

115TH CONGRESS  
2D SESSION

# H. R. 5004

To protect the rights of passengers with disabilities in air transportation,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2018

Mr. LANGEVIN (for himself and Mr. BRADY of Pennsylvania) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To protect the rights of passengers with disabilities in air  
transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Air Carrier Access  
5 Amendments Act of 2018”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) In 1986, President Ronald Reagan signed  
10 the Air Carrier Access Act of 1986 (Public Law 99–

1 435; 100 Stat. 1080), adding a provision now codi-  
2 fied in section 41705 of title 49, United States Code  
3 (in this section referred to as the “ACAA”), prohib-  
4 iting disability-based discrimination in air transpor-  
5 tation.

6 (2) Despite progress, many individuals with dis-  
7 abilities, including veterans, still encounter signifi-  
8 cant barriers while traveling in air transportation,  
9 such as—

10 (A) damaged assistive devices;

11 (B) inaccessible aircraft, lavatories, and  
12 communication media;

13 (C) delayed assistance;

14 (D) inequitable treatment of service ani-  
15 mals;

16 (E) inadequate disability cultural com-  
17 petency; and

18 (F) a lack of suitable seating accommoda-  
19 tions.

20 (b) SENSE OF CONGRESS.—The following is the sense  
21 of Congress:

22 (1) Access for individuals with disabilities in air  
23 transportation must move into the 21st century.  
24 Otherwise, individuals with disabilities will be left  
25 behind and unable to compete in today’s job market

1 or enjoy the opportunities available to other citizens  
2 of the United States.

3 (2) Aircraft must be designed to accommodate  
4 individuals with disabilities and air carriers must ac-  
5 quire aircraft that meet broad accessibility stand-  
6 ards.

7 (3) The ACAA must be updated to improve ac-  
8 cess to air transportation for individuals with dis-  
9 abilities. Legislation is necessary for the moderniza-  
10 tion of standards and requirements that will  
11 strengthen accessibility in air transportation, includ-  
12 ing the accessibility of aircraft.

13 (4) The Department of Transportation and the  
14 Architectural and Transportation Barriers Compli-  
15 ance Board (in this section referred to as the “Ac-  
16 cess Board”) must promulgate regulations to ensure  
17 that all passengers with disabilities receive—

18 (A) prompt and effective boarding,  
19 deplaning, and connections between flights;

20 (B) accommodations, including non-  
21 standard accommodations, that safely facilitate  
22 air travel; and

23 (C) better access to airport facilities, in-  
24 cluding the provision of visually accessible an-

1           nouncements and full and equal access to aural  
2           communications.

3           (5) Legislation is necessary to ensure that indi-  
4           viduals with disabilities have adequate remedies  
5           available when air carriers violate the ACAA (includ-  
6           ing regulations prescribed under the ACAA).

7           (6) Unlike other civil rights statutes, the ACAA  
8           does not contain a private right of action, which is  
9           critical to the enforcement of civil rights statutes.  
10          Legislation is necessary to correct this anomaly.

11 **SEC. 3. DEFINITIONS.**

12          In this Act:

13           (1) ACCESS BOARD.—The term “Access Board”  
14           means the Architectural and Transportation Bar-  
15           riers Compliance Board.

16           (2) AIR CARRIER.—The term “air carrier”  
17           means an air carrier or foreign air carrier (as those  
18           terms are defined in section 40102 of title 49,  
19           United States Code).

20           (3) DISABILITY.—The term “disability” has the  
21           meaning given that term in section 3 of the Ameri-  
22           cans with Disabilities Act of 1990 (42 U.S.C.  
23           12102), including the meaning under that section as  
24           amended by the ADA Amendments of 2008 (Public  
25           Law 110–325; 122 Stat. 3553).



