

Submitted by email to the Canadian Transportation Agency

Subject: Response - Accessible Transportation for Persons with Disabilities Regulations

Dear Madame, Dear Sir;

I would like to share my feedback for CTA's Consultation on the *Accessible Transportation with Disabilities Regulations*, ahead of the deadline on February 28, 2020.

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

As someone who suffers from severe anxiety I believe that providers should be required by law to accept ESAs. The conditions would include that the ESA would need have a clean bill of health from a certified vet and have all vaccinations up to date, in conjunction with a note/certification from the person's medical doctor that they require an ESA when travelling. Additionally, the ESA should be able to comfortably travel on the same seat as the passenger and not require additional space.

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)?

Providers should only be required to accept animals that would cause minimal disruption to other passengers, this would be dogs, cats, rabbits, miniature pig. I would agree with CTA's suggestion of all species excluding insects, spiders, snakes, etc...

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 traveller's feet.

In addition to the species-based approach, the animal would require a behavioural confirmation from the vet, which would confirm that the animal may travel without disruption/danger to other passengers. I do not believe that allergies should be included as many people suffer from cat/dog allergies yet Service Dogs are able to travel with passengers without limitation.

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?

I do not believe there should be a difference between modes of transportation.

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?

The same requirements should be applied and be standard, this would prevent any discrimination when the options for transportation are limited.

In the United States, enforcement action is not taken if an airline refuses to transport more than three service animals for one traveller, 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?

Yes, there should be a limit of one per person. More than one animal makes it difficult for the passenger to ensure there is no disruption to other passengers.

Under the ATPDR, transportation providers can require a person with a disability travelling with a service dog to provide documentation issued by an organization or person specializing in service dog training. The documentation must identify the person with the disability. It must also attest that the service dog has been individually trained by a specialized organization or person to perform a task to assist that traveller with a need related to their disability.

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 traveller requires the animal to travel, for medical reasons, as indicated by a health care practitioner who is treating the traveller and confirms that the traveller 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.

I am in full agreement with the above criteria.

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?

48 hours to ensure the transportation provider has sufficient time to confirm documentation.

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?

ESAs should require to be leashed, but not to be in a carrier so as to not prevent the therapy the ESA providers to the travellers.

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?

Only if the animal can be certified as a Service Animal.

Thank you for accepting my thoughts on the ATPDR and if any additional input is required, please contact me via phone or email.

Cheers,
Kathleen
(Removed)