

## Strengthen the Air Carrier Access Act (ACAA)

Nearly thirty-five years ago, President Ronald Reagan signed the Air Carrier Access Act (ACAA) into law. The ACAA prohibits disability-based discrimination in air travel. Prior to passage of the ACAA, people with disabilities were routinely forced to travel with an attendant at their own expense, even if they did not need assistance to fly safely; required to sit on a blanket for fears that they might soil the passenger seat; or simply refused passage. The ACAA has provided passengers with disabilities improved consistency in air travel. Through this law, air carriers must provide passengers with disabilities the opportunity to preboard, if additional time or assistance is needed in boarding the aircraft; timely assistance in boarding and deplaning; proper stowage of assistive devices; and appropriate seating accommodations.

Although the ACAA led to improvements in the air travel experience for passengers with disabilities, the process is far from seamless and is, at time, dangerous. PVA members routinely report incurring bodily harm in boarding and deplaning aircraft, and their wheelchairs, particularly power wheelchairs, are often damaged while stowed. In addition, members have expressed difficulty in receiving appropriate seating accommodations on aircraft and often encounter air carrier personnel and contractors who are not appropriately trained in assisting passengers with significant disabilities. As a result, some people with disabilities would rather drive long distances than risk personal injury or damage to their mobility devices.

Many of the difficulties that travelers with disabilities encounter in air travel are not sufficiently addressed by the ACAA and its implementing regulations. For example, the ACAA does not require aircraft to provide even basic accessibility, such as access to lavatories, a path of travel, or seating accommodations for passengers with disabilities who use wheelchairs. Unlike most other civil rights laws, the ACAA lacks a guaranteed private right of action. Enforcement is limited to administrative processes that provide passengers with disabilities limited redress of their grievances.

### PVA Position

- To improve access to air travel, Congress must pass the **Air Carrier Access Amendments Act (H.R. 1696/S. 642)**, which would address these problems by:
  - Strengthening ACAA administrative enforcement and establishing a private right of action.
  - Ensuring 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.
  - Requiring 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.