1 services, facilities, advantages, accommodations,  
2 or other opportunities provided by the air car-  
3 rier;

4 “(C) afford an individual or a class of indi-  
5 viduals, on the basis of a disability or disabil-  
6 ities of the individual or class, with the oppor-  
7 tunity to participate in or benefit from a good,  
8 service, facility, advantage, accommodation, or  
9 other opportunity that is not equal to a good,  
10 service, facility, advantage, accommodation, or  
11 other opportunity afforded to other individuals;

12 “(D) subject to paragraph (2), provide an  
13 individual or a class of individuals, on the basis  
14 of a disability or disabilities of the individual or  
15 class, with a good, service, facility, privilege, ad-  
16 vantage, accommodation, or other opportunity  
17 that is different or separate from a good, serv-  
18 ice, facility, privilege, advantage, accommoda-  
19 tion, or other opportunity provided to other in-  
20 dividuals;

21 “(E) deny any goods, services, facilities,  
22 privileges, advantages, accommodations, or  
23 other opportunities to an individual because of  
24 the known disability of another individual with

1           whom the individual is known to have a rela-  
2           tionship or association;

3           “(F) impose or apply eligibility criteria  
4           that screen out or have the effect of screening  
5           out individuals with disabilities or a class of in-  
6           dividuals with disabilities from fully enjoying  
7           any good, service, facility, privilege, advantage,  
8           accommodation, or other opportunity provided  
9           by the air carrier, unless the air carrier can  
10          demonstrate that such criteria are necessary for  
11          the provision of the good, service, facility, privi-  
12          lege, advantage, accommodation, or other op-  
13          portunity;

14          “(G) directly or through a contractual, li-  
15          censing, or other arrangement, use standards or  
16          criteria or methods of administration—

17                  “(i) that have the effect of discrimi-  
18                  nating on the basis of disability; or

19                  “(ii) that perpetuate the discrimina-  
20                  tion of others who are subject to common  
21                  administrative control;

22          “(H) purchase or lease an aircraft that  
23          does not comply with this section and regula-  
24          tions prescribed under this section; or

1           “(I) refurbish an aircraft manufactured be-  
2 fore the date of the enactment of the Air Car-  
3 rier Access Amendments Act of 2018, or pur-  
4 chase or lease such an aircraft, unless the air-  
5 craft, to the maximum extent feasible, is made  
6 readily accessible to and usable by individuals  
7 with disabilities, including individuals who use  
8 wheelchairs, in accordance with this section and  
9 upon issuance of regulations prescribed under  
10 this section.

11           “(2) EXCEPTION.—

12           “(A) IN GENERAL.—Subject to subpara-  
13 graph (B), an air carrier may provide an indi-  
14 vidual or a class of individuals, on the basis of  
15 a disability or disabilities of the individual or  
16 class, with a good, service, facility, privilege, ad-  
17 vantage, accommodation, or other opportunity  
18 that is different or separate from the good,  
19 service, facility, privilege, advantage, accommo-  
20 dation, or other opportunity provided to other  
21 individuals if doing so is necessary to provide  
22 the individual or class of individuals with a  
23 good, service, facility, privilege, advantage, ac-  
24 commodation, or other opportunity that is as  
25 effective as the good, service, facility, privilege,



1 advantage, accommodation, or other oppor-  
2 tunity provided to other individuals.

3 “(B) ACCEPTANCE.—An individual or a  
4 class of individuals shall retain the authority to  
5 decide whether to accept or refuse a good, serv-  
6 ice, facility, privilege, advantage, accommoda-  
7 tion, or other opportunity referred to in sub-  
8 paragraph (A).

9 “(C) SELECTION OF GOODS, ETC., PRO-  
10 VIDED TO OTHERS.—If, in accordance with sub-  
11 paragraph (A), an air carrier provides to an in-  
12 dividual or a class of individuals a good, service,  
13 facility, privilege, advantage, accommodation, or  
14 other opportunity that is different or separate  
15 from the good, service, facility, privilege, advan-  
16 tage, accommodation, or other opportunity pro-  
17 vided to other individuals, the air carrier may  
18 not deny to an individual with a disability the  
19 opportunity to participate in the good, service,  
20 facility, privilege, advantage, accommodation, or  
21 other opportunity provided to such other indi-  
22 viduals.

