

United States - Airline Passengers With Disabilities Bill of Rights

The Airline Passengers with Disabilities Bill of Rights describes the fundamental rights of passengers with disabilities under the Air Carrier Access Act when flying with any carrier, including KLM Royal Dutch Airlines, to, from and within the United States.

I. The Right to Be Treated With Dignity and Respect

An airline, including its employees and contractors, may not discriminate against an individual with a disability because of his or her disability.

- For example, an airline may not refuse transportation or other services because of one's disability or resulting appearance or involuntary behavior.
- An airline cannot require air travelers with disabilities to accept special services or subject them to restrictions that do not apply to other passengers, except passengers with disabilities may need to check-in early, provide advanced notice or documentation, or pre-board to receive certain disability-related services.
- Airline personnel who deal with the traveling public must be trained to be aware of passengers with disabilities' needs and how they can be accommodated safely and with dignity.
- Airline employees and contractors must receive refresher training at least once every three years. Complaint Resolution Officials (the airlines' experts in resolving disability-related issues) must receive refresher training annually.

II. The Right to Receive Information About Services and Aircraft Capabilities and Limitations

Airlines must provide air travelers with disabilities information upon request about the facilities and services available to them. The information must be specific to the

aircraft scheduled for the flight, unless unfeasible (for example, an unpredictable aircraft substitution occurs).

The information airlines must provide includes:

- Any aircraft-related, service-related, or other limitations on the ability to accommodate passengers with a disability, such as limitations on level-entry boarding (Airlines must provide this information to any passenger who states that he or she uses a wheelchair for boarding, even if he or she did not request the information).
- Any limitations on the availability of storage on the aircraft.
- For assistive devices.
- The specific location of seats with movable aisle armrests.
- Whether the aircraft has an accessible lavatory.
- The types of services that are not available on the flight.

III. The Right to Receive Information in an Accessible Format

An airline's primary website must be accessible if the airline uses an aircraft with more than 60 seats. In addition, airlines must ensure that automated kiosks they install after December 2016 at U.S. airports with 10,000 or more enplanements per year are an accessible model, until 25% of kiosks at each airport location are the accessible model.

Passengers who identify as needing visual or hearing assistance must receive prompt access to the same trip information as other passengers at the gate, ticket area, customer service desk and on the aircraft (so long as it does not interfere with airline employees' safety duties).

Airlines must train personnel to recognize requests for communication accommodation. The personnel must be trained to use the most common methods for communicating with individuals who are blind, deaf or hard of hearing that are readily available, such as writing notes, for example. Personnel must also be trained to use established means for communicating with deaf-blind passengers when they

are available, such as passing out Braille cards if available, reading an information sheet that a passenger provides, or communicating through an interpreter, for example.

IV. The Right to Accessible Airport Facilities

Airlines and U.S. airport operators are both responsible for the accessibility of airport facilities. The Air Carrier Access (ACAA) and Department's implementing regulation in 14 CFR Part 382 cover airlines' obligations. Various other federal statutes and regulations apply to U.S. airport operators, for example, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 and their implementing regulations. Airlines and airport operators have concurrent obligations to ensure accessibility of airport facilities.

This Bill of Rights describes the obligations of airlines under the ACAA. In general, airlines must ensure that terminal facilities that they own, lease or control are readily accessible and usable by passengers with disabilities at U.S. airports and are readily usable at foreign airports. Airports are responsible for ensuring compliance of facilities that they own, operate or lease to other parties, including airlines. Airlines must ensure an accessible route between the gate and the aircraft boarding location. When level-entry boarding is not available, such as boarding via a jet bridge, airlines and U.S. airports must ensure ramps or mechanical lifts are available to service most flights. Airlines, in cooperation with airport operators, must also provide service animal relief areas at the airport.

V. The Right to Assistance at Airports

Passengers with disabilities must be provided prompt and timely enplaning and deplaning assistance, upon request, from properly trained airline personnel. This must include:

- The services of personnel and the use of ground wheelchairs, accessible motorized carts, boarding wheelchairs, on-board wheelchairs and ramps or mechanical lifts, as needed.
- Assistance with moving from the curb to the departing flight, assistance with transportation between gates to make connections, and assistance with moving from the arriving flight to the curb for pick-up.
- Assistance with accessing key functional areas of the terminal such as the ticket counter or baggage claim, or to a restroom entrance (if time allows).
- Escorting a passenger with a service animal to an animal relief area at a U.S. airport.

Passengers who request assistance in advance of arriving at the airport need to identify to airline personnel once they arrive at the airport or the gate to receive the assistance.

Airlines cannot require the passenger to accept a specific form of assistance that he or she does not request (ex: requiring a wheelchair when a sight guide was requested).

In addition, the airline cannot leave a passenger unattended for more than 30 minutes in a wheelchair or other device, in which the passenger is not independently mobile.

VI. The Right to Assistance on the Aircraft

Airlines must allow a passenger with a disability who self-identifies at the gate as needing additional time or assistance to board, stow accessibility equipment or be seated, the opportunity to board before all other passengers.

- Except, an airline with an open seating policy has been approved by DOT to accommodate extra-time passengers after an initial group of passengers have boarded, but early in the boarding process.

Passengers with disabilities must be provided prompt and timely boarding and deplaning assistance, upon request, from properly trained airline personnel.

- This includes assistance with moving to and from seats.
- If level loading bridges are not available, a lifting device must be provided to assist persons with limited mobility safely on and off the aircraft at most U.S. airports, except when boarding smaller aircraft (less than 19 seats).
- For smaller aircraft and non-primary U.S. airports or foreign airports, airlines must ensure boarding and deplaning assistance by any available means acceptable to the passenger.
- However, airlines must never hand-carry a passenger (directly pick up a passenger's body in the arms of airline personnel) on or off an aircraft, except in an emergency.

