



Canadian
Transportation
Agency

Office
des transports
du Canada

Summary of Regulations Covering the Accessibility of Air Travel



Making Transportation Efficient and Accessible for All



available in multiple formats

Canada 

This document and other Canadian Transportation Agency publications are available on our Web site at **www.cta.gc.ca**.

The material contained in this publication is a general description of the provisions of the *Air Transportation Regulations* concerning the Terms and Conditions of Carriage of Persons with Disabilities, the *Personnel Training for the Assistance of Persons with Disabilities Regulations* and the *Canada Transportation Act*.

If there is a conflict between the information in this publication and those provisions, the latter shall prevail.

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Canadian Transportation Agency

The Canadian Transportation Agency is working to make it easier for persons with disabilities to travel in Canada.

The Agency is responsible for developing and administering accessibility regulations covering the transportation system governed by the *Canada Transportation Act*. Included in this system are:

- air carriers and airports;
- passenger rail carriers and stations;
- extra-provincial ferry services and their terminals; and
- extra-provincial bus services.

Under the Act, the Agency has the power to remove "undue obstacles" from the federally-regulated transportation system. This means that the mobility of persons with disabilities should not be restricted by unnecessary or unjustified barriers to travel.

Part VII of the *Air Transportation Regulations* dealing with the Terms and Conditions of Carriage of Persons with Disabilities

Under the Terms and Conditions of Carriage of Persons with Disabilities, certain air carriers are required to provide various services and information to travellers with disabilities. The Regulations apply to Canadian¹ air carriers operating services within Canada using aircraft having 30 or more passenger seats.

Bridging the communications gap

Travellers with disabilities are entitled to know what services they can choose to make their journey trouble-free.

The Regulations require the following:

- information on available services and the conditions under which they are offered, must be provided to those who request it when a reservation is made;
- passengers with disabilities must be asked what services will be required and, where possible, information on services to be provided must be recorded in a passenger's reservation record; and
- a written confirmation of the services to be provided must be given to the passenger.

Accepting a passenger's judgement

Sometimes, people with disabilities are perceived as needing extra services when in fact they do not. An air carrier is obliged to accept a person's word that he or she does not require any extra assistance or other service.

¹ As defined in the *Canada Transportation Act*

Making accessible seats available

Air carriers must tell passengers with disabilities which seats are the most accessible when a reservation is made.

Seats accessible to travellers with disabilities should be the last to be assigned to other passengers.

If more than one air carrier is involved

On some trips, a passenger with a disability will need to travel with more than one air carrier. The carrier taking the reservation must pass on information about the services required for the traveller to the other air carriers.

Advance notice

Passengers are expected to make their request for services at least 48 hours in advance of their flight. If less notice is given, air carriers are required to make a reasonable effort to provide the services requested.

Arrival and departure services

The Regulations require air carriers to provide assistance when requested by a traveller with a disability. Specifically, assistance must be available for:

- registration at the check-in counter;
- proceeding to the boarding area;
- boarding² and deplaning;
- retrieving checked baggage;
- getting to a representative of another air carrier within the same terminal for a change of flight;
- moving to the general public area; and
- transferring to a wheelchair, boarding chair or other mobility aid provided by the air carrier from the person's own mobility aid.

² If assistance is requested, the carrier may require a person to preboard the aircraft.

Air carrier personnel are also required to ask periodically if assistance is needed by any passenger who is in a wheelchair, boarding chair or any other device in which the passenger is not independently mobile, and to provide such assistance where it is the usual practice of the carrier or where the services are required to be provided by the carrier pursuant to these Regulations. This is required only when the passenger is waiting for a flight after check-in or is in transit between flights.

Services on board an aircraft

A person with a disability is entitled to receive the following services while on board an aircraft:

- assistance to put away and retrieve carry-on baggage;³
- assistance to transfer to and from a wheelchair, boarding chair or other mobility aid;³
- assistance – other than being carried – to move to and from an aircraft washroom, including assistance in the use of an on-board wheelchair if available; and
- special meals, where available, and limited assistance with meals such as opening packages, identifying items and cutting large portions of food.