23 “(c) REQUIRED ACTIONS.—An air carrier shall—

24 “(1) afford goods, services, facilities, privileges,  
25 advantages, accommodations, and other opportuni-

1 ties to an individual with a disability in the most in-  
2 tegrated setting appropriate to the needs of the indi-  
3 vidual;

4 “(2) make reasonable modifications in policies,  
5 practices, or procedures, when such modifications  
6 are necessary to afford goods, services, facilities,  
7 privileges, advantages, accommodations, or other op-  
8 portunities to individuals with disabilities, unless the  
9 air carrier can demonstrate that making such modi-  
10 fications would fundamentally alter the nature of the  
11 goods, services, facilities, privileges, advantages, ac-  
12 commodation, or other opportunities;

13 “(3) take such measures as may be necessary  
14 to ensure that no individual with a disability is ex-  
15 cluded, denied services, segregated, or otherwise  
16 treated differently from other individuals because of  
17 the absence of auxiliary aids or services, unless the  
18 air carrier can demonstrate that taking such meas-  
19 ures would—

20 “(A) fundamentally alter the nature of a  
21 good, service, facility, privilege, advantage, ac-  
22 commodation, or other opportunity being of-  
23 fered; or

24 “(B) result in an undue burden to the air  
25 carrier; and

1           “(4)(A) remove architectural barriers to equal  
2           access by individuals with disabilities to goods, serv-  
3           ices, facilities, privileges, advantages, accommoda-  
4           tions, or other opportunities provided by the air car-  
5           rier, and communication barriers to such access that  
6           are structural in nature, in facilities of the air car-  
7           rier (whether owned or leased by the air carrier)  
8           that were constructed before or altered after the  
9           date of the enactment of the Air Carrier Access  
10          Amendments Act of 2018, and remove barriers to  
11          such access in aircraft manufactured before such  
12          date of enactment and used by an air carrier for  
13          transporting individuals, if the removal of such bar-  
14          riers is readily achievable; or

15           “(B) if the air carrier can demonstrate that the  
16          removal of a barrier described in subparagraph (A)  
17          is not readily achievable, make such goods, services,  
18          facilities, privileges, advantages, accommodations, or  
19          other opportunities available through alternative  
20          methods that are readily achievable.

21          “(d) COMPLAINTS.—

22           “(1) IN GENERAL.—The Secretary of Transpor-  
23          tation shall ensure that individuals with disabilities  
24          traveling in air transportation are able—

1           “(A) to file complaints with the Depart-  
2           ment of Transportation in response to dis-  
3           ability-related discrimination prohibited under  
4           this section or regulations prescribed under this  
5           section; and

6           “(B) to receive assistance from the De-  
7           partment through a toll-free hotline telephone  
8           number or comparable electronic means of com-  
9           munication.

10          “(2) NOTICE TO PASSENGERS WITH DISABIL-  
11          ITIES.—Each air carrier shall include on its publicly  
12          available Internet website, any related mobile device  
13          application, and online service—

14                 “(A) the hotline telephone number estab-  
15                 lished under section 42302 or the telephone  
16                 number for the Aviation Consumer Protection  
17                 Division of the Department of Transportation  
18                 and the Department’s disability assistance hot-  
19                 line telephone number or a comparable elec-  
20                 tronic means of communication;

21                 “(B) notice that a consumer can file a dis-  
22                 ability-related complaint with the Aviation Con-  
23                 sumer Protection Division;

24                 “(C) an active link to the Internet website  
25                 of the Aviation Consumer Protection Division

1 for a consumer to file a disability-related com-  
2 plaint; and

3 “(D) notice that the consumer can file a  
4 disability-related complaint with the air carrier  
5 and the process and any timelines for filing  
6 such a complaint.

