



Accessible Transportation for Persons with Disabilities Regulations– Phase II

Comments from CNIB Foundation

Please find below the CNIB Foundation's comments on the consultation paper regarding Phase II of the Accessible Transportation Regulations for Persons with Disabilities (ATRPD). We have prepared this submission in consultation with Canadians with lived experience of sight loss. This includes feedback from the CNIB Foundation National Board, and feedback from focus groups with people who are blind or partially sighted living in communities serviced by small transportation providers, including:

- St. John's, Newfoundland & Labrador
- Thunder Bay, Ontario
- Sudbury, Ontario
- Owen Sound, Ontario
- North Bay, Ontario
- Winnipeg, Manitoba
- Regina, Saskatchewan

The CNIB Foundation recommends the Canadian Transportation Agency (CTA) strive for a network of transportation services within Canada's federally regulated network that are accessible to all Canadians who are blind or partially sighted and allows for dignified travel for Canadians with all disabilities. This submission focuses on the barriers and lived experiences of people who are blind, partially sighted and guide dog users. As such, the CNIB Foundation is not an expert on individuals with other disabilities and those who employ emotional support animals. As such, any feedback on emotional support animals is drawn upon feedback from our focus groups as well as recent news reporting.

Small Transportation Service Providers

1. In extending the ATPDR to small transportation providers, what modifications to regulatory requirements, if any, are needed?

From the CNIB Foundation's perspective, there are very few circumstances where small service providers should be exempt from the ATPRD. This includes both service providers and terminal operators.

To determine which carriers and terminal operators in Canada are classified as small carriers, the CNIB Foundation tried to obtain a list of classified small carriers from Transport Canada; however, agency personnel felt that disclosing this information would contravene privacy concerns. If this information is not available and clear to national organizations, the CTA cannot expect the public to easily identify which regulations apply to which terminal operators and service providers.

Having different regulations apply to different service providers will also leave travelers uncertain when they are traveling from major centres to smaller airports. While facilities in Canada's North and fly-in fly-out communities may qualify as small service providers under the proposed definitions, major airports are subject to existing regulations. For example, a passenger traveling from Calgary to Whitehorse may be uncertain what services will be available to them upon arrival to the Whitehorse terminal because of ambiguous definitions of small service providers. Similar circumstances of travelers going from a major centre to a smaller location exist across modes of transportation: When traveling on Marine Atlantic, can passengers expect the same services in Port aux Basques, NL as in Sydney, NS?

Bus travel to remote communities presents another unique challenge. Shared spaces such as restaurants, fast food services, and gas stations may double as bus depots in many of Canada's remote communities – requiring travelers to become patrons of commercial venues while they wait. During our focus groups, participants told us this is reasonable for a short period of time but delays often mean travelers are expected to make purchases while they wait for extended periods of time inside commercial facilities. Passengers who are blind or partially sighted that have been dropped off at a terminal will have few options other than to wait safely inside these commercial venues protected from the elements. Additionally, personnel available to provide sighted guide assistance at these locations may have little knowledge on assisting a person who is blind or partially sighted, or any training on interacting with a person with a disability.

The CNIB Foundation recommends there are no reasonable circumstances where vulnerable passengers should be left unattended or not have access to appropriately trained personnel to offer guiding assistance. All terminal operators, service providers and their personnel, regardless of their role within the organization, must be expected to complete appropriate training to ensure that front line personnel and policy makers are fully aware of the nature of assistance required by passengers with disabilities.

2. What would be the appropriate time frame for small transportation providers to come into compliance with requirements (e.g., 1, 2, or 3 years)? Do any requirements in particular require more time?

The CNIB Foundation recommends timely compliance should take place within one year, at most, from the date when Phase II regulations come into force. With the

passing of Phase I regulations in July 2019, this will provide small service providers and terminal operators with almost three years in which to prepare.

3. Are there any special accessibility-related challenges with small operators in any mode of travel in the federal network (airlines, tourist railway companies, bus operators, ferry operators) and the terminals that serve them, particularly in remote or northern areas of Canada? What solutions would help address these challenges?

There are two specific considerations where small service providers may not be able to provide adequate accommodations for travelers who are blind or partially sighted.

These are:

- Accommodating guide dogs on small aircraft; and
- Ensuring that passengers have access to appropriate assistance when inordinate delays take place.

