals with disabilities in the airport when purchasing a ticket in person. Ms. Johnson explained that airlines that allow telephone reservations are required to provide deaf and hard of hearing passengers the same reservations services that are provided to the general public. With respect to the Department's website accessibility rule, Ms. Johnson explained that U.S. and foreign carriers that operate aircraft with 60 or more seats and that have a primary website that markets air transportation to the general public must ensure that all pages on its website are accessible to individuals with disabilities. Ms. Johnson clarified that the Department's website accessibility rule does not apply to airline mobile sites or online ticket agents, although online ticket agents are required to disclose offers and discounts to passengers who contact those online agents and state that they could not use the ticket agent's website because of a disability.

Ms. Johnson also provided statistics about the number of complaints the Department has received from passengers with disabilities against airlines about the Department's website accessibility requirements, and the enforcement actions that the Department has taken since the rule has been enacted. Ms. Johnson stated that the Department has received a total of two complaints since the website accessibility rule has been enacted. Ms. Johnson stated that the Department has entered into two agreements with carriers who voluntarily disclosed, before the website accessibility rule became effective, that they would be unable to comply with the website accessibility rule. Ms. Johnson explained that carriers voluntarily agreed under those agreements to make their mobile sites accessible in exchange for the Department not taking enforcement action against those carriers for untimely compliance with the Department's rule. Ms. Johnson described a \$200,000 civil penalty consent order against an airline that failed to comply with the Department's website accessibility rule when it created a separate accessible

website to accommodate individuals with disabilities rather than making its primary website accessible as required by the Department's rules.

#### Perspective of Disabilities Rights Advocates (Panel)

##### *Panelists:*

- *Joshua Basile, United Spinal Association*
- *Tom Panek, Guiding Eyes for the Blind*
- *David Rosenthal, National Association of the Deaf*
- *Moderator: Maegan Johnson, U.S. Department of Transportation*

The Committee next heard from a panel of disability rights advocates about their experiences purchasing air transportation. Mr. Rosenthal, the first panelist, discussed issues that arise when airlines assign SSR codes and the problems that can arise when a deaf passenger's travel record does not indicate that the passenger is deaf. Mr. Rosenthal described how deaf passengers are often offered services that do not accommodate their disability, and how deaf passengers do not like to feel as though they are being singled out because of their disability. Mr. Rosenthal explained that he, as a deaf passenger, prefers to book his tickets online, rather than on the phone, because making reservations online is easier. Mr. Rosenthal stated that chat features on airline website are helpful for deaf passengers and that one area of improvement that he would like to see is for airlines to use training methods to instruct their reservation agents to effectively communicate with passengers who are deaf and hard of hearing. Mr. Rosenthal discussed prior interactions he has had with agents wherein the agent was impatient for him to respond because the agent did not understand that captioning sometimes causes a delay in a deaf or hard of hearing passenger's response. Furthermore, Mr. Rosenthal also stated that there needs to be better communication from the airline to passengers who are deaf or hard of hearing about flight status and in-cabin announcements. Finally, Mr. Rosenthal also discussed how accessible mobile applications would be helpful when making reservations on mobile devices as this booking method is the preferred method of purchasing an airline ticket.

Mr. Basile, the second panelist, explained that he is paralyzed below the shoulders and most airline websites do not meet his needs as he is not able to independently make air transportation reservations. Mr. Basile states that he is often forced to make reservations over the phone and it is an arduous process trying to reach an individual to make his reservation and request a disability accommodation. Mr. Basile explained that it would be helpful if airline websites had a mechanism that would better allow individuals with disabilities to describe their disabilities and the accommodations that they need. Mr. Basile also described the difficulties he experienced at the airport with receiving seat transfers and transporting his assistive devices. Finally, Mr. Basile stated that internal disability advisory panels and similar measures undertaken by airlines are helpful to identify and address accessibility issues that impact individuals with disabilities.

The third panelist, Mr. Panek, described how it is important to remain vigilant about website accessibility guidelines, as there are improvements that need to be made to ensure that individuals with disabilities receive adequate accommodations when booking air transportation. Mr. Panek described how some online voice recognition devices describe images in ways that are not helpful to passengers with vision impairments. He also explained that his ideal ticket-purchase experience would allow him to make an air transportation reservation unassisted.

Mr. Panek discussed how accessibility of airlines' mobile sites would greatly improve the ticket-purchasing process for many individuals with disabilities.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- Several members of the Committee members identified online disability request forms as an area of concern that the Committee members should address based on the panel discussion. The Committee members discussed the potential of a subcommittee to create or determine a list of best-practices for the disability accommodation forms that airlines are required to provide on their websites.
- Several Committee members also mentioned that accommodations notated in customer profiles/SSR codes was another issue of concern that should be addressed by the Committee.

#### Airline Ticketing Practices (Panel)

*Speaker:*

- *Ray Prentice, Alaska Airlines*

The Committee then heard from Ray Prentice of Alaska Airlines about ticketing practices from the airline perspective. Mr. Prentice discussed VCRs, or a virtual coupon record, which is the airline's accounting system that it uses to track and monitor funds. Mr. Prentice discussed other airline reservation systems, such as Sabre, ATPCO and NCR, and described how these systems have been managed and updated over the years and are all an integral to the running of the airline, yet extremely complicated. Mr. Prentice discussed the difference between an airline's website based system and an airline's mobile site and the complexity of both systems. Mr. Prentice discussed how Alaska Airlines pays close attention to ensuring that it meets the Department's website accessibility requirements and how it has provided its flight crew and customer service agents with tablets to assist passengers, particularly passengers with disabilities who have SSR codes attached to their passenger name record. Mr. Prentice clarified that Alaska does not accept cash to purchase tickets and that passengers cannot purchase tickets from an Alaska airport kiosk; the airline would direct passengers to call its ticket center to purchase a ticket at the airport.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- A Committee member representing air carriers asked Mr. Prentice to describe why airlines have so many systems, e.g., reservations, accounting etc. Mr. Prentice explained that the high volume of passengers that the airline transports and the high level of service to all passengers, including passengers with disabilities, is the reason for its complex system structure.
- The Committee chair asked Mr. Prentice about the possibility of coding individuals with disabilities as VIP travelers to improve the accommodation request process. Mr. Prentice

explained that the airline uses IATA codes, which are the international coding standard, and does not have the functionality to link its frequent flyer coding system, which is where elite passenger information is stored, with its special services coding system.

