



Air Carrier Access Act

Quick Summary

The Air Carrier Access Act prohibits discrimination on the basis of disability in air travel. The Department of Transportation has a rule defining the rights of passengers and the obligations of airlines under this law. This rule applies to all flights of U.S. airlines, and to flights to or from the United States by foreign airlines. The following is a summary of the main points of the DOT rule (Title 14 CFR Part 382).

Prohibition of Discriminatory Practices

Airlines may not refuse transportation to people on the basis of disability. However, airlines may exclude anyone from a flight if carrying the person would be a safety concern. If a carrier excludes a person with a disability on safety grounds, the carrier must provide a written explanation of the decision.

Airlines may not require advance notice that a person with a disability is traveling. Air carriers may require up to 48 hours' advance notice for certain accommodations that require preparation time (e.g., respirator hook-up, transportation of an electric wheelchair on an aircraft with less than 60 seats).

Airlines may not limit the number of persons with disabilities on a flight.

Airlines may not require a person with a disability to travel with another person except in certain limited circumstances where the rule permits the airline to require a safety assistant. If a passenger with a disability and the airline disagree about the need for a safety assistant, the airline can require the assistant, but cannot charge for the transportation of the assistant.

Airlines may not keep anyone out of a specific seat on the basis of disability, or require anyone to sit in a particular seat on the basis of disability.

The only exception is to comply with FAA or foreign-government safety requirements. The FAA's rule on exit row seating says that airlines may place only persons who can perform a series of functions necessary in an emergency evacuation in exit rows.

Accessibility of Facilities

New aircraft with 100 or more seats must have priority space for storing a passenger's folding wheelchair in the cabin.

Aircraft with more than 60 seats and an accessible lavatory must have an on-board wheelchair, regardless of when the aircraft was ordered or delivered.

-For flights on aircraft with more than 60 seats that do not have an accessible lavatory, airlines must place an on-board wheelchair on the flight if a passenger with a disability gives the airline 48 hours' notice that he or she can use an inaccessible lavatory but needs an on-board wheelchair to reach the lavatory.

Airlines must ensure that airport facilities and services that they own, lease or control are accessible in the manner prescribed in the rule.

Boarding and Deplaning

Airlines are required to provide assistance with boarding, deplaning and making connections.

- Assistance within the cabin is also required, but not extensive personal services.

Assistive devices do not count against any limit on the number of pieces of carry-on baggage.

-Disabled passengers' items stored in the cabin must conform to FAA rules on the stowage of carry-on baggage.

-Collapsible wheelchairs and other assistive devices have priority for in-cabin storage space (including in closets) over other passengers' items brought on board at the same airport, if the passenger with a disability chooses to preboard.

Wheelchairs and other assistive devices have priority over other items for storage in the baggage compartment.

Airlines must accept battery-powered wheelchairs, including the batteries, packaging the batteries in hazardous materials packages when necessary. The airline provides the packaging.

Airlines must permit a passenger to use his/her Portable Oxygen Concentrator during the flight if it is labeled as FAA-approved.

Airlines may not charge for providing accommodations required by the rule, such as hazardous materials packaging

for batteries. However, they may charge for optional services such as providing oxygen.

Service Animals

Airline carriers may require documentation that the animal will not need to relieve itself during the expected flight duration. (Or the animal can relieve itself in a way that doesn't effect health or sanitation on the flight).

Service animals may travel in the space in front of the passenger. If the service animal doesn't fit in this space, the carrier should first see if empty seats are available if other passengers are willing to share foot-space with the animal BEFORE other arrangements such as placing an animal in cargo are made.

Complaints

If you are having difficulty receiving an appropriate accommodation, ask the airline employee to contact the airline's Complaint Resource Officer (CRO). Part 382 of the Air Carrier Access Act requires all airlines to have a CRO available during all hours of operation. The CRO is a resource for resolving difficulties related to disability accommodations.

Note: The ACAA definition of a service animal includes emotional support animals and does not limit the type of animal to dogs. The ACAA requires air carriers to permit service animals in the cabin of the aircraft.

U.S. Dept. of Transportation Disability Hotline
Resolves issues related to disability accommodations.
1-800-778-4838 (Voice) 1-800-455-9880 (TTY)