Accommodating Guide Dogs

Trained guide dogs are capable of fitting into small spaces. Handlers are trained how to place their dog at their feet when traveling by car.

The CNIB Foundation cannot comment on the space availability on small aircraft; however, we are hopeful that the handler will have enough space at their feet to be able to safely have their guide dog travel with them for short journeys only.

The CNIB Foundation recommends service providers ensure that an extra seat is booked to accommodate a guide dog, free of charge. For service providers where providing an extra seat to would be difficult as a result of size, the CNIB Foundation further recommends that these service providers consult with disability organizations to mitigate further barriers.

The CNIB Foundation recommends that transportation service providers be required to detail plans about how they will accommodate the needs of persons with disabilities. These plans should be made available and be accessible to persons with disabilities. Once these plans have been established, meaningful and substantive consultations with their customers should be held.

Providing Assistance During Delays

During our focus groups, we heard that many people are served by small train stations that consist of a platform and a small shelter, which is often locked unless an attendant is present. CNIB Foundation recommends all stops be staffed to assist passengers of all abilities especially when inordinate delays occur.

This applies specifically to vulnerable passengers who trust service providers with their safety from curb to curb. CNIB Foundation recommends no terminal, regardless of its

size or passenger flow, should be unattended. Terminal or provider personnel must be available to ensure that passengers who are blind have access to appropriate services up to and including departure time or arrivals regardless of how these may vary from schedules.

One Person, One Fare for International Travel and Small Transportation Providers

1. Should the 1p1f requirement apply to transportation to and from Canada? If so, should it apply to both Canadian and international transportation providers?

The CNIB Foundation recommends service providers departing or arriving at Canadian terminals must be expected to comply with Canadian regulations on accessibility. A person's disability needs do not vanish simply because they have crossed a border.

CNIB Foundation recognizes the complex nature of international travel and we have begun discussions with the CTA, the International Air Transport Association (IATA) and other blindness organizations around the world to try and develop a uniform set of regulations for all international service providers.

The CNIB Foundation recommends the CTA begin accelerated discussions with the International Civil Aviation Organization (ICAO), through the Government of Canada's delegate, to bring about uniform international regulations which will ensure that persons who are blind or who have other disabilities can be adequately served. This could include extending the one passenger one fare regulations to international carriers. These conversations should include the lived experience of people with disabilities.

2. Achieving consistent approaches to accessibility for international air travel requires discussions and cooperation among many jurisdictions. Given this, it may not be possible to achieve the goal of completely barrier-free international travel through the CTA's regulations. What strategies -- as a complement or an alternative to changes to CTA regulations -- could be pursued to help remove barriers to Canadians with disabilities when they fly to or from other countries?

The CNIB Foundation does not agree with CTA's premise that completely barrier-free international travel is unattainable. Within a global economy, international trade agreements are frequently drafted; for example, the Comprehensive Trans Pacific Partnership brought together ten nations to establish a huge market for its signatories. Recognizing that these international agreements are complex, accommodating the needs of a person with sight loss or one with another disability are comparatively simpler.

A regulatory framework already exists through the United Nations Convention on the Rights of Persons with Disabilities (CRPD). There are 163 member states who are signatories to the convention with another 18 states ratifying the instrument; of which Canada is one. Global intent to improve conditions for persons with disabilities does exist at an international level but what is missing is a catalyst to bring about timely and meaningful change.

The CNIB Foundation recommends the Government of Canada champion an international agreement for travellers with disabilities using the CRPD as a benchmark. This would be yet another opportunity for Canada to assume international leadership.

3. Should 1p1f apply to small transportation providers?

Persons with disabilities live and travel throughout Canada. Excluding small transportation service providers from the 1p1f regulations would exclude persons who are blind and partially sighted that require the assistance of an attendant from traveling to communities served by small carriers.

CNIB recommends that if the CTA is reluctant to impose 1p1f rules on small providers, the CTA must study the economic impact of bringing this into force to determine the financial implications to small carriers. A similar exercise was undertaken when the 1P1F regulations were introduced in 2008 which found no undue burden on carriers¹.

Terminals that facilitate independent wayfinding for travelers who are blind or partially sighted could negate the need for the 1p1f rule for passengers who's only disability is sight loss. Examples of meaningful wayfinding strategies include, but are not limited to, post-security relieving areas for guide dogs, beacon technology informing travelers of key locations, accessible information boards listing flight information, and free minutes connecting travelers to live agents through apps like AIRA.

