

Submitted by email to the Canadian Transportation Agency

Subject: Comments re: Accessible Transportation for Persons with Disabilities Regulations - Questions asked and guidance material

Please consider the following comment on Phase II of the ATPDR, as requested in December, as well as comments on the guidance documents sent out last week.

1. With respect to Phase II of the ATPDR:

It is my belief that a service dog travelling with a person with a disability should do so at no charge and with sufficient floor space on all modes of transportation, regardless of whether the destination is within Canada or abroad. Depending on the size of the service dog, the seat next to the person with a disability may be required in order to provide sufficient space for the service dog to lie comfortably on the floor. These provisions must be provided by all transportation providers doing business in Canada in accordance with the Canadian Human Rights Act.

Guidance Documents

General Comments, All Documents

2. In every one of these documents, there is a sentence similar to the following:

"Transportation service providers not covered by the ATPDR may still have obligations regarding the transportation of service dogs." Since we do have a Canadian Human Rights Act, and since all these issues are basic human rights, there is no doubt that Transportation service providers not covered by the ATPDR have obligations regarding the provision of these services. To insist otherwise is not acceptable and each of those sentences should be removed and a similar sentence to the following substituted:

"Transportation service providers not covered by the ATPDR still have obligations regarding the transportation of service dogs in accordance with the Canadian Human Rights Act."

3. I assume that all documents will be checked for spelling errors and missing words before they are finalized--this is definitely required!

Service Dogs

4. "The CTA's Accessible Transportation - Space for Service Dogs onboard transportation equipment: A Guide, available soon on the CTA website, provides information on sizes of dogs and the space recommended for each size, which can be used by carriers to establish a process to ensure that sufficient space is provided to a

person with a disability and their service dog." Is this a new piece of research, or the old document from 2008? As I have stated before, there should be a symposium to discuss service dog issues so that valid information can be gathered. The old document is not adequate and has not proven useful at all.

5. "A carrier may require a person who wants to travel with a service dog to provide it with advance notice. This is usually 48 hours notice in advance of departure but it can be as much as 96 hours if the carrier needs information or documentation relating to their service dog." The guidelines are too vague and will allow transportation service providers to decide that 96 hours' advance notice is required whenever documentation needs to be provided, which would further discriminate against people with disabilities. The lack of clarity in these guidelines will result in a lack of consistency in timelines. Since the actual regulations are vague on this account as well, I'm not sure how this can be corrected.

Advance Notice

6. " However, if the carrier requires documents or information from a person to provide them the service, a carrier may need up to 96-hour notice before departure to assess the request. In this situation, the person will have 48 hours to provide the documents and/or information the carrier has requested. Once the person has provided this, the carrier may take up to 48 additional hours to assess the request." The guidelines are too vague and will allow transportation service providers to decide that 96 hours' advance notice is required whenever documentation needs to be provided, which would further discriminate against people with disabilities. The lack of clarity in these guidelines will result in a lack of consistency in timelines. Since the actual regulations are vague on this account as well, I'm not sure how this can be corrected.

Communicating with Persons with Disabilities

7. The guide points the way to the CRTC's website when it speaks about a video relay service. I would suggest linking directly to the Canada Video Relay Service's website, <https://srvcanadavrs.ca/en/>.

8. " As of June 25, 2022, kiosks will have to meet certain requirements in the National Standard of Canada on Accessible design for self-service interactive devices, which can be found here." The link provided at that point, and in Annex B, does not result in the exact page required. I would suggest using the following link instead in both cases: https://www.csagroup.org/wp-content/uploads/B651_2-07EN_ACC.pdf which leads directly to the standard itself.

I would be very happy to discuss any of this information with you should you need clarification of any point.

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