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Accessible Air Transportation for the 21st Century: Policy Recommendations Driven by a Community-based Research and Development Project

Regulatory policies meant to protect the rights of intercity air travelers with disabilities must be scrutinized and improved upon if parity in services for all persons is to be achieved. In this presentation we will discuss the process by which we arrived at this conclusion, recommendations for policy changes, and our general observations about the intersection of policy and practice gained from working closely with consumers and the airline industry over the past four years.

Background: Policy efforts aimed at increasing transportation accessibility for persons with disabilities in the U.S. date back to the Architectural Barriers Act of 1968. Since that time, other legislation including the Urban Mass Transportation Act of 1970, the Rehabilitation Act of 1973, and the sweeping Americans with Disabilities Act of 1990 have been enacted. In 1986, the Air Carriers Access Act (ACAA) was signed into law to outline carriers' responsibilities in serving air travelers with disabilities and in 1990, its implementing regulation, Title 14 CFR, 'Part 382', was issued by the U.S. Department of Transportation (USDOT) to spell out travelers' rights under this law. While air travel for persons with disabilities has improved substantially under the ACAA, barriers to safe and dignified services remain. Modifications to existing policies are necessary to ameliorate these issues and, in some cases, additional policies are needed.

Methods: Recommendations are based on research done in the course of developing a National Institute on Disability and Rehabilitation Research (NIDRR) -funded traveler assistance training program for transportation personnel. We analyzed Training systems currently in use by the industry according to objective standards for assessing training content and methods. Focus groups with intercity travelers experiencing disabilities and with air transportation personnel were conducted to gain an understanding of the readiness and commitment of the industry to provide quality services. During the 5-year course of the project, we have also gained insights into the complexities of the air travel industry, including the intersection of regulatory policy and operational realities, through working closely with project partners.

Results: Title 14CFR, Section 382.61 of the ACAA outlines carriers' responsibilities regarding training for personnel. The Section is vague in its use of the language 'training to proficiency' and does not include objective measures or certification standards for proficiency. The Section roughly outlines required training content (i.e. disability awareness, use of assistive equipment) but fails to set a standard for training quality, specify required training duration or frequency of refresher courses, or establish criteria for qualified training instructors. More generally, it is recommended that Part 382 be amended to include provisions for more direct monitoring of airline 'subcontractor' employees, stricter requirements for carriers reporting alleged violations of the Act and mechanisms for investigating these violations, and greater specifications concerning

aircraft accessibility including quota of moveable armrests and seatbacks to facilitate physical transfers.

Conclusions: Much progress has been made in recent years towards improving air travel for persons with disabilities. However, policies designed to ensure equal access for all travelers, regardless of ability, must be constantly examined and improved upon if this positive momentum is to continue. This examination becomes especially relevant when it is driven by the perspectives of organizations and individuals who are immediately impacted by the regulations.

Summary: This presentation provides an overview of regulatory policies aimed at improving transportation services for people with disabilities. This is followed by recommendations for improving current policies around intercity air travel based on focus groups with industry and consumers.