Air Travel with a Disability

Air Travel Laws

The Air Carrier Access Act (ACAA) requires airlines to provide equal treatment for people with disabilities. The Americans with Disabilities Act (ADA) and/or Architectural Barriers Act (ABA) may apply to airport architecture. The ADA and/or the Rehabilitation Act of 1973 may apply to the services and policies at the airport. Under these laws, airline passengers with disabilities have rights.

Reservations and Check-In

Some reasonable accommodations, disabilities, or situations require advance notice and a 1-hour advance check-in.

<table>
<thead>
<tr>
<th>Type of Accommodation</th>
<th>Advance Notice</th>
<th>1-Hour Advance Check-In</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric Wheelchair on a small airplane*</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Hazardous materials packaging for batteries or other assistive devices</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Provision of an on-board wheelchair</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Accommodations for 10+ people with disabilities who travel as a group</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Passenger with both severe vision and hearing impairments</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Service animal</td>
<td>48 hours and provision of the Service Animal Air Transportation Form</td>
<td>None</td>
</tr>
<tr>
<td>Carrier-supplied in-flight medical oxygen**</td>
<td>72 hours for international flights; 48 hours for domestic flights</td>
<td>Required</td>
</tr>
<tr>
<td>Use of an incubator**</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Connect a respirator or similar device to the airplane power supply**</td>
<td>48 hours</td>
<td>Required</td>
</tr>
<tr>
<td>Passenger on a stretcher**</td>
<td>48 hours advance notice</td>
<td>Required</td>
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</tbody>
</table>

*An aircraft with fewer than 60 seats

**Airlines are not required to provide these reasonable accommodations, but may choose to do so. Check with your airline when you make your reservation if this is an accommodation you need.

(14 C.F.R §382.27)
Fees and Luggage

Airlines must assist passengers who are unable to carry their luggage because of a disability with transporting their gate-checked or carry-on luggage. Assistive devices do not count toward a carry-on item limit.

(14 C.F.R §382.91; 14 C.F.R §382.121)

Airport Security

People with disabilities have to go through security like all other passengers. The Transportation Security Administration (TSA) is entitled to look through all the passenger’s belongings, including their assistive devices. If you require alternative screening procedures, contact the Passenger Support Specialist 72 hours before your flight by calling 1-855-787-2227. You may also ask for a Supervisory TSA Officer at the security checkpoint. If you'd like to notify TSA of your disability, you may also use the TSA Disability Notification Card. For more information related to special screening procedures or for information specific to your situation, please see the TSA website. If you feel that you've been discriminated against by TSA, you may file a TSA Civil Rights Complaint.

Flights

Airline staff must assist you with boarding and exiting a plane. If you identify yourself to the gate agent as having a disability and needing additional time or assistance to board, stow accessibility equipment, or be seated, the airline must offer you preboarding. The airline and airport must work together to ensure that you receive appropriate assistance navigating the airport, including between connecting flights even if those flights are through different airlines.

(14 C.F.R. §382.93)

Traveling with a Service Animal

Service animals are permitted, and additional pet charges do not apply. Large airports (those with 10,000+ flights per year) must have service animal relief areas in each terminal. You may need to fill out the Service Animal Air Transportation Form. For a psychiatric service animal to accompany you in the cabin of the plane, you’ll need:

- A current letter (within one year of your flight) written on;
- A licensed mental health provider’s letterhead which states:
  - The passenger has a mental or emotional disability, recognized in the DSM IV;
  - the passenger needs the emotional support or psychiatric service animal as an accommodation for air travel and/or for activity at the passenger’s destination;
  - the individual providing the assessment is a licensed mental health professional, and the passenger is under his or her professional care; and
  - the date and type of the mental health professional’s license and the state or other jurisdiction in which it was issued.

(49 CFR § 27.71; 14 C.F.R. §382.117)
Discrimination Complaints

If you feel you’ve been discriminated against by an airline, you may make a Civil Rights Complaint with the airline’s Complaint Resolution Official (CRO). A CRO is required to be available and may be able to resolve the situation immediately. If the CRO is unable to resolve your complaint, an official written complaint should include all flight information, the name of the CRO who assisted you, the date of travel and copies of any written response received from the CRO. The airline will have 30 days to respond to the complaint.

(14 C.F.R. §382.151)

If you are still dissatisfied with the resolution, you may file a complaint with the Department of Transportation (DOT) online or by writing to Department of Transportation, Aviation Consumer Protection Division (C-75), 1200 New Jersey Avenue, SE., Washington, DC 20590.
The Disability Law Center (DLC) is a private, non-profit organization, designated by the governor as Utah's Protection and Advocacy agency. The DLC believes in a society where abilities, rather than disabilities, are recognized; all people have an equal opportunity to participate; and where all people are treated with equity, dignity, and respect. We work toward our vision by enforcing and advancing the legal rights, choices, and opportunities of Utahns with disabilities. DLC services are available free of charge statewide, regardless of income, legal status, language, or place of residence.

If you have further questions, please contact us. Even though our focus is on cases that can help as many people as possible - because time and resources are limited - we at least offer information and/or referral options to everyone who contacts us. Materials are also available in alternative formats such as audio, large-print, Braille and Spanish. Call (800) 662-9080 or apply for help online, and our staff will contact you within 1-3 business days.

View this Resource Online
https://disabilitylawcenter.org/?p=5768