- A Committee member representing national disability organizations inquired about the features available on the airline's app. Mr. Prentice clarified that while Alaska's app is rated highly, it does not have the ability to add SSR codes, but it is a topic that is under discussion.
- A Committee member representing national disability organizations inquired about streamlining the SSR coding process among various airlines. Mr. Prentice mentioned that the airline is conducting a review of its system to see where it may be able to reduce the SSR coding options. Mr. Prentice also discussed clarifying for employees what certain codes mean and what codes to ascribe to certain passengers with disabilities.
- A Committee member representing national disability organizations commented that mobile apps are very popular with individuals in the blind community. Mr. Prentice responded by stating that Alaska works hard to make sure that the airline's mobile experience is very close to its website experience.
- Ms. Workie inquired about passenger information sharing between the airlines and ticket agents. Mr. Prentice explained that, per its business agreement with ticket agents, there is a degree of information sharing, to ensure that certain services are provided to passengers. Mr. Prentice stated that Alaska Airlines expects that ticket agents are following the international protocol for entering SSR codes, but this is a question that may need to be further explored.

### **Seating Accommodations, Including Pre-Flight Seat Assignments and Bulkhead Seating**

Following the presentations and discussion on ticketing practices, the Committee heard from speakers and panelists who presented on seating accommodations, including pre-flight seat assignments and bulkhead seating. After each presentation, the Committee was invited to ask questions and make comments.

#### Overview of DOT Requirements, Complaints, and Programs

##### *Speakers:*

- *Peter Cacioppo, U.S. Department of Transportation*
- *Vinh Nguyen, U.S. Department of Transportation*

The Committee heard from Peter Cacioppo and Vinh Nguyen from DOT's Office of Aviation Enforcement and Proceedings about DOT's seating accommodation requirements. Mr. Nguyen described the four specific conditions in which passengers with disabilities would be entitled to a specific seat type: (1) passengers who use aisle chairs and cannot readily transfer over fixed armrests are entitled to a seat in a row with movable aisle armrest; (2) passengers with a disability and their personal care attendants, readers/assistants, interpreters, or safety assistants are entitled to adjoining seats; (3) passengers traveling with service animals are entitled to

bulkhead seats; and (4) passengers traveling with fused or mobilized legs are entitled to bulkhead seats. Mr. Nguyen explained the different types of seating methods that airlines use to ensure seating accommodations: the block method; the priority method; and the preboarding method. Then Mr. Nguyen discussed the seating accommodation requirements for passengers with disabilities who do not fit into the four specific conditions listed above. In addition, Mr. Nguyen stated that DOT plans to draft a Notice of Proposed Rulemaking on whether to broaden the scope of passengers with disabilities who must be afforded seats with extra leg room and whether carriers should be required to provide seating accommodations with extra leg rooms in all classes of service.

Mr. Cacioppo then provided the Committee an overview of complaint data related to seating accommodations for calendar years 2015 through 2018. Mr. Cacioppo first discussed complaints that consumers filed with DOT. In calendar year 2015, DOT received a total of 944 disability-related complaints, and of those, 103 complaints related to seating accommodation issues. In calendar year 2016, DOT received a total of 865 disability-related complaints, and of those, 92 complaints related to seating accommodation issues. In calendar year 2017, DOT received a total of 850 disability-related complaints, and of those, 98 complaints related to seating accommodation issues. In calendar year 2018, DOT received a total of 827 disability-related complaints, and of those, 88 complaints related to seating accommodation issues. Next, Mr. Cacioppo discussed complaints that consumer filed directly with U.S. carriers. In calendar year 2015, U.S. carriers received a total of 25,401 disability-related complaints, and of those, 2,597 complaints related to seating accommodation issues. In calendar year 2016, U.S. carriers received a total of 27,842 disability-related complaints, and of those, 2,605 complaints related to seating accommodation issues. In calendar year 2017, U.S. carriers received a total of 29,312 disability-related complaints, and of those, 2,689 complaints related to seating accommodation issues. In calendar year 2018, U.S. carriers received a total of 30,950 disability-related complaints, and of those, 2,849 complaints related to seating accommodation issues.

Then, Mr. Cacioppo discussed complaints that consumer filed directly with foreign carriers. In calendar year 2015, foreign carriers received a total of 4,429 disability-related complaints, and of those, 429 complaints related to seating accommodation issues. In calendar year 2016, foreign carriers received a total of 6,303 disability-related complaints, and of those, 489 complaints related to seating accommodation issues. In calendar year 2017, foreign carriers received a total of 5,039 disability-related complaints, and of those, 597 complaints related to seating accommodation issues. In calendar year 2018, foreign carriers received a total of 5,980 disability-related complaints, and of those, 659 complaints related to seating accommodation issues. Mr. Cacioppo concluded by stating the complaint data shows that complaints related to seating accommodations account for approximately 10% of all disability-related complaints.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- A Committee member representing air carriers asked whether DOT collects from each carrier the total number of passengers with disabilities transported or total number of disability-related requests received for the purpose of calculating a complaint rate. Ms. Workie stated that DOT plans to look into this issue in a future rulemaking but there is no



schedule for that rulemaking at this time.

- A Committee member representing national disability organizations suggested reevaluating the requirement on passengers with disabilities to arrive at the airport in advance of the general check-in time.
- A Committee member representing national disability organizations pointed out that many of the new first-class seats are not accessible and some bulkhead seats do not have movable aisle armrests.

#### Perspective of Disabilities Rights Advocates (Panel)

##### *Panelists:*

- *Kelly Buckland, National Council on Independent Living*
- *Sam Crane, Autistic Self Advocacy Network*
- *Kathleen Tevnan, Canine Companions for Independence*
- *Moderator: Vinh Nguyen, U.S. Department of Transportation*

The Committee next heard the perspective of passengers with disabilities from a panel of disability rights advocates.