7 “(3) INVESTIGATION OF COMPLAINTS.—

8 “(A) IN GENERAL.—The Secretary shall—

9 “(i) investigate each complaint of a  
10 violation of this section or a regulation pre-  
11 scribed under this section; and

12 “(ii) provide, in writing, to the indi-  
13 vidual that filed the complaint and the air  
14 carrier alleged to have violated this section  
15 or a regulation prescribed under this sec-  
16 tion, the determination of the Secretary  
17 with respect to—

18 “(I) whether the air carrier vio-  
19 lated this section or a regulation pre-  
20 scribed under this section; and

21 “(II) the facts underlying the  
22 complaint.

23 “(B) REFERRAL.—If the Secretary has  
24 reasonable cause to believe that any air carrier  
25 or group of air carriers is engaged in a pattern

1 or practice of discrimination under this section,  
2 or any person or group of persons has been dis-  
3 criminated against under this section and such  
4 discrimination raises an issue of general public  
5 importance, the Secretary shall refer the matter  
6 to the Attorney General.

7 “(C) PUBLICATION OF DATA.—The Sec-  
8 retary shall publish disability-related complaint  
9 data in a manner comparable to other aviation  
10 consumer complaint data.

11 “(D) REVIEW AND REPORT.—The Sec-  
12 retary shall regularly review all complaints re-  
13 ceived by air carriers alleging discrimination on  
14 the basis of disability and shall report annually  
15 to Congress on the disposition of such com-  
16 plaints.

17 “(e) CIVIL ACTION.—

18 “(1) AGGRIEVED PERSONS.—

19 “(A) IN GENERAL.—Any person aggrieved  
20 by the violation by an air carrier of this section  
21 or a regulation prescribed under this section  
22 may, during the 2-year period beginning on the  
23 date of the violation, bring a civil action in an  
24 appropriate district court of the United States.

1           “(B) AVAILABLE RELIEF.—If a court finds  
2 in favor of the plaintiff in a civil action brought  
3 under subparagraph (A), the court may award  
4 to the plaintiff equitable and legal relief, includ-  
5 ing compensatory and punitive damages, and  
6 shall, in addition to any such relief, award rea-  
7 sonable attorney’s fees, reasonable expert fees,  
8 and cost of the action to the plaintiff.

9           “(C) EXHAUSTION OF ADMINISTRATIVE  
10 REMEDIES.—Any person aggrieved by the viola-  
11 tion by an air carrier of this section or a regu-  
12 lation prescribed under this section shall not be  
13 required to exhaust administrative remedies be-  
14 fore bringing a civil action under subparagraph  
15 (A).

16           “(D) RULE OF CONSTRUCTION.—Nothing  
17 in this paragraph shall be construed to invali-  
18 date or limit other Federal or State laws afford-  
19 ing to people with disabilities greater legal  
20 rights or protections than those granted by this  
21 section.

22           “(2) ENFORCEMENT BY ATTORNEY GEN-  
23 ERAL.—

24           “(A) IN GENERAL.—The Attorney General  
25 may bring a civil action on behalf of persons

1 aggrieved by the violation by an air carrier of  
2 this section or a regulation prescribed under  
3 this section in any appropriate district court of  
4 the United States.

5 “(B) AUTHORITY OF COURT.—In a civil  
6 action under subparagraph (A), the court  
7 may—

8 “(i) grant any equitable relief that the  
9 court considers to be appropriate;

10 “(ii) award such other relief as the  
11 court considers to be appropriate, includ-  
12 ing monetary damages to persons ag-  
13 grieved by the violation by an air carrier of  
14 this section or a regulation prescribed  
15 under this section, when requested by the  
16 Attorney General; and

17 “(iii) assess a civil penalty against the  
18 air carrier.

19 “(f) RULE OF CONSTRUCTION.—Nothing in this sub-  
20 chapter shall require an air carrier to permit an individual  
21 to participate in or benefit from goods, services, facilities,  
22 privileges, advantages, accommodations, or other opportu-  
23 nities if the individual poses a significant risk to the health  
24 or safety of others that cannot be eliminated by a modi-



1 fication of policies, practices, or procedures or by the pro-  
2 vision of auxiliary aids or services.

