

Air Carrier Access Amendments Act of 2021

U.S. Senator Tammy Baldwin and Congressman Jim Langevin

For 35 years, the Air Carrier Access Act (ACAA) has prohibited discrimination based on disability in air travel. Despite this effort, too many individuals with disabilities, including veterans, encounter significant barriers in air transportation—such as damaged assistive devices and wheelchairs, delayed assistance, ineffective communications, and lack of seating accommodations. Absent legislation ensuring 21st Century access to air travel, people with disabilities will be left behind and unable to compete in today's economy or enjoy travel opportunities other Americans experience.

Travelers may currently file a disability-related complaint with an airline or the Department of Transportation (DOT). In 2018, passengers filed 36,930 disability-related complaints with air carriers, which represents an 8 percent increase over 2017. The majority of these complaints were related to failure to provide assistance and seating accommodation.

Unfortunately, many of the difficulties passengers with disabilities encounter in air travel are not sufficiently addressed by the ACAA. Damaged assistive devices and wheelchairs, inadequate training for airline and contractor personnel, and inaccessible airplanes and features result in missed flights, injuries, and delays that lead to lost time and missed opportunities for people with disabilities. Additionally, current law lacks a guaranteed private right of action and individuals filing a disability-related complaint have limited opportunities to seek redress.

The Air Carrier Access Amendments Act will:

- Strengthen ACAA enforcement by requiring DOT to levy civil penalties for violations and refer complaints to the Department of Justice for possible further enforcement and establishing of a private right of action.
- Ensure new airplanes are designed to accommodate the needs of people with disabilities by requiring airlines to meet defined accessibility standards. These standards will address safe and effective boarding and deplaning, visually accessible announcements, seating accommodations, lavatories, and better stowage options for assistive devices.
- Require removal of access barriers on existing airplanes to the extent that it is readily achievable, easily accomplishable, and may be done without much difficulty or expense.
- Improve the overall safety of air travel for passengers with disabilities.

The Air Carrier Access Amendments Act is supported by Paralyzed Veterans of America, ALS Association, Access Living of Metropolitan Chicago, American Association of People with Disabilities, American Council of the Blind, The Arc of the United States, Autistic Self Advocacy Network, Bazelon Center for Mental Health Law, Christopher and Dana Reeve Foundation, Cure SMA, Disability Rights Education & Defense Fund, Easterseals, Epilepsy Foundation, Muscular Dystrophy Association, National Association of the Deaf, National Council on Independent Living, National Disability Rights Network, National Federation of the Blind, National Multiple Sclerosis Society and United Spinal Association.

AMVETS, Blinded Veterans Association, The American Legion, Vietnam Veterans of America, VetsFirst and Wounded Warrior Project also support the bill.