However, Canadian terminals are a long way from becoming fully accessible to persons with sight loss. The CNIB Foundation recommends small providers be expected to accommodate passengers who are blind or partially sighted that require the assistance of an attendant until such time that all Canadian terminals are fully accessible to persons with sight loss. For those travelers with sight loss or other disabilities unable to travel without the assistance of an attendant, this would create an unnecessary barrier to their full and dignified right to access Canada's federally regulated network.

¹ **Decision No. 6-AT-A-2008, Paragraph 16** <<https://otc-cta.gc.ca/eng/ruling/6-at-a-2008>>

Emotional Support Animals (ESAs)

1. What do you think about a potential requirement for transportation providers to accept ESAs? What conditions, if any, should apply?

When properly trained and certified by accredited institutions and trainers, dogs can play a significant role in mitigating the impacts of a disability. Guide dogs are evidence of this, having been widely used for almost 100 years.

What distinguishes a guide dog from an emotional support animal is the rigorous training that the dogs are provided. More importantly, the professionals who train these animals undergo a process of accreditation which ensures a level of understanding of canine behaviour. These professionals, through a thorough professional apprenticeship program, acquire an in-depth understanding of the disability being mitigated. Unfortunately, the CNIB Foundation is unaware of any similar credential required when ESAs are put into service.

Guide dogs are trained to handle lengthy flights and situations where relieving areas are far between. Even then, there is no guarantee that in a stressful situation, a dog will not react adversely. Service animals, such as emotional support animals, without such rigorous screening, training, and certification, increase the chance of mishaps which are inconvenient to the public. Potential risks can take place, when untrained animals are travelling, which could potentially put a guide dog handler at risk.

The CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as the International Guide Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.

2. Should transportation providers be required only to accept certain species/animal types as ESAs (e.g., dogs, cats and rabbits)? Or should transportation providers be required to accept all species excluding a few (e.g., insects and snakes)?

As stated above, the CNIB Foundation can only comment on guide dogs and their training. The CNIB Foundation recommends that transportation providers accept dogs who are accredited through an internationally recognized body such as the International Guide Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.

ESAs other than dogs may have an impact on other passengers. It is difficult enough to manage allergy considerations when guide dogs are on board in confined spaces – complicating this further by introducing other animals would not be in the best interest of the public and introduce an unnecessary layer of complexity for service providers.

Ample evidence exists as to the disturbances which untrained animals can bring about; expanding the number of categories will only increase the likelihood of other problems coming about.

3. As an alternative to a species-based approach, would it be preferable to have a criteria-based approach for the acceptance of ESAs? The criteria for carriers to accept or refuse to transport an animal could include habits of the species, age, size or the potential allergy trigger to that the animal may create. For example, they could refuse to accept animals that gnaw, whose young age is likely to result in unacceptable behaviour, that pose a high allergen risk, or do not fit in a travel carrier or on the floor at a traveler's feet.

The CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as the International Guide Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.

Transportation service providers are not experts in animal behaviour or in implementing criteria-based assessments of animals. It is our position that there needs to be a common ground when accessing Canada's federally regulated system and one such expectation is that exotic animals will not be in the cabin next to you or in an adjacent seat.

As we indicated above and in preceding submissions to the agency, it is the CNIB Foundation's position that service providers accept only dogs who are accredited through an internationally recognized body.

4. Should all transportation providers be required to accept the same types of ESAs or should there be differences based on the mode of transportation (air, rail, marine, or bus)? If you think there should be differences based on mode, what differences?

CNIB strongly encourages a regulatory framework for all transportation service providers that provides both predictability and consistency for all consumers, regardless of ability. As such, the CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as International Guide Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.

5. Should the same requirements for ESAs apply to large and small transportation providers? Should consideration be given to the size or seating capacity of aircraft, rail car, bus, or ferry?

CNIB Foundation recommends that Phase II Regulations introduce a degree of consistency within Canada's federally regulated transportation system. Specific to this, CNIB recommends different standards do not apply to different modes of travel, as journeys can span across various modes of transportation.

6. In the United States, enforcement action is not taken if an airline refuses to transport more than three service animals for one traveler, including ESAs. In Canada, should there be a limit on the number of service dogs and/or ESAs that persons with disabilities can travel with on-board? If so, what limit?

