

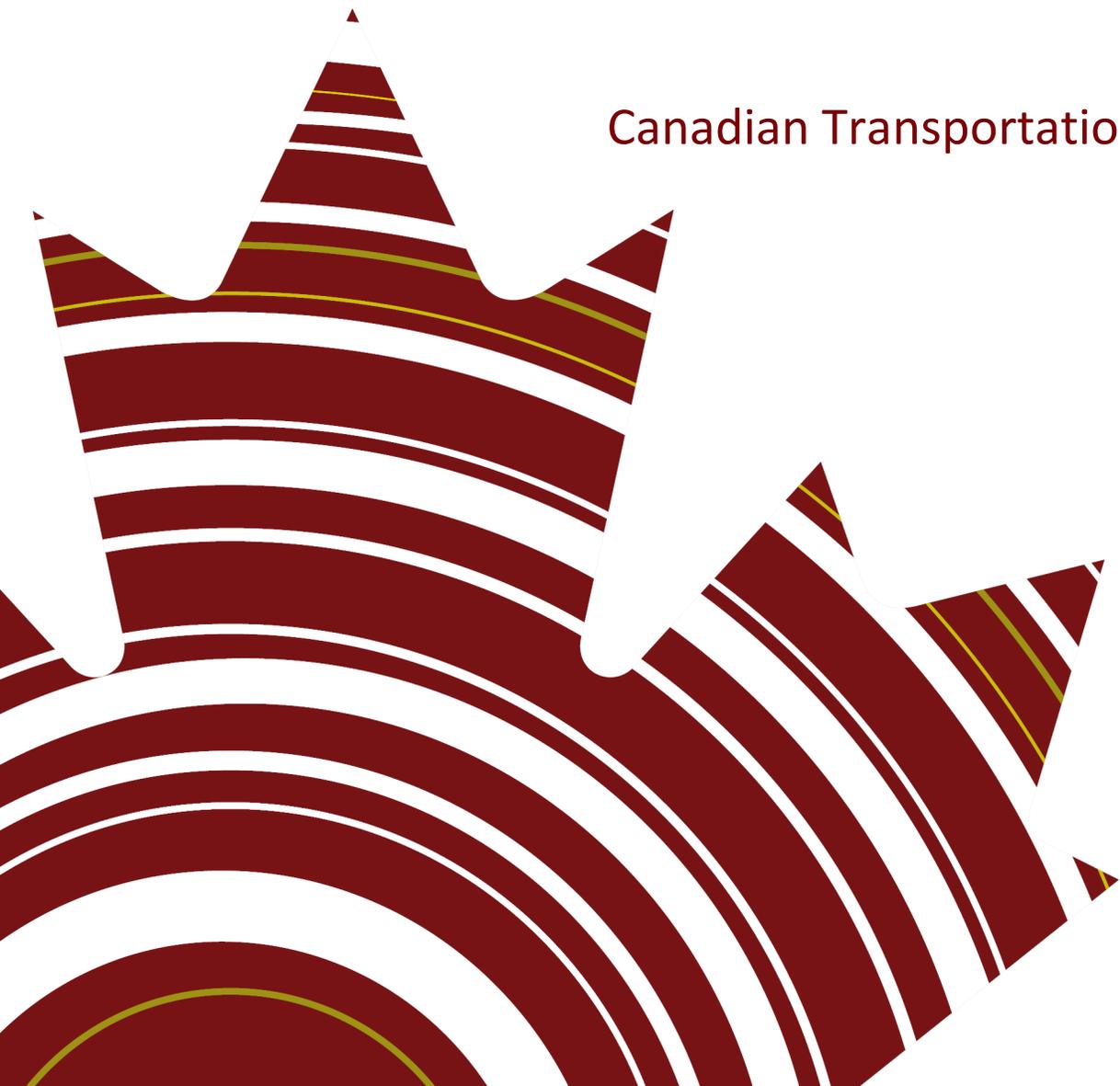


Canadian
Transportation
Agency

Office
des transports
du Canada

Accessible transportation — Advance Notice/Supporting Documentation Requesting Services for Persons with Disabilities: A Guide

Canadian Transportation Agency



Canada 

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[Alternate formats](#) are available. Une [version française](#) est aussi disponible.

1. Purpose

This guide explains the obligations of transportation service providers, under the *Accessible Transportation for Persons with Disabilities Regulations* (ATPDR) with respect to advance notice, documents and information that carriers are allowed to request from persons with disabilities who ask for services.

