

**U.S. DEPARTMENT OF TRANSPORTATION**

**ANNUAL REPORT**

**ON**

**DISABILITY-RELATED**

**AIR TRAVEL COMPLAINTS**

**RECEIVED DURING**

**CALENDAR YEAR 2022**

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# **U.S. Department of Transportation Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2022**

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 2022<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, 2022, through December 31, 2022, 30 U.S. carriers and 151 foreign carriers reported disability-related complaint data to the Department.<sup>4</sup> The total number of reporting carriers for 2022 increased by 1 carrier compared with the reporting carriers for 2021. Overall, there were 34 percent more passengers enplaned in 2022 than in 2021.<sup>5</sup>

The Department estimates that approximately 26 million Americans with disabilities traveled by air in 2022.<sup>6</sup> The 30 U.S. carriers that submitted data for 2022 reported receiving 36,434

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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 “2022” refer to calendar year.

<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 2022 by January 30, 2023. This report reflects this data provided to the Department by air carriers as of April 24, 2023. The Department makes efforts to identify carriers to which the reporting rule applies and might not have filed reports. Carriers that fail to file timely or accurate reports are subject to enforcement action by the Department, which may include assessment of civil penalties against the carrier.

<sup>5</sup> Domestic and international on-market revenue passengers enplaned by U.S. and foreign carriers increased from approximately 703,560,769 in 2021 to approximately 940,888,535 in 2022, an increase of 34% 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, 2023. Data are stated as approximations because over time some airlines might amend reports with corrections.

<sup>6</sup> According to data from the Center for Disease Control and Prevention (CDC), in 2020, 64.3 million American adults (about 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 26, 2023). 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*

disability-related air travel complaints, and the 151 foreign air carriers reported receiving 5,872 reportable disability-related air travel complaints<sup>7</sup> during the same period, for a total of 42,306 complaints received by these 181 carriers. Complaints concerning the carriers' failure to provide adequate assistance to persons using wheelchairs accounted for 48% (20,508) of complaints received by the carriers. Another 10%, or 4,167 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 2022 increased by 26% from the number reported in 2021. This coincides with an increase in air travel demand in 2022. The Department estimates that 34% more passengers with disabilities were enplaned in 2022 than 2021.<sup>9</sup> The total increase in the number of complaints received by U.S. and foreign carriers in 2022 (8,675) comes from a 14% increase in complaints received by U.S. air carriers (increase of 4,387 complaints reported in 2022 over 2021) and a 271% increase in the number of complaints received by foreign air carriers (increase of 4,288 complaints reported in 2022 over 2021). Passengers enplaned by U.S. air carriers increased 28% in 2022 over 2021, while passengers enplaned by foreign carriers increased by 145% for the same period, reflecting the easing of COVID-related travel restrictions.<sup>10</sup>

Despite the statistical changes between 2021 and 2022, the complaint and enplanement totals for 2022 were closer to pre-pandemic 2019 totals than 2021 totals. U.S. airlines received approximately 3% more complaints in 2022 than in 2019, with 8% fewer enplanement in 2022.

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*Flown on an Airline in 2017*, Feb. 20, 2018, <https://www.ipsos.com/en-us/news-polls/Nearly-Half-of-Americans-Report-Having-Flown-on-an-Airline-in-2017>; see also Stephen Brumbaugh, *Issue Brief: Travel Patterns of American Adults with Disabilities*, September 2018, <https://www.bts.gov/travel-patterns-with-disabilities>. Under this assumption, the Department estimates the number of passengers with a disability who traveled by air in 2022 is approximately 26 million. This estimate aligns with the Department's estimate that 26 million passengers with a disability traveled by air in 2017, when airlines reported 964.5 million enplanements, a similar number to the 940.8 million enplanements airlines reported for 2022.

<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> See Notice of Proposed Rulemaking on Ensuring Safe Accommodations for Air Travelers With Disabilities Using Wheelchairs (RIN: 2105-AF14), available at: <https://www.govinfo.gov/content/pkg/FR-2024-03-12/pdf/2024-04729.pdf>.

<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.

<sup>10</sup> Domestic and international on-market revenue passengers enplaned by U.S. air carriers increased from approximately 669,036,441 in 2021 to approximately 856,257,394 in 2022, an increase of 28%. International on-market passengers (to or from the U.S. only) enplaned by foreign air carriers increased from approximately 34,524,328 in 2021 to approximately 84,631,141 in 2022, an increase of 145%. 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, 2023.

Foreign carriers received 15% fewer complaints in 2022 than in 2019, with 31% fewer enplanements in 2022.<sup>11</sup>

A summary of the 2019 through 2022 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	35,510	6,908	42,418	1,056,823,849
2020	13,450	1,580	15,030	400,901,178
2021	32,047	1,584	33,631	703,560,769
2022	36,434	5,872	42,306	940,888,535

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 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 examine the data to determine if any carrier experienced significant patterns or variations in the number of disability-related complaints they report to the Department from year-to-year to determine whether further action is appropriate.

Four categories of information are being presented in this report: Appendix 2022-A contains summary totals for all carriers; Appendix 2022-B contains summary totals for U.S. air carriers; Appendix 2022-C contains summary totals for foreign air carriers; and Appendix 2022-D contains detailed data from each carrier.

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<sup>11</sup> Domestic and international on-market revenue passengers enplaned by U.S. air carriers was approximately 929,981,293 in 2019 and approximately 856,257,394 in 2022. International on-market passengers (to or from the U.S. only) enplaned by foreign air carriers was approximately 126,842,556 in 2019 and approximately 84,631,141 in 2022. 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, 2023. Data are stated as approximations because over time some airlines might amend reports with corrections.