3 “(g) DEFINITIONS.—In this section:

4 “(1) ACCESS BOARD.—The term ‘Access Board’  
5 means the Architectural and Transportation Bar-  
6 riers Compliance Board.

7 “(2) AIR CARRIER.—The term ‘air carrier’  
8 means an air carrier or, subject to section 40105(b),  
9 a foreign air carrier.

10 “(3) DISABILITY.—The term ‘disability’ has the  
11 meaning given that term in section 3 of the Ameri-  
12 cans with Disabilities Act of 1990 (42 U.S.C.  
13 12102), including the meaning under that section as  
14 amended by the ADA Amendments of 2008 (Public  
15 Law 110–325; 122 Stat. 3553).

16 “(4) READILY ACHIEVABLE.—The term ‘readily  
17 achievable’ means easily accomplishable and able to  
18 be carried out without much difficulty or expense. In  
19 determining whether an action is readily achievable,  
20 factors to be considered include—

21 “(A) the nature and cost of the action  
22 needed; and

23 “(B) the overall financial resources of the  
24 air carrier.”.

1 (b) TECHNICAL ASSISTANCE.—Not later than 180  
2 days after the date of the enactment of this Act, the Sec-  
3 retary shall ensure the availability and provision of appro-  
4 priate technical assistance manuals to individuals and en-  
5 tities with rights or responsibilities under section 41705  
6 of title 49, United States Code, as amended by subsection  
7 (c).

8 (c) CLERICAL AMENDMENT.—The chapter analysis  
9 for chapter 417 of title 49, United States Code, is amend-  
10 ed by striking the item relating to section 41705 and in-  
11 serting the following:

“41705. Accessibility of air transportation for individuals with disabilities.”.

12 **SEC. 5. STANDARDS.**

13 (a) AIRCRAFT WITH NEW OR AMENDED TYPE CER-  
14 TIFICATES.—

15 (1) IN GENERAL.—Not later than 18 months  
16 after the date of the enactment of this Act, the Ac-  
17 cess Board shall, in consultation with the Secretary,  
18 prescribe regulations setting forth the minimum  
19 standards to ensure that aircraft with type certifi-  
20 cates under part 21 of title 14, Code of Federal  
21 Regulations, issued or amended after the date the  
22 regulations are issued, and related boarding and  
23 deplaning equipment, are accessible, in terms of de-  
24 sign for, transportation of, and communication to,

1 individuals with disabilities, including individuals  
2 who use wheelchairs.

3 (2) COVERED AIRCRAFT, EQUIPMENT, AND FEA-  
4 TURES.—The standards issued under paragraph (1)  
5 shall address, at a minimum—

6 (A) boarding and deplaning equipment, in-  
7 cluding ensuring that there is a route accessible  
8 for individuals with disabilities;

9 (B) seating accommodations;

10 (C) lavatories;

11 (D) captioning in-flight entertainment and  
12 any other aural communication;

13 (E) individual video displays;

14 (F) visually accessible announcements;

15 (G) adequate in-cabin stowage for assistive  
16 devices; and

17 (H) proper stowage of assistive devices in  
18 the cargo hold to prevent damage.

19 (b) AIRCRAFT WITH AN EXISTING TYPE CERTIFI-  
20 CATE.—

21 (1) IN GENERAL.—Not later than one year  
22 after the date of the enactment of this Act, the Ac-  
23 cess Board shall, in consultation with the Secretary,  
24 prescribe regulations setting forth minimum stand-  
25 ards to ensure that barriers to the access of individ-

1 uals with disabilities, including individuals who use  
2 wheelchairs, on aircraft with type certificates issued  
3 under part 21 of title 14, Code of Federal Regula-  
4 tions, before such date of enactment, are removed to  
5 meet basic accessibility needs of individuals with dis-  
6 abilities to the extent readily achievable.