CNIB Foundation recommends that any regulatory framework only permit one service dog per passenger. During our consultations, participants did not believe a person with a disability would require multiple service animals in transit. Participants said multiple animals accompanying a traveler would introduce unnecessary inconveniences for other passengers and service providers. Furthermore, managing multiple animals within a terminal or on a bus, plane, or train is likely to create unavoidable conflicts for all passengers.

7. What documentation, if any, should transportation providers be able to request with respect to travel with ESAs with the aim of mitigating health, safety, or fraud concerns? For instance: that the traveler requires the animal to travel, for medical reasons, as indicated by a health care practitioner who is treating the traveler and confirms that the traveler has a disability and needs the animal to travel for disability-related reasons; that the animal will not need to relieve itself during transportation, and will not bark, growl, or act aggressively.

While healthcare professionals such as mental health workers or psychiatrists may be able to speak to the possible benefits a person might derive from an ESA, they have no qualifications to ensure that an emotional support animal acquired by a person with a disability has been properly trained and that the person has received instruction on how to work with their animal.

Accredited organizations all issue identification cards which include a photograph of both the dog and the person with a disability. The CNIB Foundation does not believe it is unreasonable for a service provider to request proof when accommodating a traveler working with a guide or service dog.

CNIB Foundation is aware of the ease by which fraudulent documents can be obtained online. The CNIB Foundation firmly believes that penalties should exist for individuals

who obtain and use fraudulent documents and disguise person pets as guide dogs and service animals. For instance, many provinces have long standing regulations stipulating that misrepresenting one's self as a person who is blind can be found summarily guilty of an offence. The CNIB Foundation recommends the CTA adopt similar punitive measures with the goal of protecting persons working with legitimate service dogs.

The CNIB Foundation is pleased to see post-security relief areas become a regulatory expectation of terminal operators. However, these indoor relieving areas are better designed for small dogs and are unsuited for medium or large guide dogs. The CNIB Foundation recommends the agency strengthen their expectation of terminal operators to ensure appropriate guide dog relief areas in secured areas². This would provide handlers an opportunity to have their dog relieved when unexpected delays take place.

8. The ATPDR allow transportation providers to require that persons with disabilities provide 48 hours' advance notice prior to departure for most services, including travelling with service dogs. In some situations, they may request up to 96 hours' notice to verify that documentation is in order and authorize an animal for travel. However, they must still make reasonable efforts to provide the service, even if notice is not given.

How much notice would be appropriate with regard to ESAs?

As indicated above, the CNIB Foundation firmly believes there is a need for international expectations to be established. This is yet another prime example of where and how this could be applied.

Referring once again to the ATPDR passed in July of 2019, paragraph 54, a further expectation of service providers requiring them to maintain documentation on file for at least 3 years should make booking travel more efficient for all concerned. Should documents provided to a service provider be suspect, then the carriers ability to maintain these on file while they are investigated may further dissuade persons from fraudulently representing themselves as someone with a disability.

9. Should transportation providers be permitted to require that ESAs be tethered, leashed, harnessed, and/or enclosed within a travel carrier? Would any of these requirements prevent travellers from using ESAs therapeutically?

The CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as the International Guide

² CNIB s Clearing our Path provides guidelines on what may prove helpful in establishing specifications for such relieving areas. Visit: http://www.clearingourpath.ca/4.5.4-guide-dog-relief-areas_e.php

Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations. While navigating within a terminal, a dog would be in harness; otherwise it is not working.

However, provided that a dog remains under the handler's control, only requiring a dog to be leashed would be reasonable. Given the cramped quarters on buses or airplanes, a harness will crowd the handler, the dog, and any neighbouring passengers.

10. Apart from the issue of ESAs, should transportation providers be obligated to accept service animals other than service dogs? If so, should any restrictions apply?

The CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as the International Guide Dog Federation (IDGF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.

4. Planning and Reporting Obligations under the Accessible Canada Act

A) Accessibility Plans

1. How much time should transportation providers be given to prepare their initial plans once the regulations are finalized (e.g., 12, 18, or 24 months)?

Should the timing of publication be consistent with that required under any other federal laws, such the *Employment Equity Act*?

CNIB Foundation recommends that reporting expectations of transportation service providers, including terminal operators, be aligned with the Accessible Canada Act regulations once these are issued. Consistent with the "no wrong door" principle, establishing reporting requirements for transportation service providers that differ from other regulated entities would be counterproductive.

