



Title 14 Code of Federal Regulations Part 382

Nondiscrimination on the Basis of Disability in
Air Travel



Airport Terminal Services
Effective August 4, 2015



Part 382

- The Air Carrier Access Act was implemented in 1986 and prohibits air carriers from discriminating against passengers with a disability



Passengers with Disabilities

There are currently an estimated 54 million American's with disabilities and as the number continues to increase, so will the number of disabled air travelers.

Airlines carried approximately 10.2 million disabled travelers. This means about 5% of our passengers have some level of disability.

Keep in mind, an individual may also be considered temporarily disabled after a recent surgery or suffering a broken limb.

When traveling by air, disabled passengers look for the same level of service as their fellow travelers. Your job is to focus on meeting the needs of our passengers, regardless of their abilities. Surveys indicate the services most important to passengers with disabilities are:

- An accommodating staff
- Guaranteed preferred seating
- Employee assistance during check-in and arrival



Passengers with Disabilities

Disabilities will vary and may include:

Physical – Paraplegia, Cerebral Palsy, Quadriplegia, Hemiplegia or Disfigurement

Sensory – Hearing, Vision or Speech

Intellectual – Downs Syndrome, Emotional Illness or Mental Illness

What can you do?

When approached by a passenger with a disability do not identify them by their disability or refer to them as a “wheelchair passenger”. Each person has special needs and your job is to help determine those needs. Never assume you know exactly what to do, always ask first. When discussing travel assistance, phrase statements as offers rather than requirements.

Do: Ask if they would like an opportunity to board early

Don't: Tell them when they must board

Do: Ask what assistance you can provide

Don't: Offer the services you assume they need



382.15

Contractor Compliance

- Contractors (ATS) that provide services to the public must meet the requirements of Part 382
- Contracts must include an assurance of compliance
- Carriers (the airlines we serve) must enforce assurances in contracts



382.23

Medical Certificate

- Except as provided in this section, you must not require a passenger with a disability to have a medical certificate as a condition for being provided transportation.
- You may require a medical certificate for a passenger with a disability:
 - Who is traveling in a stretcher or incubator;
 - Who needs medical oxygen during a flight
 - or Whose medical condition is such that there is reasonable doubt that the individual can complete the flight safely, without requiring extraordinary medical assistance during the flight.

If a medical certificate is determined by the airline as required:

- A medical certificate must be dated within 10 days of the passenger's *initial departing flight*



382.23

Medical Certificate

- The airline may also require a medical certificate for a passenger if he or she has a communicable disease or condition that could pose a direct threat to the health or safety of others on the flight.
- The airline reservations will continue to enter medical certificate information in the passenger's PNR
- Agents should verify medical certificate information and contact CRO (complaint resolution official) with passenger acceptance questions



382.29

Safety Assistant

- Safety attendant is now called a “safety assistant”
- If a carrier requires that a passenger with a disability must travel with a safety assistant, the *passenger* must provide the safety assistant. The carrier must provide a seat for the safety assistant, adjacent to the passenger, at no charge.



382.41

Flight Information

- Upon request, carriers must provide information regarding limitations on the availability of level-entry boarding to the aircraft at any airport involved with the flight. This information must be provided to any passenger who states that he or she uses a wheelchair for boarding, *even if the passenger does not explicitly request the information.*
- Agents must proactively advise passengers who board by aisle chair that a downline station does not have a jet bridge. Most airlines policies strictly prohibit the use of “aisle/straight-back chairs” for boarding without a jet bridge. Make sure you have access to and are trained to use available ramps or lifts.



382.41

Flight Information

- As a carrier, you must provide the following information, on request, to qualified individuals with a disability or persons making inquiries on their behalf concerning the accessibility of the aircraft expected to make a particular flight. The information you provide must be specific to the aircraft you expect to use for the flight unless it is unfeasible for you to do so (e.g., because unpredictable circumstances such as weather or a mechanical problem require substitution of another aircraft that could affect the location or availability of an accommodation). The required information is:
 - (a) The specific location of seats, if any, with movable armrests (i.e., by row and seat number);
 - (b) The specific location of seats (i.e., by row and seat number) that the carrier, consistent with this part, does not make available to passengers with a disability (e.g., exit row seats);
 - (c) Any aircraft-related, service-related or other limitations on the ability to accommodate passengers with a disability, including limitations on the availability of level-entry boarding to the aircraft at any airport involved with the flight. You must provide this information to any passenger who states that he or she uses a wheelchair for boarding, even if the passenger does not explicitly request the information.
 - (d) Any limitations on the availability of storage facilities, in the cabin or in the cargo bay, for mobility aids or other assistive devices commonly used by passengers with a disability, including storage in the cabin of a passenger's wheelchair as provided in §§ 382.67 and 382.123 of this part;
 - (e) Whether the aircraft has an accessible lavatory; and
 - (f) The types of services to passengers with a disability that are or are not available on the flight.