The panelists were asked to describe the types of seating accommodations their respective constituents require in order to travel. Ms. Crane stated that passengers with autism could require a wide variety of seating accommodations. She provided the Committee a few examples such as: sitting next to a care giver; sitting in a seat where the tray table is more easily accessible (i.e. not in bulkhead seat); sitting in a window seat in order to feel less exposed; and sitting in an aisle seat in order to easily get up and walk/pace. Ms. Crane also pointed out that some passengers with autism do not want to pre-board before all other passengers. Mr. Buckland stated that often, airlines require passengers who use wheelchairs to sit in an aisle seat, which is impractical because others must then climb over the passenger to get to their seats. Ms. Tevnan stated passengers traveling with service animals generally require bulkhead seats or seats with extra leg room, which may be difficult to obtain on smaller aircraft.

Next, the panelists were asked to discuss what information would be useful to passengers with disabilities with respect to obtaining seating accommodations. Mr. Kelly stated that it would be beneficial to have clear information how to make a request to guarantee the proper seating accommodation. Mr. Buckland stated that it is difficult for passengers with disabilities to know what they must do in order to receive an accommodation. He stated that finding disability-related information on many airlines' websites is not easy and intuitive. Ms. Tevnan agreed with Mr. Kelly. She stated that passengers traveling with service animals need to know whether they will definitely receive a bulkhead seat or a seat with additional room for their service animals. Ms. Crane also agreed with Mr. Kelly and Ms. Tevnan. Ms. Crane also pointed out that it is important to be able to make a disability-seating request through the normal booking process because some individuals cannot use telephones to make requests.

Then, the panelists were invited to make additional comments for the Committee to consider.

Ms. Crane stated that there have been times when her original flight was canceled and she was rebooked to another flight but her seating accommodation request was not transferred to her new flight. Ms. Tevnan stated that the requirement on passengers with disabilities to arrive at the airport in advance of the general check-in time should be reevaluated. Mr. Buckland commended several of the airlines for creating internal advisory boards.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- A Committee member representing national disability organizations agreed with the panelists that it is important for passengers with disabilities and their travel companions and/or family members to have more information upfront, particularly in irregular operations.
- A Committee member representing wheelchair manufacturers asked Mr. Kelly whether the actual seats on aircraft meets his needs, particularly with respect to positioning and pressure points. Mr. Buckland stated that it depends on the particular aircraft and that passengers should be able to request seating accommodations to prevent pressure sores, which are painful and can be difficult to heal. A Committee member representing national disability organizations reported to the Committee that her organization conducted a survey of 577 respondents and found that the greatest complaint for individuals sitting on aircraft seats was increased pain followed by skin issues.

Following these presentations, the Committee adjourned for lunch. When the Committee reconvened after lunch, the Committee continue to discuss seating accommodations, including pre-flight seat assignments and bulkhead seating.

#### Airline Seating Accommodation Practices (Panel)

##### *Panelists:*

- *Kahla Elliston, Spirit Airlines*
- *Patty O'Regan, Delta Air Lines*
- *Dallas Thomas, Southwest Airlines*
- *Moderator: Peter Cacioppo, U.S. Department of Transportation*

The Committee heard from a panel of industry representatives about airline seating accommodation practices.

Ms. Elliston stated that Spirit Airlines uses the block method to ensure seating accommodation requests. Ms. Elliston stated that passengers may request a seating accommodation in a number of ways: calling and speaking to an airline representative; filling out a form on the airline's website; or writing to the airline via [www.spirit.com/help](http://www.spirit.com/help). Ms. Elliston stated that if someone does not contact the airline in advance and makes a seating accommodation request at the airport, Spirit Airlines will do its best to fulfill the request as the blocked disability seats are the last seats to be released to the general public.

Mr. Thomas stated that Southwest Airlines does not provide advanced seat assignments. He explained that in order to ensure disability seating accommodation, the airline utilizes a system that permits passengers with disabilities to preboard the aircraft before all other passengers. Mr. Thomas stated that passengers with disabilities must first speak to a customer service agent at the airport. Mr. Thomas stated that if a passenger has one of four specific conditions listed in Part 382, then that passenger will be able to board the aircraft first. Mr. Thomas stated that all other passengers with disabilities are permitted to board after the A group has boarded.

Ms. O'Regan stated that Delta Air Lines uses a combination of both the block and seating methods depending on the aircraft. She also explained that if a passenger with a disability purchased a Basic Economy fare, which does not include an advanced seat assignment, and requires a seating accommodation, Delta Air Lines will make an exception and provide that passenger an advance seat assignment that will meet the passenger's disability needs.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- A Committee member representing national disability organizations expressed concern that passengers with disabilities will feel pressured to spend more money and purchase a seat assignment or seats in a higher class of service in order to ensure a seating accommodation.
- Several Committee members representing national disability organizations expressed concern that passengers with disabilities are not provided the opportunity to preboard the aircraft. They indicated that this occurred due to lack of communication at the gate area before and during the boarding process. The panelists stated that airlines are utilizing technology, such as smartphone applications and SMS notifications, to improve the boarding process. The panelists also stated that airlines are looking into improving accessibility of the gate areas.

### **Stowage of Assistive Devices**

Following the presentations and discussion on seating accommodations, the Committee heard from speakers and panelists who presented on the stowage of assistive devices. At certain intervals, the Committee was invited to ask questions and make comments.

#### Overview of DOT Requirements, Complaints, and Programs

##### *Speakers:*

- *Liv Vaughn Chapman, Jr., U.S. Department of Transportation*
- *Kimberly Hargett, U.S. Department of Transportation*

The Committee heard from Liv Vaughn Chapman, Jr., and Kimberly Hargett from DOT's Office of Aviation Enforcement and Proceedings about topics related to the stowage of assistive devices on board commercial aircraft. Mr. Chapman first explained that the meeting was running behind schedule and in order to get back on schedule, questions for this portion of the agenda would be reserved for later in the afternoon.