CNIB Foundation recommends that initial accessibility plans should be available promptly following Order-in-Council approval of the Phase II regulations; but not more than one year after the regulations come into force. As we have stated above, there exists at least a 2-year window from today until these regulations are enacted.

This is ample time for impacted entities to prepare initial accessibility plans.

b) Feedback Process

1. What steps should a feedback process include to help ensure that members of the disability community have an opportunity to provide transportation providers with meaningful feedback on their accessibility plans and on the barriers they have encountered?

The CNIB Foundation recommends there be an expectation of transparency and accountability within any feedback mechanism. Further, CNIB recommends any opportunity to provide meaningful feedback be accessible to persons with disabilities.

As a member of the agencies Accessibility Advisory Committee, CNIB Foundation commends the cooperative and open framework of dialogue but recommends more frequent communications as once yearly discussions do not provide meaningful exchange of ideas.

CNIB Foundation encourages service providers, regardless of size, to establish advisory committees of their own. These would be focused based on the business realities of the regulated entity and provide targeted dialogue from the community of persons with disabilities.

Representation on these advisory committees should include stakeholders from the disability community and be co-chaired by senior management and a committee member. The work of this committee should be included in the accessibility reports as a key deliverable when reporting back to the agency.

Further, service providers and terminal operators should ensure that people with disabilities have the ability to provide anonymous feedback, via accessible forms. This should be done by electronic means, such as on the service providers or terminal operators' website, via email, or by phone or TTY.

2. Should the publication date of the feedback process be the same as for the initial accessibility plan?

CNIB Foundation recommends that the accessibility plans be staggered with a formal reporting of activities and findings of an accessibility committee. These should run over a 3-year cycle.

c) Progress Reports

1. When should first progress reports related to the Accessibility Plan be due?

CNIB Foundation recommends that initial progress report be due within 3 months of the ATRPD Phase II Regulations coming into force. All service providers within Canada's federally regulated system have known of the regulations coming about since at least 2016. If, as outlined in the consultation paper, Phase II regulations will be published in summer or fall of 2021; almost 5 years since first raised by the Agency. Service providers and terminal operators are aware of areas needing attention with respect to disability accommodations given the degree of discussion taking place around

accommodations. Their initial reports would serve as a starting point on which future actions would be based.

CNIB Foundation recommends progress reports and measurements follow the regulations set under the Accessible Canada Act for consistency throughout federally regulated entities.

CNIB Foundation recommends reporting templates include a cover page which provides information on where and how alternate format materials can be found or requested.

CNIB Foundation recommends the following modifications and information be captured in the reporting template:

- Details of training programs and participation should be reported by functional area such as front-line personnel, front-line managers, operational leads, executive leadership, senior leadership and boards of directors;
- Existing barriers that have been identified by the priority areas, listed below, and mitigation strategies to remove the barriers:
 - The built environment;
 - Information and communication technologies;
 - Communication, other than information and communication technologies;
 - The procurement of goods, services and facilities; and
 - The design and delivery of programs and services.
- Information on how training programs are addressing the ways personnel are taught to deliver assistance.

2. Would the same publishing deadlines facilitate reporting with CTA and ESDC?

CNIB Foundation recommends using similar deadlines for consistency. Regardless on for whom the reports are being prepared.

d) Publishing and Providing Documents

1. What should the publication requirements be? Should the initial and updated accessibility plans – as well as their feedback processes and progress reports – be published in a prominent location, such as a website, mobile website, or mobile application?

Yes, initial, updated accessibility plans, as well as feedback processes and progress reports, should be published in a prominent location. This should include website, mobile websites, mobile applications, and available upon request at ticket retailers, customer service desks and on any onboard entertainment console. Accessibility plans must be readily available in a timely manner. Clear directions must be available for requesting alternate format copies.

2. Should specific accessibility standards be met when posting the content, as provided in the ATPDR?

Regardless of which standard is specified by the regulations, the result must be that documents are accessible using various forms of assistive technology. The agency has adopted clear print guidelines and CNIB Foundation recommends that regulations require the guidance materials which existed in the voluntary Communications Code of Practice, underpin any new regulations.

3. Should a telephone number, email address, and a third party's telephone number for telephone relay or video relay service be provided – which is also consistent with requirements in the ATPDR – to enable persons with disabilities to contact transportation providers regarding these publications?

CNIB Foundation recommends effective means of communication be made available for all Canadians who wish to engage, and that telephone numbers and email addresses be easily identifiable online, including on the CTA website.

