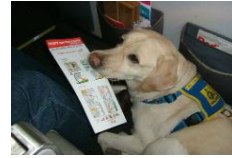


Animals & Air Travel



WARNING!!! AS OF JANUARY 11, 2021, NEW RULES APPLY TO SERVICE ANIMALS AND AIR TRAVEL. THIS FACT SHEET IS UPDATED TO REFLECT THIS NEW RULE.

The **AIR CARRIER ACCESS ACT (ACAA)** governs which animals may travel with their handlers. This *differs from the Americans with Disability Act (ADA)* which does not govern air travel.

Under the new rule emotional support animals are not given accommodations and airlines can treat them the same as pets (refusing to transport, charging fees etc.)

Service Animals (Dogs) & Air Travel

- **ACAA Definition:** (different from the ADA) a dog, regardless of breed, that is individually trained to do work or perform a task for an individual with a disability.
- Airlines can require the service dog be able to fit in the handler's lap or within the handler's foot space. The Airline must offer a different seat if that seat is available and can accommodate the service dog.
- Airlines can refuse transport of a service dog that threatens the health or safety of passengers and staff or causes a significant disruption in the airplane or at the airport.
- The new rule now includes *psychiatric service dogs as the same as any other service dog* so long as they meet the definition above and airlines are not allowed to treat them differently. A psychiatric service dog must be able to do work or perform a task for an individual with a disability.
- Airlines are allowed to require the completion of a Department of Transportation *form(s)* up to **48 hours** in advance of the flight.
 - **Service Animal Air Transportation Form**-asking passenger to answer questions about vaccination history, health and training of the service dog.
 - **Relief Attestation Form**-if a flight is more than 8 hours an airline can require a form stating that the dog will not need to relieve itself on the flight or that the animal can relieve itself in a way that does not create a health or sanitation issue on the flight.
- Airlines can **limit** the number of service dogs per traveler to **two dogs**.
- Airlines can require the service dog be leashed, harnessed or otherwise tethered.
- Airlines cannot require the passenger to physically check in at the airport vs. online simply because the passenger has a service dog. However, they can require that the passenger with a disability provide the form(s) at their departure gate on the date of travel.
- Airlines cannot charge fees for a qualifying service dog, but they can charge the passenger for damages caused by the service dog on the flight.
- If traveling with a service dog, **security** may require that the leash, vest, collar and other items be removed before going through any scanners or body imaging devices.

- In determining whether a dog is a qualifying service dog airline staff can 1) ask whether the dog is required to accompany the passenger because of a disability and what work or task the dog is trained to do; 2) observe the behavior of the dog; and 3) Look at physical indicators such as a vest or harness.

Filing a Complaint

Each carrier must have a Complaints Resolution Official (CRO) available at each airport. Any passenger with a complaint may communicate with a CRO. The CRO must provide the passenger a written statement summarizing the facts and reasons for his or her decision regarding the complaint. If a carrier excludes a person with a disability on safety grounds, the carrier must provide a written explanation of the decision. No later than 6 months after the date of the incident, a passenger may also file a claim with the Department of Transportation.

- By Mail: U.S. Department of Transportation Aviation Consumer Protection Division (C-75), 1200 New Jersey Avenue, SE, Washington, DC 20590.
- Online: www.airconsumer.ost.dot.gov; By Phone: Toll-free disability hotline, 1-800-778-4838;

References

14 C.F.R. 382.3; 14 C.F.R. 382.7; 14 C.F.R. 382.27; 14 C.F.R. 382.72-382.80

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