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**Airlines for America's
Supplemental Submission for Exemption Extensions to Sections 58 and 59 of the
Accessible Transportation for Persons with Disabilities Regulations (ATPDR)**

Airlines for America (“A4A”), on behalf its members that operate scheduled passenger air transportation between the United States and Canada (“Members”),¹ appreciates the opportunity to submit supplemental information in support of our request for exemption extensions for Sections 58 and 59 of the Canadian Transportation Agency’s (“CTA”) ATPDR (“Exemption Extension Request”).²

First and foremost, we reiterate our deep commitment to accessibility and coming into compliance with Sections 58 and 59 of the ATPDR, which we expressed in our Exemption Extension Request. Our Members continue to provide accommodations for passengers with disabilities throughout their air travel experience, from curbside at the departure airport to the curbside of the arrival airport.

The state of the airline industry continues to make robust compliance with Sections 58 and 59 extremely difficult. The fiscal measures and forecasts in our Exemption Extension Request remain applicable. In fact, since our request, the industry’s already and extremely depressed revenue has fallen fourteen percent.³ In sum, the industry simply does not have adequate resources to establish robust programs for compliance with Sections 58 and 59 by December 31, 2020.

¹ Alaska Airlines, Inc.; American Airlines Group, Inc.; Delta Air Lines, Inc.; and United Airlines Holdings, Inc.

² See Letter from G. Keithley, A4A, to M. Jones, CTA (Nov. 3, 2020) (requesting an extension of exemptions for Sections 58 and 59 of the ATPDR); Email from M. Jones, CTA (Nov. 19, 2020) (requesting input from transportation service providers seeking delays of Sections 58 and 59 coming into force on January 1, 2021); Accessible Transportation for Persons with Disabilities Regulations Application Exemption Order, SOR/2020-125 (Registration 2020-06-01).

³ Comparing revenue and passenger segments for the weeks ending November 1, 2020 and December 6, 2020.

Despite the extraordinary (and increasing) challenges and in addition to the efforts explained in our Exemption Extension Request, our Members continue to use limited available resources to work towards compliance for Sections 58 and 59, including:

- Continuing cross-department meetings to establish records retention frameworks;
- Development of policies and labor-intensive processes that work towards compliance, but are not final compliance solutions, which are unavailable because of resource constraints; and
- Work to address privacy laws and related compliance issues.

Additionally, our Members are assessing potential changes to records retention program development because of the U.S. Department of Transportation's ("DOT") recent final rules regarding service animals that will come into effect on January 11, 2021. On December 10, 2020, the DOT amended its rules regarding service animal transportation, excluding emotional support animals ("ESAs") from the definition of service animal and changing the documentation that air carriers may request from passengers traveling with service animals. ESA-related documentation is the bulk of documentation collected from expenditures of limited resources in advance of the January 11, 2021 effective date may ultimately go to waste upon the DOT's rules going into effect and the resulting revisions to the air carrier's service animal procedures. For example, some air carriers may currently collect documentation from passengers traveling with ESAs, but may change their documentation requirements for passengers traveling with service animals after January 11, 2021. We also note that the upcoming DOT service animal forms do not require the passenger to see a medical professional, reducing the burden on the passenger to submit the form before travel or at the airport.

We appreciate the opportunity to submit this supplemental information in support of our Exemption Extension Request and thank you for your consideration. If you have any questions, please contact Graham Keithley at gkeithley@airlines.org.

Respectfully submitted,



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