

**U.S. DEPARTMENT OF TRANSPORTATION**

**ANNUAL REPORT**

**ON**

**DISABILITY-RELATED**

**AIR TRAVEL COMPLAINTS**

**RECEIVED DURING**

**CALENDAR YEAR 2019**

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# **U.S. Department of Transportation**

## **Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2019**

The Air Carrier Access Act (ACAA), 49 U.S.C. 41705, prohibits discriminatory treatment of people with disabilities in air transportation. The ACAA also requires the U.S. Department of Transportation (Department) to “regularly review all complaints received by air carriers alleging discrimination on the basis of disability” and “report annually to Congress on the results of such review.”<sup>2</sup> This annual report to Congress covers disability-related complaints received in 2019 by U.S. and foreign air carriers conducting passenger operations to, from, and within the U.S., with at least one aircraft having a designed seating capacity of more than 60 passengers,<sup>3</sup> and complies with this requirement.

### **Summary of Findings**

During the 2019 reporting period, 32 U.S. carriers and 154 foreign carriers conducted passenger operations to, from, and within the U.S., with at least one aircraft having a designed seating capacity of more than 60 passengers. These U.S. and foreign carriers were required to submit disability-related complaint data to the Department by January 27, 2020, for the period between January 1, 2019 and December 31, 2019.

The total number of carriers that were required to submit data for the 2019 reporting period increased by six carriers in comparison to the 2018 reporting period. During the 2019 reporting period, a number of U.S. and foreign carriers ceased operations or discontinued passenger service to the U.S., while other carriers received authority to operate passenger service to, from, or within the U.S. during the same time period. The Department continuously informs new carriers of their reporting obligations and makes efforts to identify the carriers to which the reporting rule applies.

The Department estimates that approximately 27 million people with disabilities traveled by air in calendar year 2019.<sup>4</sup> The 32 U.S. carriers that submitted data for the 2019 calendar year

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<sup>2</sup> 49 U.S.C. 41705(c)(3).

<sup>3</sup> See 14 CFR 382.157(b) (requiring a covered carrier, conducting passenger operations with at least one aircraft having a designed seating capacity of more than 60 passengers, to report information to the Department describing the disability-related complaints received by the carrier annually).

<sup>4</sup> According to data from the Center for Disease Control and Prevention (CDC), in 2019, 67.2 million American adults (roughly 1 in 4) had a disability. See *Centers for Disease Control and Prevention, Disability and Health Data System (DHDS) Data*, <https://dhds.cdc.gov> (accessed October 6, 2021). The Department does not have data regarding the number of persons with disabilities who travel by air; however, we assume that 40% of Americans with disabilities travel by air. This assumption is based on research suggesting that nearly 50% of the U.S. population has traveled by air and the Department’s Bureau of Transportation Statistics’ finding that persons with disabilities travel less frequently than person without disabilities. See Chris Jackson, *Nearly Half of Americans Report Having Flown on an Airline in 2017*, Feb. 20, 2018, <https://www.ipsos.com/en-us/news-polls/Nearly-Half-of-Americans-Report-Having-Flown-on-an-Airline-in-2017>; see also Stephen Brumbaugh, *Issue Brief: Travel*

reported receiving 35,510 disability-related air travel complaints, and the 154 foreign air carriers reported receiving 6,908 complaints during the same time period, for a total of 42,418 complaints received by these 186 carriers. Of all the complaints reported, 19,904 (47%) concerned the failure to provide adequate assistance to people using wheelchairs, an increase of 2,780 complaints compared to 2018. The overall number of disability-related complaints received by carriers for calendar year 2019 (42,418) increased by 14.86% over the number received by carriers in calendar year 2018 (36,930). There was a 3.9% percent increase in the number of passenger enplanements<sup>5</sup> over this same period.

The increase in the number of complaints (5,488) comes from a 14.73% increase in complaints received by U.S. air carriers (4,560) and a 15.52% increase in the number of complaints received by foreign air carriers (928). We are unable to determine the reason for the year-over-year increase in the overall number of disability-related complaints. However, the Department’s Office of Aviation Consumer Protection (formerly known as the Office of Aviation Enforcement and Proceedings) within the Office of the General Counsel routinely contacts the carriers that experience significant spikes or variations in the number of disability complaints they report to the Department from year-to-year to obtain information on the reasons for the spikes and to ensure the airlines are complying with requirements to provide accessible air transportation.

A summary of the 2018 and 2019 disability complaint data is set forth in the table below.

Calendar Year	Total Number of Disability Complaints Received by Domestic Carriers	Total Number of Disability Complaints Received by Foreign Carriers	Total Number of Disability Complaints Received by All Carriers	Total Enplanements
2018	30,950	5,980	36,930	1,013,212,504
2019	35,510	6,908	42,418	1,052,981,181

The complaint numbers should not be interpreted as reflecting violations of law. The data were taken directly from reports submitted by carriers, and the Department does not review the substance of each of the complaints filed with the carriers to determine whether the incidents constituted violations of the ACAA or the provisions of 14 CFR Part 382, the Department’s regulations concerning nondiscrimination on the basis of disability. The Department’s Office of Aviation Consumer Protection does, however, investigate each complaint against carriers that it

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*Patterns of American Adults with Disabilities*, September 2018, <https://www.bts.gov/travel-patterns-with-disabilities>. Under this assumption, the number of passengers with a disability who traveled by air in 2019 was approximately 27 million.

<sup>5</sup> Domestic and international passenger enplanements by U.S. and foreign carriers increased between 2018 and 2019 from 1,013,212,504 to 1,052,981,181, an increase of 3.9% percent. See Bureau of Transportation Statistics website: [https://www.transtats.bts.gov/Data\\_Elements.aspx?Data=1](https://www.transtats.bts.gov/Data_Elements.aspx?Data=1) (last accessed August 5, 2022).

receives directly from passengers, and audits carriers as it deems necessary to ensure accurate reporting.

Four categories of information are being presented in this report: Appendix A contains summary totals for all carriers; Appendix B contains summary totals for U.S. air carriers; Appendix C contains summary totals for foreign air carriers; and Appendix D contains detailed data from each carrier.