Mr. Chapman then explained that section 438(a) of the FAA Reauthorization act of 2018 requires the ACAA Advisory Committee to review current regulations with respect to the practices by commercial airlines for stowing assistive devices for passengers with disabilities. Mr. Chapman also explained that in carrying out their review, the ACAA Advisory Committee is required by that section to provide recommendations on whether current regulations should be modified or prescribed to ensure passengers with disabilities are able to stow assistive devices without cost.

Mr. Chapman then provided an overview of the Department's regulations applicable to the stowage of assistive devices on commercial aircraft, including:

- The definition of an assistive device (14 CFR 382.3);
- Requirements for in-cabin stowage and stowage in the cargo hold (14 CFR 382.121(b) and 382.125);
- Safe handling and timely return of assistive devices (14 CFR 125(c) and 382.129);
- Stowage of collapsible folding wheelchairs, including the seat strapping method (14 CFR 382.67);
- Stowage of powered wheelchairs (14 CFR 382.127);
- Stowage of spillable and non-spillable batteries (14 CFR 382.127);
- Carriage and use by passengers of electronic respiratory devices (14 CFR 382.133);
- Liability limits for damage to assistive devices (14 CFR 382.129 and 382.131).

Ms. Hargett then provided an overview of the top five categories of disability-related complaints received by DOT from 2015 to 2019. Ms. Hargett explained that the number one disability-related complaint category that DOT receives involves complaints about delayed assistance to passengers with disabilities.

Ms. Hargett then displayed two additional charts for comparative purposes. The first chart was a side-by-side comparison of the complaints alleging damage to an assistive device that were filed with DOT and the number of complaints airlines reported receiving for the years 2015 through 2019. Ms. Hargett noted that the data show a steady increase damage complaints.

The second chart was a side-by-side comparison of the complaints alleging stowage, loss, and delay of an assistive device that were filed with DOT and the number of complaints airlines reported receiving for the years 2015 through 2019. Ms. Hargett noted that those data show a steady decrease in the complaints received directly by DOT and, conversely, a steady increase the complaints directly received by airlines year over year for the years 2015 through 2019.

Ms. Hargett also explained that DOT changed the wheelchair and scooter reporting requirements for U.S. carriers reporting carriers. Ms. Hargett explained that reporting carriers are now required to report the number of wheelchairs and scooters carried in cargo and number mishandled. Ms. Hargett then displayed a chart that showed the wheelchair and scooter data reported to the Department for 2019. Ms. Hargett noted that the 2019 data show that the overall number of wheelchair and scooter mishandling was relatively low at 1.54%.

## RESNA Standards

*Speaker:*

- *Peter Axelson, Beneficial Designs*

The Committee heard from Peter Axelson of Beneficial Designs about his work with the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) Standards Committee on Wheelchairs (Including Scooters). Mr. Axelson mentioned that PVA's research foundation funded a study, which involved 56 people that used either manual or power wheelchairs. Mr. Axelson explained that they used a variety of boarding chairs to enplane and deplane the participants in the study. Mr. Axelson noted that there were seven identified issues:

- Issue 1: Steep Jetway Slopes

Mr. Axelson noted that the airport terminal design leads to steep jetways, which can be dangerous for passengers in wheelchairs because of the danger of tipping over. He estimated that 12% of passengers that have been in boarding chairs have tipped over and another 7% have fallen off. He suggested a possible solution would be to develop a floor-leveling technology in the jetbridge.

- Issue 2: Boarding Devices

Mr. Axelson also noted that the boarding chairs were narrow and prone to tipping over, which can cause injury. Mr. Axelson then described the features of three sample chairs and noted several design flaws. He suggested a possible solution is to develop design specifications for improved boarding devices.

- Issue 3: Narrow Aircraft Aisles

Mr. Axelson stated that narrow aircraft aisles are driving the need for narrow boarding chairs. He stated that there does not appear to be a standard for aircraft aisle width. He recommended the establishment of standard minimum 18-inch width on at all heights of all aircraft seats to optimize stability of the boarding chair and prevent injury from the passenger in the chair from scraping the aircraft seats as the passenger is transitioned down the aisle.

- Issue 4: Dangerous Transfer Methods

Mr. Axelson noted that while some passengers who are non-ambulatory can transfer themselves from the boarding chair to the aircraft seat, those who are not able to independently transfer themselves must be physically transferred to boarding chairs and then to the aircraft seat. He stated that this could result in injuries to the contractor and to the passenger. Mr. Axelson then discussed the Eagle Lift, which is an overhead gantry-style boarding device. He stated that the device is a more dignified way to board passengers and requires less than five minutes for well-trained personnel to perform. He suggested requiring these types of lifts as a potential solution. He noted that the cost of the device is approximately \$20,000, which is an issue.

- Issue 5: Hazardous Sitting Pressures:

Mr. Axelson noted that individuals without sensation generally are unable to sit directly on the aircraft seat and must sit on a cushion. He noted that when he uses a cushion on an aircraft, the seating position changes for him necessitating the use of additional devices, such as a foot, lumbar/spine, neck/head, and arm support. He suggested a solution would be to educate passengers without sensation to use pressure-relieving accessories and educating health care professionals who treat passengers without sensation on such devices.

- Issue 6: Lack of Accessible Lavatories

Mr. Axelson noted that aircraft size is often an impediment passengers with mobility impairments that need a caregiver and a larger lavatory is needed.

- Issue 7: Mobility Device Damage

Mr. Axelson noted that currently, powered and manual wheelchairs frequently sustain significant damage during air transport, and that they are typically stored as baggage. He stated that they are typically lifted onto a baggage loading belt to be brought up to the aircraft baggage door. He stated that the chairs are typically too tall for the aircraft door, so the chair is often placed on its side to fit into the cargo hold. He noted that the most common part of the wheelchair to be damaged is the joystick, which is also the most expensive part of the wheelchair. He noted that the solution he saw was to develop standards for assistive technology for air travel.