4. When should transportation providers be required to notify the CTA? Should it be on the same day they are published, by providing the URL and link?

When accessibility plans and reports are published, their availability should be communicated widely via both the service providers digital platforms and the agency.

5. Some small transportation providers may not have a website. Given this, what would be an acceptable alternative to publishing a document?

The CNIB Foundation recommends transportation service providers be required to provide documents to the public by either a publicly available telephone request line or a website. In the few instances where small carriers do not have a website, CNIB Foundation recommends the CTA require the carrier to ensure 24/7 access to a live agent, for information, via telephone or be required to provide the documents to CTA for publishing on the CTA's website.

6. What, if any, rules should apply to how a person with a disability can request that a document be provided in an alternate format? How much time should a transportation provider be allowed to provide it?

The communications provisions of the ATPDR include requirements for transportation providers to make information available on request in audio and visual formats; in large print, Braille or an electronic format; and in a format that is compatible with adaptive technology that is intended to assist persons with disabilities. Which alternative formats, regarding the accessibility plans and the progress reports, should transportation providers make available to persons with disabilities?

CNIB Foundation recommends that the following formats be made available:

- Accessible electronic formats compatible with screen reader or screen magnification software and are available on both iOS and Android platforms;
- Audio formats that are compatible with DAISY readers or mobile applications;
- Alternate format hard copy materials including braille or large print;
- Electronic files that are formatted for refreshable braille displays.

e) Variations in Regulatory Application

1. What modifications, if any, would be appropriate for small transportation providers? For example, additional time for preparing required documents may be appropriate.

CNIB does not believe that any modifications would be required by small service providers to meet their reporting requirements. While the resourcing necessary to compile robust and detailed reports may not exist within small service providers, the complexity of their businesses will, likewise, be comparatively straight forward.

The need for all service providers and terminal operators to create accessibility plans, develop feedback mechanisms and deliver follow up reports are all essential in order that the principles of the Accessible Canada Act can be realized. An absence of these mechanisms, regardless of justification, will only prolong and perpetuate the barriers facing Canadians living in smaller communities who are living with a disability.

f) Minimizing Duplication

1. There might be a few differences between what is required under ESDC's regulations and the CTA's regulations, given the nature of what is regulated (for example, employment versus transportation). With this in mind, Annexes C and D provide templates for the accessibility plans and progress reports related to transportation. These show what sections the CTA could require plans and reports to have, by regulation. Annex E on the feedback process also includes elements that could be required by regulation, as well as ideas for future guidance (discussed below). Please provide comments on the sample templates and feedback elements.

Annex C – Sample Template for Accessibility Plans

The CNIB Foundation would recommend the following be added to the sample accessibility plan:

Cover page - add how to request alternate formats of the plan.

Plan details: As proposed, the plan will only outline what a regulated entity is expected to provide. In order for any accessibility plans to be meaningful, they must outline the number of complaints received by a service provider, the areas in which the complaints were received, and any trending information which the provider has at time of writing. The initial plans will act as a baseline on which progress will be measured.

Further, the CNIB Foundation would suggest that the Agency amalgamate the data from service providers and publish this, at minimum, every 2 years. A similar approach exists within the CRTC whereby the Commissioner for Complaints within the Telecommunications' Sector publishes consumer complaints on a regular basis.

2. Would the same publishing deadlines facilitate reporting with CTA and ESDC?

CNIB would suggest that provided that service providers clearly articulate the reporting deadlines under which they are operating that this would be adequate.

g) Guidance Material

1. Is the draft guidance material on the feedback process useful?

As stated above, there must be mechanisms by which complaints are reported, both to the Agency and to the public. If service providers receive feedback, then this must be reported on.

2. What CTA guidance material, if any, would be helpful in implementing planning and reporting obligations and ensuring documents are relevant for persons with disabilities?

As Canada's regulatory body on accessible transportation, the Agency can best serve all stakeholders by maintaining and developing resources on accessible transportation. Specifically, to the Phase II ATPRD regulations and the Accessible Canada Act, planning, reporting and feedback mechanisms.

Conclusion

To prepare this submission, the CNIB Foundation consulted with Canadians who are blind or partially sighted in rural or remote Canadian municipalities that are served by small transportation service providers.