7 (2) REMOVAL OF BARRIERS.—The standards  
8 issued under paragraph (1) shall apply at a min-  
9 imum to stowage of wheelchairs in the cargo hold,  
10 captioning in-flight entertainment and any other  
11 aural communication, visually accessible announce-  
12 ments, individual video displays, and improved ac-  
13 cess to seating and lavatories in all aircraft.

14 (c) AIRPORT FACILITIES.—Not later than one year  
15 after the date of the enactment of this Act, the Access  
16 Board shall, in consultation with the Secretary, issue or  
17 revise standards that ensure all gates (including counters),  
18 ticketing areas, and customer service desks at airports are  
19 accessible to and usable by all individuals with disabilities,  
20 including through the provision of visually accessible an-  
21 nouncements and full and equal access to aural commu-  
22 nications.

23 (d) WEBSITES AND KIOSKS.—Not later than one  
24 year after the date of the enactment of this Act, the Ac-  
25 cess Board shall, in consultation with the Secretary, pre-

1 scribe regulations setting forth minimum standards to en-  
2 sure that individuals with disabilities are able to access  
3 kiosks and websites in a manner that is equally as effective  
4 as individuals without disabilities, with a substantially  
5 equivalent ease of use. Such standards shall be consistent  
6 with the standards set forth in the Web Content Accessi-  
7 bility Guidelines 2.0 Level AA of the Web Accessibility Ini-  
8 tiative of the World Wide Web Consortium or any subse-  
9 quent version.

10 (e) REGULATIONS.—Not later than 180 days after  
11 the Access Board issues standards under this section, the  
12 Secretary shall prescribe such regulations as are necessary  
13 to implement those standards, including the requirement  
14 to maintain accessible features of aircraft, equipment, and  
15 facilities.

16 **SEC. 6. REGULATIONS.**

17 (a) ACCESSIBILITY OF AIR TRAVEL TO INDIVIDUALS  
18 WITH DISABILITIES.—

19 (1) ASSISTANCE.—

20 (A) IN GENERAL.—Not later than 180  
21 days after the date of the enactment of this  
22 Act, the Secretary shall prescribe or revise reg-  
23 ulations to ensure that individuals with disabil-  
24 ities who request assistance at any time while  
25 traveling in air transportation receive timely

1 and effective assistance at airports and on air-  
2 craft from trained personnel. Such assistance  
3 may be in boarding or deplaning an aircraft,  
4 connecting between flights, or any other similar  
5 or related request.

6 (B) TRAINING.—The Secretary shall re-  
7 quire air carriers to ensure that personnel, in-  
8 cluding contractors, who may be providing  
9 physical assistance to a passenger with a dis-  
10 ability receive hands-on training on an annual  
11 basis in performing that assistance, including  
12 the use of all equipment.

13 (2) TICKETING PRACTICES AND SEAT ASSIGN-  
14 MENTS.—Not later than 180 days after the date of  
15 the enactment of this Act, the Secretary shall pre-  
16 scribe or revise regulations—

17 (A) to ensure that individuals with disabil-  
18 ities receive accommodations, if requested, in  
19 ticketing and pre-flight seat assignments;

20 (B) to require air carriers to provide pri-  
21 ority access to bulkhead seating to people with  
22 disabilities who need access to the features of  
23 those seats due to a disability regardless of  
24 class of service of ticket purchased; and

1 (C) to ensure the right of passengers with  
2 disabilities to stow assistive devices, including  
3 medication and medical supplies, without cost.

4 (3) SERVICE ANIMALS.—Not later than 180  
5 days after the date of the enactment of this Act, the  
6 Secretary shall issue revised regulations—

7 (A) eliminating additional documentation  
8 for psychiatric service animals;

9 (B) protecting the ability of travelers to  
10 use emotional support animals in air transpor-  
11 tation; and

12 (C) prohibiting air carriers from requesting  
13 medical documentation regarding the need for a  
14 service animal as a standard requirement for  
15 access.

16 (b) REVIEW AND AMENDMENT.—The Access Board  
17 and the Secretary shall periodically review and, as appro-  
18 priate, amend regulations and standards prescribed under  
19 this section.