Mr. Axelson then described the work of the RESNA committee. He noted that the standard is going to have 4 sections:

- Section 1: Vocabulary and Terms
- Section 2: Information and Instructions for Preparing Wheelchairs to be Stored and Transported in Commercial aircraft

Mr. Axelson indicated that in addition to the passenger's name and contact information, airlines should collect information on the type of wheelchair, i.e. manual or powered. He noted that prior damage should also be recorded to ward off fraud. Mr. Axelson also noted that weight and dimensions of the wheelchair should be elicited, as well as battery chemistry.

- Section 3: Handling Procedures

Mr. Axelson noted that this would address gathering information before the flight, preparation at the gate (including removing components, as necessary), and loading into the aircraft.

- Section 4: Labeling and Design Requirements for Wheelchairs Designed for Stowage and Transport in Commercial Aircraft

Mr. Axelson noted that the design requirement is for a wheelchair with specifications that will make it less likely that the wheelchair will be damaged during transport.

Mr. Axelson then outlined a proposed standard labeling guidelines to address the following:

- Battery disclosure
- Power location/battery switch status
- Wheelchair weight
- Maximum wheelchair dimensions
- Removable components to be removed and stored in the cabin
- Attachment points for securing in cargo
- Drive engagement and disengagement system

Mr. Axelson then displayed a travel configuration card for a specific wheelchair design, which showed an image of what the wheelchair would look like in both its travel and usage configurations. Mr. Axelson discussed how the wheelchair could be configured for travel without the necessity for handlers to tip it on its side to be stowed in the cargo hold, therefore reducing the likelihood of damage. The card also showed the location of the standard labels to assist the handler.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised:

- A Committee member representing air carriers recommended that for any complaint statistics DOT provides going forward that DOT also provide statistics on airline enplanements. Ms. Workie noted that the data reported provide DOT with an accurate numerator and denominator, so DOT has a complaint rate based on those data. Ms. Workie stated that it would be difficult to also provide an enplanement number because that number would be larger than the reality. Ms. Workie noted that the enplanement number would comprise all passengers who are transported, not just passengers with disabilities who are transported. Ms. Workie also noted that the annual disability report with data for airline complaints received in 2018 will provide an estimate of the number of people with disabilities, but DOT does not have data on the number of individuals with disabilities that travel by air.
- A Committee member representing airport operators noted that a wheelchair user indicated that he does not fly out of concern that he will be left being on the aircraft during an emergency. Mr. Axelson noted that half of power wheelchair users in the study would not fly out of concern for being injured. Mr. Axelson noted that there is a lot of excitement around the use of the Eagle Lift. He also noted that RESNA has an emergency stair travel devices committee that could consider emergency egress issues.

#### Perspective of Disabilities Rights Advocates

*Speaker:*

- *Brittany Hernandez, Muscular Dystrophy Association*

The Committee next heard from Brittany Hernandez from Muscular Dystrophy Association (MDA). Ms. Hernandez noted that MDA is a diverse organization, representing a diverse community of people living with 43 different neuromuscular conditions. Ms. Hernandez stated that the people range from infants who were diagnosed soon after birth to individuals who were diagnosed with a condition, such as ALS, in their 40s, 50s and 60s.

Ms. Hernandez then discussed the results of a survey that MDA undertook in 2017. The following are the key results from the survey:

- 80% of respondents who traveled by air use a wheelchair.
- More than half use a motorized chair.
- Approximately half of the respondents cannot transfer independently from an aisle chair to seats.
- For those who reported that they never traveled by air, fear of damage to the wheelchair was the driving factor.
- More than 40% of those who have traveled with a wheelchair or scooter have reported damage to their device.
- More than two thirds of respondents stated that they would want to stay in their wheelchair during air travel if possible.
- Fewer than 20% of respondents filed a complaint with the carrier for damage.
- Fewer and 4% of respondents filed a complaint with DOT.
- More than half of the respondents stated that they did not know if they should file a complaint with DOT. Others knew they could file a complaint with DOT and did not take advantage of the opportunity.

Ms. Hernandez then shared some anecdotes regarding difficulties that individuals have had traveling with their assistive devices. Ms. Hernandez then mentioned that she has heard a lot from individuals with disabilities that training on emotional intelligence for airport and airline employees is needed.

Ms. Workie noted that she heard recommendations on the following:

- Design of a boarding chair.
- The benefits of outreach and educating travelers.
- Procedures to avoid damage to wheelchairs, including labeling, handling and design.
- The benefits of enhanced training on the stowage of assistive devices, as well as sensitivity training on potential impacts to customers.
- Accessible lavatories.
- The ability to fly in one's own personal wheelchair.
- The benefits of proper transfer methods and the use of the Eagle Lift.

#### Airline Practices for Stowage of Assistive Devices (Panel)

##### *Panelists:*

- *Gina Emrich, American Airlines*
- *Daniel Budgell, Air Canada*
- *Jana Leonard, Allegiant Airlines*



- *Moderator: Livaughn Chapman, Jr., U.S. Department of Transportation*

The Committee then heard from a panel of industry representatives about handling assistive devices. The panelists were first asked to discuss the information that is available from each of the airlines and where it is located. The panelists generally stated that the airline's website is the best place for information. Ms. Emrich noted that it is the airline's responsibility to make it as easy as possible for customers to tell the airline what their needs are, and then for the airline to use that information as much as possible to make good decisions. Ms. Leonard noted that communication goes both ways. Ms. Leonard also noted that customer feedback is also important. Mr. Budgell noted that Air Canada uses the reservation system to gather as much information as they can and then the information gets relayed to their medical desk who gathers additional information on the passenger's needs.

The panelists then described what steps the airline takes to proactively seek out information that the airline needs to best accommodate a passenger. Ms. Emrich stated that when the airline knows in advance that the passenger intends to travel with a device, the passenger ends up in a queue with the airline's medical desk. Ms. Leonard mentioned that Allegiant flies to smaller markets and they serve a lot of first-time travelers. Ms. Leonard noted that the airline will reach out to a passenger if their accommodation request raises a red flag. Mr. Budgell noted that after a passenger goes through the medical desk, the passenger is asked to fill out a form with the information on their accommodation needs and bring it with them to the airport.

