

UNITED SPINAL^{NOW}

Eventually – But Not Really

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Airplane access for wheelchair users is supposed to get better, according to the Biden administration's Department of Transportation. Secretary Pete Buttigieg, Vice Pres. Kamala Harris, and other bigs at U.S. Department of Transportation (USDOT) celebrated the 33rd anniversary of the Americans with Disabilities Act by announcing that new single-aisle aircraft, ordered after 2033 or to be delivered after 2035, must have at least one accessible restroom.

This is great news for some. However, the vast majority of aircraft will remain inaccessible for years to come, and aisles may remain so narrow that they prevent wheelchair travel, requiring transfers to aisle chairs as if it was 1990. At least there's a commitment to accommodating the bodily functions of those with mobility impairments who choose to travel.

By 2035, medicine will be keeping us alive much longer, i.e. there will be more wheelchair and scooter users. The airline industry is lagging, and will continue to lag decades behind others in the travel industry. Twenty years from now, people will wonder about the slow pace of airline accessibility. Remember, it took until 2023 to require airlines to provide accessible restrooms, and that took USDOT action. Compare that with the cruise ship industry who saw the retiree market (aging with disabilities) – and went for it.

More important to air travelers with disabilities today is something that USDOT did a year ago. The Airline Passengers with Disabilities Bill of Rights describes the fundamental rights of air travelers under the Air Carrier Access Act, and each can be found along with supporting documentation on USDOT's website with descriptive materials. An explanation of each right can be found on USDOT's website under Airline Passengers with Disabilities' Bill of Rights.

- The right to be treated with dignity and respect
- The right to receive information about services and airplanes
- The right to receive information in an accessible format
- The right to accessible airport facilities
- The right to assistance at airports
- The right to assistance on the aircraft
- The right to travel with an assistive device or service animal
- The right to receive seating accommodations
- The right to accessible aircraft features
- The right to resolution of disability-related issues

USDOT has linked each of these rights to laws and regulations supporting them on their website. Airlines will be unable to fool aggrieved passengers with disabilities if those passengers are armed with knowledge of this Bill of Rights. Incidentally, contractors with airlines must comply with this Bill of Rights, although the airline may ultimately be responsible for violations of the law.

Foreign carriers are covered for flights to or from the United States. All flights of all U.S. airlines are covered. The provisions of this Bill of Rights, which is really just a collection of statutory and regulatory provisions in one place for passengers and airlines, do not render inaccessible aircraft accessible. However, if airlines obey its provisions, the process of boarding for passengers with disabilities and even lavatory use on accessible planes (wide-body aircraft with at least two aisles must have an accessible restroom now) will be made easier and more dignified.

If you're a wheelchair user, you're probably wondering why new aircraft ordered after 2033 or delivered after 2035 don't need to have wide aisles and permit travel in your wheelchair. Me too.