On-board staff are expected to check periodically to see if a passenger requires assistance.

Service animals

Properly trained guide dogs and other service animals are allowed on board the aircraft at no extra charge. Service animals are permitted to remain on the floor at the passenger's feet as long as they are properly harnessed. Passengers should note that they may be required to produce written proof that their service animal has been trained by a professional service animal institution.

³ If assistance is requested, the carrier may require a person to preboard the aircraft.

Using personal manual wheelchairs

Passengers in manually-operated wheelchairs can remain in their own chairs until they reach the boarding gate or, where facilities permit, the aircraft door or their seat on board the aircraft.

Carrying mobility and technical aids

Mobility and technical aids identified in the Regulations must be carried as priority baggage at no charge. An air carrier is responsible for taking apart, if necessary, and packaging a wheelchair or other mobility aid in preparation for a flight. On arrival, the aid must be reassembled and returned promptly to the owner.

If space permits, passengers are allowed to bring manually-operated folding wheelchairs and small aids on board with them at no extra charge.

The aids covered by the Regulations are:

- electric and manually-operated wheelchairs;
- scooters;
- walkers, canes, crutches and braces; and
- communication devices, prostheses and medical devices.

Exceptions

Air carriers are not required to carry electric wheelchairs, scooters or manually-operated rigid-frame wheelchairs, if an aircraft has fewer than 60 seats and its design does not permit the carriage of such aids. However, they are responsible for informing the passenger about other arrangements that are available to transport the aid.

Responsibility for damage

Air carriers are responsible for the care and carriage of mobility aids during a flight. If a passenger's mobility aid becomes damaged during a flight or lost, an air carrier is obliged to provide a suitable temporary replacement immediately upon arrival at no cost. A passenger is entitled to use the temporary replacement until their own aid is either repaired or replaced.

Repairs

An air carrier is responsible for the prompt and adequate repair and return of a damaged mobility aid at its own expense.

Replacement

If a mobility aid cannot be repaired or is lost and cannot be located within 96 hours of a passenger's arrival, an air carrier is responsible for replacing it with an identical aid that is satisfactory to the person, or for reimbursing the full replacement cost.

Safety

When operating their services, air carriers have to respect safety regulations. Nothing in these regulations relieves carriers from complying with the provisions of any safety regulations made under the *Aeronautics Act*.

Personnel Training for the Assistance of Persons with Disabilities Regulations

Most air carriers and airport operators are required to ensure that their employees and contractors are trained to provide suitable transportation services to persons with disabilities.⁴

These Regulations require that personnel who interact with the public or make decisions respecting the carriage of persons with disabilities know the service provider's policies and procedures with respect to persons with disabilities. Personnel must also receive general sensitivity training to be able to identify and respond to the needs of travellers with disabilities.

Personnel who provide specialized services, such as physical assistance to persons with disabilities or handling mobility aids, must receive additional related training.

Copies of training programs are required to be kept available for inspection by the Agency and the general public.

⁴ Rail and marine carriers as well as terminal operators are also subject to these Regulations.

Complaints

Problems can often be resolved between a traveller and the company involved.

In order for the Agency to know whether it needs to become involved in resolving a dispute, the complainant must first bring their complaint to the attention of the transportation service provider. If a problem cannot be solved, the air carrier is required to inform the passenger that the Canadian Transportation Agency may be able to help.

The Agency can bring parties in a transportation dispute together informally through its facilitation and mediation services. These informal routes of resolving disputes are meant to help the parties understand each other's needs and interests, and find a solution that works for both.

As an alternative, the Agency can investigate a complaint using the more formal process of adjudication and issue a decision that can carry the same weight as a court ruling.

For information about the Agency's disability-related complaint process, visit **www.cta.gc.ca/eng/access-disputes**.

For More Information

Contact the Agency for more information or to get a copy of:

- Part VII of the *Air Transportation Regulations* dealing with Terms and Conditions of Carriage of Persons with Disabilities; or
- The *Personnel Training for the Assistance of Persons with Disabilities Regulations*.

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