382.45

Copies of Part 382

- A current copy of Part 382 must be kept at each airport served and must be available for review upon request
 - A Braille copy is not required
 - The carrier's website must provide notice that customers can obtain a copy of Part 382 from the DOT
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- Part 382 may be printed from the individual airline websites
 - Maintain a current copy in a binder at each ticket counter
 - Passengers may ask for a copy of Part 382



382.51 Animal Relief Areas

- In conjunction with airport operators, and in consultation with local service animal training organizations, carriers must provide animal relief areas for service animals that accompany passengers
- Airport managers must coordinate with local airport authorities to designate appropriate relief areas, preferably on the secured side





382.53

Vision or Hearing Impaired

- Carriers must ensure that passengers with a disability who identify themselves as persons needing visual or hearing assistance have *prompt* access to the same information provided to other passengers at each gate, ticketing area, and customer service desk
- If passengers with a disability ask for visual or hearing assistance, agents must *promptly* provide information concerning flight safety, ticketing, flight check-in, flight delays or cancellations, schedule changes, boarding information, connections, gate assignments, checking baggage, volunteer solicitation on oversold flights, airport paging, aircraft changes that affect the travel of persons with disabilities, baggage claim and emergencies



382.57

Automated Kiosks

- If automated kiosks cannot be readily used by a passenger with a disability, personnel must provide equivalent service at the kiosk, or allow the passenger to go to the front of the line at the check in counter
- If a passenger with a disability cannot be assisted at Self-Service, he or she should be escorted to the front of the line at the ticket counter





382.91

Assistance Moving Within Terminals

- Assistance begins and ends at the terminal entrance (curb) and includes key functional areas of the terminal, such as ticket counters, gates and baggage claim
- A brief stop, upon the passenger's request, may be made at the entrance to a restroom if the restroom is available on the route, and if the stop can be made without unreasonable delay



382.91

Assistance Moving Within Terminals

- Carriers must provide for escorting a passenger with a service animal to an animal relief area
 - Carriers must assist passengers with transporting their gate-checked or carry-on luggage if they are unable to do so because of a disability
- Applies to contract personnel (ATS) and employees who assist passengers (skycaps, wheelchair assist) Managers will work with airports to determine relief areas.



382.95

Boarding and Deplaning Assistance

- Carriers must *promptly* provide enplaning and deplaning assistance requested for passengers with a disability
- In the case of deplaning, the DOT understands *promptly* to mean that “personnel and boarding chairs should be available to deplane the passenger no later than as soon as other passengers have left the aircraft”



382.99

Boarding, Deplaning and Connecting

- Passengers may not be left unattended in a wheelchair or other device for more than 30 minutes, *even if another person is accompanying the passenger*, unless the passenger explicitly waives the obligation



382.117 Service Animals

- Carriers are not required to accept an emotional support/*psychiatric service* animal in the cabin unless the passenger provides current documentation (no older than one year from the date of the passenger's scheduled initial flight) on letterhead of a *licensed mental health professional* (e.g., psychiatrist, psychologist, licensed clinical social worker)

→Continue to contact the CRO with passenger acceptance questions





382.117

Service Animals

- Carriers are never required to accommodate certain unusual service animals (e.g., snakes, other reptiles, ferrets, rodents and spiders) as service animals in the cabin
- Continue to contact the CRO with passenger acceptance questions



382.117

Service Animals

- With respect to other unusual or exotic animals that are presented as service animals (e.g., miniature horses, pigs, monkeys), carriers must determine whether any factors preclude their traveling in the cabin as service animals (too large, too heavy, direct threat to the health or safety of others, significant disruption of cabin service, prohibited from entering flight's destination). If no such factors preclude the animal from traveling in the cabin, carriers must permit it to do so.

→Continue to contact the CRO with passenger acceptance questions





382.129

Stowage of Assistive Devices

- Passengers with a disability must be permitted to provide written directions concerning the disassembly and reassembly of their wheelchairs, other mobility aids, and other assistive devices.
 - Carriers must carry out these instructions to the greatest extent feasible.
- When wheelchairs, mobility aids or other assistive devices are disassembled for stowage, they must be reassembled and promptly returned to the passenger in the condition in which they were received.



382.133

Respiration Devices

- Carriers must provide information during the reservation process regarding traveling with a ventilator, respirator, CPAP machine or FAA-approved POC in the cabin:
 - The device must have manufacturer's FAA requirements test label
 - The passenger is required to bring an adequate number of fully charged batteries onboard to power the device for not less than 150% of the expected maximum flight duration, and to ensure that extra batteries are packaged and protected from short circuit and physical damage
 - The passenger must present a physician's statement (medical certificate) at the airport.
 - Individual airline policies may differ



382.141 Training

- Carriers must ensure training to proficiency
- ATS will continue to work with our airline customers to let you know when training in the following is available.
 - boarding and deplaning *to safeguard safety and dignity of passengers*
 - *recognizing requests for communication accommodation* from individuals whose hearing or vision is impaired, or from deaf-blind passengers, and using the most common methods for communicating with these individuals (airlines must provide this)



382.143 Training

- Training for *CROs* about the changes to Part 382 must take place by May 13, 2009.
- This training will be provided by the individual airlines that we handle.
- ATS will continue to have 382 recurrent training every December including all updates to meet the requirements as outlined in the CFR.



382.151

Complaints and Enforcement

- Carriers must make passengers with disabilities aware of the availability of a Complaint Resolution Official and how to contact the CRO
- When a passenger raises a disability-related problem or complaint that cannot be quickly resolved, promptly involve an CRO



382.153

Complaints and Enforcement

- Carriers must inform the complainant of his or her right to pursue DOT enforcement action under Part 382
 - Carriers must provide the statement in person to the complainant at the airport if possible
- Advise customers with a disability-related complaint to call airline customer relations department