Next, the panelists were asked whether they have recommendations for the Committee for improving the flow of information from the disability community. Ms. Emrich noted that passengers do not have to tell the airline everything in advance, but the more information the airline has, then the better they can comply. Ms. Emrich noted that they have large groups of employees working on the front lines, and while they do training for them on handling assistive device, they may only see a wheelchair every three or four months. Ms. Emrich also noted that often passengers do not know a lot about their devices, e.g. battery type, weight, etc. She recommended educating the public to know those things when they arrive, so they can pass the information along to the airline.

The panelists then explained how their employees are trained, i.e. handling assistive devices, frequency of training, ensuring that training is fresh in a person's mind. Ms. Leonard noted that Allegiant provides hands-on and computer-based training. Ms. Leonard indicated that information regarding the passenger's assistive device is noted in the passenger's Passenger Name Record (PNR). She indicated if the information is provided in advance, it provides an opportunity for the handler to look up the device and ask questions to prepare for the device. Mr. Budgell noted that Air Canada is moving to online modules like most big businesses. Mr. Budgell noted that they require training every two years and they have a training module on assistive devices. He also noted that outside of Canada, Air Canada relies on third-party vendors, which makes training a challenge because they rely on the vendors to train their staff. Mr. Budgell stated that Air Canada uses major ground handlers and conducts a gap analysis of the airline's procedures and the vendors to understand the differences between how the vendor would handle the device and how the airline would. Ms. Emrich noted that American's biggest challenge is that information on how to safely handle devices is constantly changing and it is

difficult to get that information to frontline staff. She also noted that aftermarket battery installations and other changes are often made to a passenger's assistive device, so it is difficult to know about every single device and convey that information to the frontline team. She suggested that industry should share resources and put handling information in a database.

The panelists were then asked if airlines involve individuals with disabilities in their training programs. Two of the carriers indicated that they contract with the Open Doors Organization. Ms. Leonard indicated that they partner with disability groups and they are expanding those partnerships.

Next, the panelists discussed transporting power wheelchairs. The panelists indicated that smaller aircraft types pose challenges with wheelchairs fitting through the cargo door. Mr. Budgell noted that if the passenger provides information about their wheelchair to the airline in advance, they can try to reroute the passenger on an aircraft that can accommodate the wheelchair. However, Mr. Budgell and Ms. Emrich noted that there may be circumstances where passengers traveling from remote locations cannot be rerouted. The panelists also noted that it is rare for passengers to provide handling instructions to airlines, although some seasoned travelers may do so. Ms. Leonard also noted that wheelchairs were not designed to travel in the cargo hold of aircraft, which presents challenges for preventing damage. Then the panelists discussed the transporting of manual wheelchairs. Ms. Emrich and Ms. Leonard indicated that if manual wheelchairs have to be loaded in cargo, then they would be loaded last and offloaded first just like power chairs. Mr. Budgell indicated that Air Canada has the ability to use the seat-strapping method.

The panelists were then asked about medical oxygen and Portable Oxygen Concentrators (POCs). Mr. Budgell indicated that Air Canada offers bottled oxygen to passengers and that the airline carried approximately 750 oxygen bottles in 2019. He indicated that the coordination goes through the medical desk. The panelists indicated that carriage of POCs has become routine. They noted that POCs have come a long way, and are not an issue.

The Committee was then invited to ask questions and make comments. Below are the key issues that were raised during this time:

- The Committee chair stated his view that airlines are unable to understand all of the issues around wheelchairs. He indicated the public individuals and parents of children with disabilities do not know what is in the wheelchairs they use, i.e. batteries, etc. He suggested that perhaps an app could be a viable solution for airlines.
- A Committee member representing national disability organizations asked the panel to describe the process for addressing wheelchair mishandling and identify any gaps they see for better handling. She described an incident where a person's wheelchair was damaged after it was dropped and the member ultimately had to make his own arrangements to get his wheelchair repaired and then seek reimbursement from the airline. Ms. Emrich stated that if a wheelchair is damaged, it is good idea to file a claim right away and to ask to speak to a CRO. Ms. Emrich indicated that airlines have contracts with vendors to make repairs and provide spare chairs. Ms. Emrich indicated

that there is a two-step process: 1) getting the wheelchair fixed; and 2) any other compensation that would come from the airline.

- A Committee member representing air carriers asked if passengers ever ask to speak to the airline representative that will be handling their assistive device when handing the device to the airline. Ms. Emrich indicated that some customers may ask to speak to the person who is handling their assistive device and they will facilitate that when possible.
- A Committee member representing national disability organizations mentioned that one of her clients does not file claims anymore because the airline vendor will take the chair from them for repairs and then they are unable to go anywhere. Ms. Emrich indicated that if the person does not have the time to make the claim at the airport, that doesn't mean that the person cannot make the claim from home.
- Ms. Workie asked if airlines have policies on the length of time for technicians to fix wheelchairs and scooters, and if the vendor cannot fix the wheelchair within a set timeframe, whether the passenger can go to another vendor and either obtain a reimbursement from the airline or obtain the difference between the rate the airline would have paid, if they used the airline's vendor. The panelists indicated that they do not have set timeframes for their vendors to make repairs. However, if a passenger needed their wheelchair back at a certain time or if the passenger had another suggested option, they would work with the passenger.
- A Committee member representing national disability organizations raised a concern about airlines websites not being accessible. Ms. Workie indicated that airlines are required to ensure that their website are WCAG 2.0AA complainant. However, ticket agents are not required to do so. Ms. Workie indicated that the subcommittee may want to consider the accessibility of ticket agent websites.

