

Air Carrier Access Amendments Act of 2021

(H.R.1696/S.642)

Summary:

For 35 years, the Air Carrier Access Act (ACAA) has prohibited discrimination based on disability in air travel. However, it has not been effective at ending this discrimination. Disabled people routinely face multiple barriers and injustices that force them to either not use air transportation or endure demeaning discrimination. Routinely, disabled people face bodily harm during the boarding process, endure ineffective communication, neglect, and delayed assistance, lack access to proper seating and restrooms, and have their vital equipment damaged or destroyed.

The Air Carrier Access Amendments Act (H.R.1696/S.642) would help remedy discriminatory behavior and structures by strengthening the ACAA by expanding access and creating a means to enforce disabled people's rights and vital property. This bill requires airplanes to meet accessibility standards that would allow disabled and able-bodied people to have safe and effective boarding and deplaning, visually accessible announcements, seating accommodations, accessible lavatories, and better stowage options for assistive devices, such as power wheelchairs.

Importantly, this bill will strengthen ACAA enforcement by requiring the Department of Transportation to impose civil penalties for violations and refer complaints to the Department of Justice for possible further enforcement and to ensure compliance. It also allows people to seek compensation for their damaged property.

Rationale:

ALS is a progressive neurological disease that affects nerve cells in the brain and spinal cord, causing loss of muscle control. People living with ALS lose their ability to use their arms and legs, to speak, to eat, and ultimately their ability to breathe. To address ALS symptoms, many people living with ALS use assistive devices to move, communicate, breathe, and perform other daily tasks. The loss of mobility and the need for assistance can make it difficult and scary for people living with ALS and their loved ones to travel, whether for business, pleasure, or healthcare.

The lack of airplane accessibility and the real threat of damage being done to their vital equipment adds layers of danger and anxiety to an already difficult experience. The Air Carrier Access Amendments Act would relieve some of those anxieties by requiring airlines to make airplane seating and restrooms accessible, to stow wheelchairs and other assistive technologies in a safe manner, and to communicate effectively and appropriately with disabled people and their families.

This bill also provides the government with tools to enforce the anti-discrimination policies established by the original Air Carrier Access Act and expanded upon in this new bill. The establishment of penalties and enforcement has the potential to transform air travel from inaccessible, demeaning, and destructive to accessible, affirming, and safe.

Contact to Support

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Bill Components

- + **ENSURE NEW AIRPLANES ARE DESIGNED TO ACCOMMODATE THE NEEDS OF DISABLED PEOPLE** by requiring airlines to meet defined accessibility standards. These standards will address safe and effective boarding and deplaning, 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.
- + **STRENGTHEN ACAA ENFORCEMENT** by requiring the Department of Transportation to impose civil penalties for violations and refer complaints to the Department of Justice for possible further enforcement.
- + **ESTABLISHES A RIGHT TO SEEK COMPENSATION** for discrimination and assistive devices damaged or destroyed during transport.
- + **INSTITUTES HIGHER STANDARDS** for accessibility, safety, and airport and airline employee training.

About ALS

ALS is a disease that attacks cells in the body that control movement. It makes the brain stop talking to the muscles, causing increased paralysis over time. Ultimately, people with ALS become prisoners within their own bodies: unable to eat, talk, breathe or move on their own. Their mind, however, often remains sharp so they are aware of what's happening to them. ALS will affect 1 in 300 people in our lifetimes, and people with ALS usually have no more than 2-5 years to live following diagnosis.