Once a passenger with a disability has boarded, airlines must provide assistance, if requested, such as:

- Moving to or from the lavatory, including using an on-board chair to assist, if requested.
- Stowing and retrieving carry-on items, including assistive devices.

VII. The Right to Travel With an Assistive Device or Service Animal

Traveling with Assistive Devices on Aircraft

Airlines must allow assistive devices as carry-ons in the cabin free of charge consistent with safety rules.

- This includes medical devices and/or a personal amount of medication that assists the passenger with his or her disability.
- Assistive devices must not count against the passenger's carry-on limit.
- Priority in-cabin stowage (either a closet or a row of seats designated for seat strapping) must be available for at least one normal-sized collapsible manual wheelchair in any aircraft with 100 or more passenger seats.
- Airlines that use seat strapping should provide space for at least 2 of these wheelchairs if stowing the second wheelchair would not displace passengers.
- The priority stowage requirements do not apply to older aircraft.

Manual wheelchairs that cannot be transported in the cabin must be transported in the cargo compartment consistent with safety and security requirements. Airlines must accept a battery powered wheelchair, if it fits in the cargo compartment and can be transported consistent with safety and security requirements. Airlines must also provide for the checking and timely return of assistive devices at the gate for use in the terminal. Should an airline lose, damage or destroy the wheelchair or other assistive device, the airline must provide compensation in an amount up to the original purchase price of the wheelchair or device.

Traveling with Service Animals

Airlines must permit a service dog to accompany a passenger with a disability in the aircraft cabin unless:

- The dog poses a direct threat to the health or safety of others;
- The dog causes a significant disruption or misbehaves in the cabin or at an airport gate area;
- The dog's carriage would violate a U.S. or foreign law;
- Current DOT forms weren't provided as required by the airline for the trip.

A decision by airline personnel to refuse transportation of a service dog with the passenger must be based on an individualized and objective assessment of the dog that considers the nature of the risk and the likelihood that harm will actually, or continue to, occur. The assessment should also consider whether mitigations are available.

Airlines cannot deny transportation of the service dog if there are means that would mitigate the problem.

VIII. The Right to Receive Seating Accommodations

Airlines must provide specific seats to the following passengers who identify to airline personnel as needing the seat, if the seat exists on the same class of service on the aircraft:

- Movable Aisle Armrest – When the passenger uses an aisle chair to board and cannot transfer readily over a fixed aisle armrest.
- Bulkhead Seat or Other Seat – When the passenger travels with a service animal that is best accommodated at a particular seat.
- Greater Leg Room – When the passenger has a fused or immobilized leg.
- Adjoining Seat – For a companion providing a certain type of assistance, such as:
 - A personal care attendant who performs a function that is not required to be performed by airline personnel, for example assisting a passenger with a disability with eating;
 - A reader for a passenger who is blind or low vision;
 - An interpreter for a passenger who is deaf or hard of hearing; or
 - A safety assistant if a passenger with a disability cannot assist with their own evacuation.

For passengers not specified above, airlines must provide a seat assignment that best accommodates his or her disability if the passenger meets the airline's procedures.

Airlines must provide seating accommodations using 1 of 3 methods: the block method, the priority method or preboarding (if the airline does not provide advance seat assignments). Visit the [DOT Seating Accommodation Methods page](#), opens in a new window to learn more about these seating methods and for the seating methods of the largest U.S. airlines and their operating partners, which account for approximately 95 percent of domestic passenger air traffic. Information regarding seating methods of certain foreign air carriers is also provided.

IX. The Right to Accessible Aircraft Features

New aircraft delivered to U.S. airlines after April 1992 and to foreign airlines after May 2010 must have accessible features that include:

- Movable aisle armrests on half of the aisle seats, if the aircraft has 30 or more seats.
 - DOT has approved some airlines to meet the purpose of this requirement by alternative means that provide substantially the same or greater accessibility to passengers with disabilities.
- Priority stowage space for wheelchairs in the cabin for aircraft with 100 or more seats.
- At least 1 accessible lavatory, if the aircraft has more than 1 aisle.
- An on-board wheelchair, if the aircraft has an accessible lavatory, or the passenger gives the airline advance notice that he or she can use an inaccessible lavatory and needs an on-board chair to reach it.

Airlines with older aircraft with 30 or more seats that replace the aisle seats, must ensure half of these seats have movable aisle armrests. Also, if an airline replaces a lavatory on a twin-aisle aircraft, there must be an accessible lavatory.

X. The Right to Resolution of a Disability-Related Issue

Airlines must make available a Complaint Resolution Official (CRO) in a timely manner, and this may be by phone.

- The CRO should be trained as an expert in resolving disability-related issues and be able to resolve disability-related issues on the spot.
 - Passengers with disabilities who are not satisfied with air travel services may file a complaint with the airline or DOT. Complaints concerning issues under the airport's responsibility can be filed with the airport, [FAA](#), opens in a new window or [DOJ](#), opens in a new window.
- Airlines must respond and directly address the disability-related issues in your complaint in writing within 30 days, but airlines are not required to address complaints sent more than 45 days after the incident unless the complaint is referred to the airline by DOT.
- DOT will refer all disability-related complaints it receives within 6 months of the incident for response by the appropriate carrier.
- DOT investigates all disability-related complaints it receives to determine whether a violation of the Air Carrier Access Act occurred.
- Passengers with disabilities who have pressing questions about their rights should ask to speak with the airline's CRO. Airlines must have a CRO available

at each airport they serve during all times the airline is operating at that airport. Passengers may also contact the DOT Disability Hotline at 1-800-778-4838. The hours for the hotline are 8:30am to 5:00pm Monday-Friday.