## **Closing Remarks**

Following the presentations, Ms. Workie noted that all the information presented to the Committee would be available on the ACAA Advisory Committee docket and briefly discussed subcommittee logistics. The first meeting was of the ACAA Advisory Committee was adjourned around 5:00 PM.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

James Sinocchi  
Chairman  
Air Carrier Access Act Advisory Committee

## **Appendix 1: Meeting Attendance**

### **Present Committee Members**

- Michelle Albert, Boeing Commercial Airplanes, representative of aircraft manufacturers
- Zainab Alkebsi, National Association of the Deaf, representative of national disability organizations
- Heather Ansley, Paralyzed Veterans of America, representative of national veterans' organizations representing disabled veterans
- Tom Devine, Airports Council International – North America, representative of airport operators
- Dana Folsom, Delta Air Lines, representative of air carriers
- Mark Greig, Sunrise Medical, representative of wheelchair manufacturers
- E. Keith Hansen, Allegiant Air, representative of air carriers
- Doug Lavin, International Air Transport Association, representative of air carriers
- Nicholas LiBassi, United Spinal Association, representative of national disability organizations
- Paige Mazzoni, Canine Companions for Independence, representative of national disability organizations
- Doug Mullen, Airlines for America, representative of air carriers
- Ramakant Rambhatla, Invacare Corporation, representative of wheelchair manufacturers
- Gregory Reed, Disabled American Veterans, representative of national veterans' organizations representing disabled veterans
- Lawrence Rolon, Los Angeles World Airports, representative of airport operators
- Kenneth Shiotani, National Disability Rights Network, representative of national disability organizations
- James Sinocchi, representative of passengers with disabilities and chair of the ACAA Advisory Committee
- Claire Stanley, American Council of the Blind, representative of national disability organizations
- Kristin Stephenson, Muscular Dystrophy Association, representative of national disability organizations
- Jo Ann Storie, Prospect Airport Services, representative of contract service providers
- Blane Workie, Designated Federal Officer

### DOT Representatives

- Lori Barringer, U.S. Department of Transportation
- Peter Cacioppo, U.S. Department of Transportation
- Livaughn Chapman, Jr., U.S. Department of Transportation
- Kimberly Hargett, U.S. Department of Transportation
- Maegan Johnson, U.S. Department of Transportation
- Donnell Keels, U.S. Department of Transportation
- Clereece Kroha, U.S. Department of Transportation
- Vinh Nguyen, U.S. Department of Transportation
- Ryan Patanaphan, U.S. Department of Transportation
- Kimberly Sellers, U.S. Department of Transportation
- Alexander Taday III, U.S. Department of Transportation
- John Wood, U.S. Department of Transportation

### Other Attendees

- Andrew Appelbaum, FlyersRights.org
- Peter Axelson, Beneficial Designs, Inc.
- Joshua Basile, United Spinal Association
- Lauren Berglund, Guide Dog Foundation
- Charles Brown, Paralyzed Veterans of America
- Kelly Buckland, National Council on Independent Living
- Daniel Budgell, Air Canada
- Molly Burgdorf, The Arc
- Thomas Canfield, Spirit Airlines
- Jonathan Carver, U.S. Government Accountability Office
- Meisha Coulter, Spirit Airlines
- Rosalie Crabbe, United Airlines
- Sam Crane, Autistic Self Advocacy Network

## Appendix 1

- Drew M. Derco, Eckert Seamans Cherin & Mellott, LLC
- Rabih Dow, Guide Dogs for the Blind
- Kahla Elliston, Spirit Airlines
- Gina Emrich, American Airlines
- Eric Felland, Eckert Seamans Cherin & Mellott, LLC
- Mitzi Fields, Spirit Airlines
- Stephanie Flynt, National Federation of the Blind
- Jayme Fraser, GateHouse Media/ Gannett/ USA Today
- Justin Gagnon, WHILL, Inc.
- Marc Gottschalk, Muscular Dystrophy Association
- Don Hainbach, Garofalo Goerlich Hainbach PC
- Nakia L. Hannon, Delta Air Lines
- Brittany Hernandez, Muscular Dystrophy Association
- Joy Jenkins, Frontier Airlines
- John Kloosterman, United Airlines
- Stephanie Lanza-Efthimiou, JetBlue Airways
- Charlie Leocha, Travelers United
- Jana Leonard, Allegiant Air
- Meghan Ludtke, American Airlines
- John Morris, WheelchairTravel.org
- Sheila O'Brien, America's VetDogs
- Don O'Leary, Delta Air Lines
- Patty O'Regan, Delta Air Lines
- Paige Peters, Belgian Malinois Service Dogs
- Ray Prentice, Alaska Airlines
- Jenna Riemenschneider, Asthma and Allergy Foundation of America
- Linda Ristagno, International Air Transport Association
- Stephanie Roberts, Procyon Training

## **Appendix 1**

- David Rosenthal, National Association of the Deaf
- Lauren Ross, Guide Dogs for the Blind
- Evelyn Sahr, Eckert Seamans Cherin & Mellott, LLC
- Paul Schroeder, Aira Tech Corp
- Tony Stephens, American Council of the Blind
- Kathleen Tevnan, Canine Companions for Independence
- Dallas Thomas, Southwest Airlines
- Ken Thompson, Easterseals
- James Thumpston, KMA Zuckert LLC
- Dolores Tullos, Prospect Airport Services
- Laurel Van Horn, Open Doors Organization
- Lindsay Vierheilig, Humane Society Legislative Fund
- Melissa Welch-Ross, The National Academies of Sciences, Engineering, and Medicine
- Jessica Wellman, Procyon Training
- Steven Wilson, Hawaiian Airlines
- Whitney Zimmerman, Republic Airways



## Appendix 2: Meeting Agenda

# U.S. Department of Transportation Air Carrier Access Act Advisory Committee

---

## First Public Meeting March 10 – 11, 2020 Washington, D.C.

---

### Tuesday, March 10, 2020 (Day 1)

**9:00 am – 9:10 am**  
(10 mins)      **Welcome and Housekeeping Matters**  
*Blane Workie, Designated Federal Officer, U.S. Department of Transportation*

**9:10 am – 10:00 am**  
(50 mins)      **Introductory Remarks by Chair and Committee Members**

**10:00 am – 10:10 am**  
(10 mins)      **Remarks by General Counsel Steven G. Bradbury**

**10:10 am – 10:20 am**  
(10 mins)      **Break**

### **I. Presentation and Discussion of Draft Airline Passengers with Disabilities Bill of Rights**

**10:20 am – 11:50 am**  
(1 hr 30 mins)      **Presentation and Discussion of Draft Airline Passenger with Disabilities Bill of Rights**  
*John Wood, U.S. Department of Transportation*

