

**U.S. DEPARTMENT OF TRANSPORTATION**

**ANNUAL REPORT**

**ON**

**DISABILITY-RELATED**

**AIR TRAVEL COMPLAINTS**

**RECEIVED DURING**

**CALENDAR YEAR 2020**

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# **U.S. Department of Transportation Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2020**

The Air Carrier Access Act (ACAA), 49 U.S.C. 41705, prohibits discriminatory treatment of persons with disabilities in air transportation. The ACAA also requires 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>1</sup> This annual report to Congress covers disability-related complaints received in calendar year 2020<sup>2</sup> by U.S. and foreign air carriers operating to, from, and within the U.S., conducting passenger operations 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**

For the period of January 1, 2020 through December 31, 2020, 31 U.S. carriers and 149 foreign carriers reported disability-related complaint data to the Department.<sup>4</sup> The total number of reporting carriers for 2020 decreased by six carriers compared with the reporting carriers for 2019. During 2020, several U.S. and foreign carriers reduced or ceased operations or discontinued passenger service to the U.S. due to the COVID-19 pandemic, associated lockdowns, and international travel restrictions. Overall, there were 62% percent fewer passengers enplaned in 2020 than in 2019.<sup>5</sup>

The Department estimates that approximately 10.2 million Americans with disabilities traveled by air in 2020, a decrease from the 27 million the Department estimates traveled pre-pandemic in 2019.<sup>6</sup> The 31 U.S. carriers that submitted data for 2020 reported receiving 13,450 disability-

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<sup>1</sup> 49 U.S.C. 41705(c)(3).

<sup>2</sup> All references in this report to the year “2019” and “2020” refer to calendar year, unless otherwise specified.

<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> Covered U.S. and foreign air carriers were required to report data on disability-related complaints received in calendar year 2020 by January 25, 2021. This report reflects this data provided to the Department by air carriers as of April 2022. The Department continuously informs new carriers of their reporting obligations and makes efforts to identify carriers to which the reporting rule applies and might not have filed reports.

<sup>5</sup> Domestic and international on-market revenue passengers enplaned by U.S. and foreign carriers decreased from 1,056,823,849 in 2019 to approximately 400,901,178 in 2020, a decrease of 62% percent. These totals are the sum of field F Scheduled Passenger/Cargo and field L Nonscheduled Civilian Passenger on T-100 Traffic Reports filed with DOT’s Bureau of Transportation Statistics by U.S. and foreign air carriers as of April 26, 2022.

<sup>6</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 April 18, 2022). 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->

related air travel complaints, and the 149 foreign air carriers reported receiving 1,580 reportable disability-related air travel complaints<sup>7</sup> during the same time period, for a total of 15,030 complaints received by these 180 carriers. Complaints concerning the carriers' failure to provide adequate assistance to persons using wheelchairs accounted for 41% (6,158) of complaint received by the carriers. Another 8%, or 1,213 complaints, concerned damage, improper storage, or delay in return of assistive devices. The Department is focused on improving air travel for persons with disabilities, including those who use wheelchairs. The Department has initiated a rulemaking which, among other things, would require improved training for airline employees who handle wheelchairs and would make clear that damaging a wheelchair is a regulatory violation that may subject an airline to a fine.<sup>8</sup>

The overall number of disability-related complaints reported by carriers in 2020 decreased by 65% from the number reported in 2019. This coincides with an estimated 62% decrease in the number of passengers with disabilities enplaned over the same period.<sup>9</sup> The decrease in the number of complaints (27,388) comes from a 62% decrease in complaints received by U.S. air carriers (22,060) and a 77% decrease in the number of complaints received by foreign air carriers (5,328).

A summary of the 2019 and 2020 disability complaint data is set forth in the table below.

Calendar Year	Total Number of Disability Complaints Received by U.S. Carriers	Total Number of Disability Complaints Received by Foreign Carriers	Total Number of Disability Complaints Received by All Carriers	Passengers Enplaned (U.S and Foreign Carriers)
2019 (Pre-COVID-19 Pandemic)	35,510	6,908	42,418	1,056,823,849
2020	13,450	1,580	15,030	400,901,178

The complaint numbers in this report should not be interpreted as reflecting violations of law. The data were taken directly from reports submitted by carriers, and the Department has not reviewed the substance of each of the complaints filed with the carriers to determine whether the incidents constituted violations of the ACAA or the provisions of 14 CFR Part 382, the

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[Report-Having-Flown-on-an-Airline-in-2017](#); see also Stephen Brumbaugh, *Issue Brief: Travel Patterns of American Adults with Disabilities*, September 2018, <https://www.bts.gov/travel-patterns-with-disabilities>. Under this assumption, the number of passengers with a disability who traveled by air in 2019 was approximately 27 million. If we assume that the number of enplanements for passengers with a disability decreased at the same rate as enplanements for the general public, *i.e.*, a rate of 62%, the number of passengers with a disability in 2020 was approximately 10.2 million.

<sup>7</sup> 14 CFR 382.157(b) requires foreign airlines to report only with respect to disability-related complaints associated with any flight segment originating or terminating in the United States.

<sup>8</sup> Ensuring Safe Accommodations for Air Travelers With Disabilities Using Wheelchairs (RIN: 2105-AF14). Additional information on this rulemaking is available in the [Fall 2022 Unified Agenda of Regulatory and Deregulatory Actions](#).

<sup>9</sup> This estimate is based on the assumption that the number of passengers with disabilities enplaned by airlines changes at a similar rate as the number of passengers that are enplaned by airlines in general.

Department's regulations concerning nondiscrimination on the basis of disability. The Department's Office of Aviation Consumer Protection (OACP) does, however, investigate each complaint against carriers that it receives directly from passengers. In addition, OACP will contact carriers that experienced significant increases or variations in the number of disability-related complaints they report to the Department from year-to-year to ensure accurate reporting and determine whether further action is appropriate.

Four categories of information are being presented in this report: Appendix 2020-A contains summary totals for all carriers; Appendix 2020-B contains summary totals for U.S. air carriers; Appendix 2020-C contains summary totals for foreign air carriers; and Appendix 2020-D contains detailed data from each carrier.