20 **SEC. 7. CIVIL PENALTIES.**

21 Section 46301(a) of title 49, United States Code, is  
22 amended by adding at the end the following new para-  
23 graph:

24 “(7) PENALTIES RELATING TO HARM TO PAS-  
25 SENGERS WITH DISABILITIES.—

1           “(A) PENALTY FOR BODILY HARM OR DAMAGE  
2           TO WHEELCHAIR OR OTHER MOBILITY AID.—The  
3           amount of a civil penalty assessed under this section  
4           for a violation of section 41705 that involves damage  
5           to a passenger’s wheelchair or other mobility aid or  
6           injury to a passenger with a disability may be in-  
7           creased above the otherwise applicable maximum  
8           amount under this section for a violation of section  
9           41705 to an amount not to exceed 3 times the max-  
10          imum penalty otherwise allowed.

11           “(B) EACH ACT CONSTITUTES SEPARATE OF-  
12          FENSE.—Notwithstanding paragraph (2), a separate  
13          violation of section 41705 occurs for each act of dis-  
14          crimination prohibited by that section.”.

15 **SEC. 8. AIRLINE PASSENGERS WITH DISABILITIES BILL OF**  
16 **RIGHTS.**

17          (a) AIRLINE PASSENGERS WITH DISABILITIES BILL  
18 OF RIGHTS.—The Secretary shall develop a document, to  
19 be known as the “Airline Passengers with Disabilities Bill  
20 of Rights”, using plain language to describe the basic  
21 rights and responsibilities of air carriers, their employees  
22 and contractors, and people with disabilities under section  
23 41705 of title 49, United States Code, as amended by sec-  
24 tion 4.



1 (b) CONTENT.—The Airline Passengers with Disabil-  
2 ities Bill of Rights shall include, at a minimum, the fol-  
3 lowing:

4 (1) The right of passengers with disabilities to  
5 be treated with dignity and respect.

6 (2) The right of passengers with disabilities to  
7 receive timely assistance, if requested, from properly  
8 trained air carrier and contractor personnel.

9 (3) The right of passengers with disabilities to  
10 travel with wheelchairs, mobility aids, and other as-  
11 sistive devices, including necessary medications and  
12 medical supplies, including stowage of such wheel-  
13 chairs, aids, and devices.

14 (4) The right of passengers with disabilities to  
15 receive seating accommodations, if requested, to ac-  
16 commodate a disability.

17 (5) The right of passengers with disabilities to  
18 receive announcements in an accessible format.

19 (6) The right of passengers with disabilities to  
20 speak with a complaint resolution officer or to file  
21 a complaint with an air carrier or the Department  
22 of Transportation.

23 (c) CONSULTATIONS.—In developing the Airline Pas-  
24 sengers with Disabilities Bill of Rights, the Secretary shall

1 consult with stakeholders, including disability organiza-  
2 tions and air carriers and their contractors.

3 (d) DISPLAY.—Each air carrier shall include the Air-  
4 line Passengers with Disabilities Bill of Rights—

5 (1) on a publicly available Internet website of  
6 the air carrier; and

7 (2) in any pre-flight notifications or commu-  
8 nications provided to passengers who alert the air  
9 carrier in advance of the need for accommodations  
10 relating to a disability.

11 (e) TRAINING.—The Secretary shall ensure that em-  
12 ployees of air carriers and their contractors receive train-  
13 ing on the Airline Passengers with Disabilities Bill of  
14 Rights.

15 **SEC. 9. STUDY ON IN-CABIN WHEELCHAIR RESTRAINT SYS-**  
16 **TEMS.**

17 (a) IN GENERAL.—Not later than 2 years after the  
18 date of the enactment of this Act, the Access Board, in  
19 consultation with the Secretary, shall—

20 (1) conduct a study to determine the ways in  
21 which individuals with significant disabilities who  
22 use wheelchairs, including power wheelchairs, can be  
23 accommodated onboard aircraft through in-cabin  
24 wheelchair restraint systems;

1 (2) issue minimum guidelines for such systems;

2 and

3 (3) submit to Congress a report on the study.