**11:50 am – 12:50 pm**  
(1 hour)      **Lunch**

### **II. Assistance at Airports and on Aircraft and Related Airline Training Programs**

**12:50 pm – 1:20 pm**  
(30 mins)      **Overview of DOT Requirements, Complaints, and Programs;  
Overview GAO Report**  
*Clereece Kroha, U.S. Department of Transportation*

*Ryan Patanaphan, U.S. Department of Transportation*



**1:20 pm – 1:35 pm**  
(15 mins)

**Questions and Answers**

**1:35 pm – 2:15 pm**  
(40min)

**Challenges Faced by Passengers with Disabilities (Panel)**

*Charles Brown, Paralyzed Veterans of America*

*Molly Burgdorf, The Arc*

*Tony Stephens, American Council of the Blind*

*Kenneth Thompson, Easterseals*

**2:15 pm – 2:35 pm**  
(20 mins)

**Questions and Answers**

**2:35 pm – 2:45 pm**  
(10 mins)

**Break**

**2:45 pm – 3:25 pm**  
(40 mins)

**Airline and Vendor Practices (Panel)**

*Joy Jenkins, Frontier Airlines*

*Don O’Leary, Delta Air Lines*

*Dolores Tullos, Prospect Airport Services, Inc.*

**3:25 pm – 3:45 pm**  
(20 mins)

**Questions and Answers**

**3:45 pm – 4:30 pm**  
(45 mins)

**Use of Technology to Improve Access (Panel)**

*Justin Gagnon, WHILL, Inc.*

*John Kloosterman, United Airlines*

*Linda Ristagno, International Air Transport Association*

*Paul Schroeder, Aira Tech Corp*

**4:30 pm – 4:50 pm**  
(20 min)

**Questions and Answers**

**4:50 pm – 5:00 pm**  
(10 mins)

**Closing Remarks**

*Blane Workie, Designated Federal Officer, U.S. Department of Transportation*



## U.S. Department of Transportation Air Carrier Access Act Advisory Committee

---

### First Public Meeting March 10 – 11, 2020 Washington, D.C.

---

#### Wednesday, March 11, 2020 (Day 2)

**9:00 am – 9:05 am**  
(5 mins)

***Welcome and Housekeeping Matters***  
*James Sinocchi, Chair*

*Blane Workie, Designated Federal Officer, U.S. Department of Transportation*

#### **III. Ticketing Practices**

**9:05 am – 9:15 am**  
(10 mins)

***Overview of DOT Requirements, Complaints, and Programs***  
*Maegan Johnson, U.S. Department of Transportation*

**9:15 am – 9:25 am**  
(10 mins)

***Questions and Answers***

**9:25 am – 9:45 am**  
(35 mins)

***Perspective of Disability Rights Advocates (Panel)***  
*Joshua Basile, United Spinal Association*

*Tom Panek, Guiding Eyes for the Blind*

*David Rosenthal, National Association of the Deaf*

**10:00 am – 10:15 am**  
(15 mins)

***Questions and Answers***

**10:15 am – 10:35 am**  
(20 mins)

***Airline Ticketing Practices***  
*Ray Prentice, Alaska Airlines*

**10:35 am – 10:45 am**  
(10 mins)

***Questions and Answers***

**10:45 am – 10:55 am**      **Break**  
(10 mins)

**IV. Seating Accommodations, Including Pre-Flight Seat Assignments and Bulkhead Seating**

**10:55 am – 11:10 am**      **Overview of DOT Requirements, Complaints, and Programs**  
(15 mins)      *Peter Cacioppo, U.S. Department of Transportation*

*Vinh Nguyen, U.S. Department of Transportation*

**11:10 am – 11:20 am**      **Questions and Answers**  
(10 mins)

**11:20 am – 12:00 pm**      **Perspective of Disability Rights Advocates (Panel)**  
(40 mins)      *Kelly Buckland, National Council on Independent Living*

*Sam Crane, Autistic Self Advocacy Network*

*Kathleen Tevnan, Canine Companions for Independence*

**12:00 pm – 12:20 pm**      **Questions and Answers**  
(20 mins)

**12:20 pm – 1:20 pm**      **Lunch**  
(1 hr)

**1:20 pm – 2:00 pm**      **Airline Seating Accommodation Practices (Panel)**  
(40 mins)      *Kahla Elliston, Spirit Airlines*

*Patty O'Regan, Delta Air Lines*

*Dallas Thomas, Southwest Airlines*

**2:00 pm – 2:20 pm**      **Questions and Answers**  
(20 mins)

**V. Stowage of Assistive Devices**

**2:20 pm – 2:30 pm**      **Overview of DOT Requirements, Complaints, and Programs**  
(10 mins)      *Liv Vaughn Chapman, Jr., U.S. Department of Transportation*

*Kimberly Hargett, U.S. Department of Transportation*

**2:30 pm – 2:40 pm**      **Questions and Answers**  
(10 mins)

**2:40 pm – 2:55 pm**      **RESNA Standards**  
(15 mins)      *Peter Axelson, Beneficial Designs*

**2:55 pm – 3:10 pm**  
(15 mins)

**Questions and Answers**

**3:10 pm – 3:20 pm**  
(10 mins)

**Break**

**3:20 pm – 3:40 pm**  
(20 mins)

**Perspective of Disability Rights Advocate**

*Brittany Hernandez, Muscular Dystrophy Association*

**3:40 pm – 3:50 pm**  
(10 mins)

**Questions and Answers**

**3:50 pm – 4:30 pm**  
(40 mins)

**Airline Practices for Stowage of Assistive Devices (Panel)**

*Gina Emrich, American Airlines*

*Daniel Budgell, Air Canada*

*Jana Leonard, Allegiant Airlines*

**4:30 pm – 4:50 pm**  
(20 mins)

**Questions and Answers**

**4:50 pm – 5:00 pm**  
(10 mins)

**Closing Remarks**

*Blane Workie, Designated Federal Officer, U.S. Department of Transportation*