Overwhelmingly, we heard that there is a need for mandatory training for staff to ensure all staff understand how to assist a traveler with a disability. In our consultations with guide dog handlers, we heard that untrained emotional support animals pose risks to the safety of legitimate service dog teams. CNIB Foundation recommends all small service providers be required to comply with regulations one year after coming into force, and that all accessibility plans, progress reports, and feedback mechanisms be done in accordance with the regulations set out in the Accessible Canada Act for greater certainty and consistency.

While CNIB Foundation acknowledges the business realities that face small transportation service providers, we hope the CTA will prepare a set of regulations that mirrors the existing ATPRD Phase I Regulations, wherever possible, to ensure streamlined and consistent service for travelers with disabilities.

CNIB Foundation Recommendations

1. The CNIB Foundation recommends the CTA strive for a network of transportation services within Canada's federally regulated network that are accessible to all Canadians who are blind or partially sighted and allows for dignified travel for Canadians with all disabilities.
2. The CNIB Foundation recommends there are no reasonable circumstances where vulnerable passengers should be left unattended or not have access to appropriately trained personnel to offer guiding assistance. All terminal operators, service providers and their personnel, regardless of their role within the organization, must be expected to complete appropriate training to ensure that front line personnel and policy makers are fully aware of the quality of assistance expected of passengers.
3. The CNIB Foundation recommends timely compliance should take place within one year, at most, from the date when Phase II regulations come into force.
4. The CNIB Foundation recommends service providers ensure that an extra seat is booked to accommodate a guide dog, free of charge. For service providers

where providing an extra seat to would be difficult as a result of size, the CNIB Foundation further recommends that these service providers consult with disability organizations to mitigate further barriers.

5. The CNIB Foundation recommends that transportation service providers be required to detail plans about how they will accommodate the needs of persons with disabilities. These plans should be made available and be accessible to persons with disabilities. Once these plans have been established, meaningful and substantive consultations with their customers should be held.
6. The CNIB Foundation recommends all transportation stops be staffed to assist passengers of all abilities especially when inordinate delays occur.
7. The CNIB Foundation recommends service providers departing or arriving at Canadian terminals must be expected to comply with Canadian regulations on accessibility.
8. The CNIB Foundation recommends the CTA begin accelerated discussions with the International Civil Aviation Organization (ICAO), through the Government of Canada's delegate, to bring about uniform international regulations which will ensure that persons who are blind or who have other disabilities can be adequately served.
9. The CNIB Foundation recommends the Government of Canada champion an international agreement for travellers with disabilities using the CRPD as a benchmark.
10. The CNIB Foundation recommends that if the CTA is reluctant to impose 1p1f rules on small providers, the CTA must study the economic impact of bringing this into force to determine the financial implications to small carriers.
11. The CNIB Foundation recommends small providers be expected to accommodate passengers who are blind or partially sighted that require the assistance of an attendant until such time that all Canadian terminals are fully accessible to persons with sight loss
12. The CNIB Foundation recommends that service providers accept only dogs who are accredited through an internationally recognized body such as International Guide Dogs for the Blind (IDGF) or Assistive Dogs International (ADI) or have an affiliation with these organizations.
13. The CNIB Foundation recommends that service providers accept dogs who are accredited through an internationally recognized body such as International Guide Dog Federation (IGDF) or Assistance Dogs International (ADI) or have an affiliation with these organizations.
14. The CNIB Foundation recommends that Phase II Regulations introduce a degree of consistency within Canada's federally regulated transportation system. Specific to this, the CNIB Foundation recommends different standards do not apply to different modes of travel, as journeys can span across various modes of transportation.
15. The CNIB Foundation recommends that any regulatory framework only permit one service dog per passenger.

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16. The CNIB Foundation recommends that reporting expectations of transportation service providers, including terminal operators, be aligned with Accessible Canada Act regulations once these are issued
 17. The CNIB Foundation recommends that initial accessibility plans should be available promptly following Order-in-Council approval of the Phase II regulations; but not more than one year after the regulations come into force.
 18. The CNIB Foundation recommends there be an expectation of transparency and accountability within any feedback mechanism. Further, the CNIB Foundation recommends any opportunity to provide meaningful feedback be accessible to persons with disabilities.
 19. The CNIB Foundation recommends that the accessibility plans be staggered with a formal reporting of activities and findings of an Accessibility Committee. These should run over a 3-year cycle.
 20. The CNIB Foundation recommends effective means of communication be made available for all Canadians who wish to engage, and that telephone numbers and email addresses be easily identifiable online.