4 (b) REGULATIONS.—Not later than 180 days after  
5 completing the study required by subsection (a), the Sec-  
6 retary shall prescribe regulations consistent with the find-  
7 ings of the study and minimum guidelines issued by the  
8 Access Board under subsection (a)(2).

9 **SEC. 10. ADVISORY COMMITTEE ON THE AIR TRAVEL**  
10 **NEEDS OF PASSENGERS WITH DISABILITIES.**

11 (a) IN GENERAL.—The Secretary shall establish an  
12 advisory committee for the air travel needs of passengers  
13 with disabilities (in this section referred to as the “advi-  
14 sory committee”) to advise the Secretary in implementing  
15 section 41705 of title 49, United States Code, as amended  
16 by section 4.

17 (b) MEMBERSHIP.—

18 (1) IN GENERAL.—The Secretary shall appoint  
19 the members of the advisory committee as follows:

20 (A) At least 2 members of the advisory  
21 committee shall be representatives of each of  
22 the following:

23 (i) Individual passengers with disabil-  
24 ities.

25 (ii) National disability organizations.

1 (B) At least 2 members of the advisory  
2 committee shall be representatives of each of  
3 the following:

4 (i) Airport operators.

5 (ii) Air carriers.

6 (iii) Entities contracted by air carriers  
7 to provide services to individuals with dis-  
8 abilities.

9 (c) TRAVEL EXPENSES.—Members of the advisory  
10 committee shall serve without pay but shall receive travel  
11 expenses, including per diem in lieu of subsistence, in ac-  
12 cordance with subchapter I of chapter 57 of title 5, United  
13 States Code.

14 (d) CHAIRPERSON.—The Secretary shall designate,  
15 from among the individuals appointed under subsection  
16 (b)(1)(A), an individual to serve as chairperson of the ad-  
17 visory committee.

18 (e) DUTIES.—The duties of the advisory committee  
19 shall include—

20 (1) assessing the disability-related access bar-  
21 riers encountered by air travelers with disabilities;

22 (2) determining the extent to which the pro-  
23 grams and activities of the Department of Transpor-  
24 tation are addressing those barriers;

1           (3) making recommendations to the Secretary  
2 with respect to improving the air travel experience of  
3 passengers with disabilities; and

4           (4) carrying out activities needed to make the  
5 reports and recommendations required by subsection  
6 (f).

7 (f) REPORTS.—

8           (1) IN GENERAL.—Not later than February 1,  
9 2018, and annually thereafter, the advisory com-  
10 mittee shall submit to the Secretary a report on the  
11 needs of passengers with disabilities in air travel.  
12 Each report shall contain—

13           (A) an assessment of disability-related ac-  
14 cess barriers that were evident in the preceding  
15 year and those that are likely to be an issue  
16 during the 5-year period beginning on the date  
17 of the report;

18           (B) an evaluation of the extent to which  
19 the programs and activities of the Department  
20 of Transportation are eliminating disability-re-  
21 lated access barriers;

22           (C) a description of the actions of the advi-  
23 sory committee during the preceding calendar  
24 year;

1           (D) a description of activities that the ad-  
2           visory committee proposes to undertake in the  
3           succeeding calendar year; and

4           (E) any recommendations for legislation,  
5           administrative action, and other action that the  
6           advisory committee considers appropriate.

7           (2) SUBMISSION TO CONGRESS.—Not later than  
8           60 days after receiving a report under paragraph  
9           (1), the Secretary shall transmit to Congress a copy  
10          of the report along with any comments that the Sec-  
11          retary considers appropriate.

12          (g) TERMINATION.—Notwithstanding section 14 of  
13          the Federal Advisory Committee Act (5 U.S.C. App. 14),  
14          the advisory committee shall continue in effect until termi-  
15          nated by an Act of Congress.

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