This guide explains:

- The services for which no advance notice is needed;
- The services for which a carrier can request advance notice, information and/or documents from a person with a disability;
- What kinds of documents or information a carrier may request from a person with a disability;
- How much advance notice a person with a disability must give when requesting services; and
- What a carrier must do if the traveller doesn't provide advance notice, documents or information.

Transportation service providers not covered by the ATPDR may still have obligations in this area. For more information consult [Accessible Transportation Guides — Introduction](#).

This is not a legal document. The explanations and definitions it provides are for general guidance purposes only. The obligations for providing services to persons with disabilities can be found in the [ATPDR](#), Part 2 and in [Annex C](#) of this guide. In case of differences between this guide and legislation or regulations, the legislation and regulations prevail.

Nothing in the Regulations or this Guide is to be construed as

- a) limiting the duty to accommodate under the Canadian Human Rights Act or any other Act of Parliament; or
- b) (b) requiring any person to do anything that jeopardizes security, public health or public safety.

2. When advance notice is not required

The ATPDR set out a range of services that carriers must provide when requested by a person with a disability. A carrier must provide the services listed in [Annex A](#) regardless of when the traveller makes the request. These services include:

- Help checking-in at the counter, or a kiosk;
- Assistance while on board including:
 - Helping with carry-on baggage, entertainment systems, and served meals;
 - Describing to persons with a visual impairment the layout of the plane, train, bus or ferry, and the food and drink offered;
 - Providing individual safety briefings and demonstrations; and
 - Helping the passenger to move to, and from, a washroom using an onboard wheelchair; and
 - Periodically checking in to attend to their needs.

3. Providing advance notice, information and documents

The ATPDR recognize that, depending on the type of service a passenger with a disability is requesting, a carrier may need time to arrange for special equipment, or for personnel with particular training. They may also need documents or information from the person in order to address the request and provide the services. If the passenger does not provide this advance notice, the carrier must still make every reasonable effort to provide the service (see Section 6 of this guide).

The services for which a carrier may request advance notice, information and documents are listed in [Annex B](#). The services include:

- Helping a traveller with a disability move through security, border clearance or to the boarding area;
- Providing an on-board wheelchair or help transferring between different mobility aids;
- Transporting a mobility aid;
- Establishing a “buffer zone” for a person with a severe allergy;
- Accepting a service dog; and
- Providing an additional seat for a support person, service dog or other reason under the one-person-one-fare rule for travel within Canada.

Examples of documents that could be requested by a carrier include:

- A medical certificate to assess a request for an allergy buffer zone or a request to use an oxygen device during travel;

- A declaration or document confirming the training of a service animal; and
- Instructions for the disassembly and reassembly of a mobility aid.

Carriers may require the use of their own forms for providing medical information. The use of these forms may accelerate the processing of requests.

A carrier's website must tell travellers with disabilities which services may require advance notice. If they don't have a website, they will have to publish this information in another way, such as a brochure.

4. Keeping information on file

Carriers must offer to retain an electronic copy of any information or documents for at least three years, if the carrier has requested a person with a disability provide this information or documents to support their request for an accessibility-related service.

The next time the person requests the service, the carrier can refer to what they already have on file so that the person can avoid having to refile the information or documentation. Carriers may choose how they keep these records.

A carrier may ask a person to confirm, at the time of a new reservation, within the 3 year period, if any of the information or documents already on file should be updated, for example, because of a change in the person's condition, since the information or documents were originally provided.

5. How much advance notice is required

If a person with a disability needs any of the services described in Section 3, and [Annex B](#) of this guide, they should, as part of their pre-travel planning, check the requirements their carrier has in place and make their request as far in advance as possible.

Generally speaking, a person with a disability will have to make a request for services at least 48 hours before their departure. They can do this by contacting the carrier directly; for example, by phone, email or through their website. Some carriers may also refer passengers to a specialized department such as a medical desk.

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. If the person with a disability gives advance notice but the information or documents provided are insufficient or the notice period includes a day that is a weekend day or holiday, the carrier may not be able to complete its assessment of the request. In these cases, the carrier may not be required to provide the service. For this reason, it is important that travellers provide the requested documents or information and make every effort to give advance notice that includes two full business days.

6. Carrier obligations when advance notice is not provided

While it is always a good idea to plan travel well ahead of the departure date, sometimes this is not possible. If a person with a disability makes a request for a service without providing the necessary advance notice, documents or information, carriers must still make a reasonable effort to provide that service.

What counts as reasonable efforts will depend on the particular situation. Sometimes, there may be legitimate operational factors that prevent or limit a carrier's ability to provide services when insufficient advance notice has been provided.

Example: Ms. Smith, who uses an electric wheelchair, has been asked to fly out from Ottawa today to attend a meeting in Vancouver. Ms. Smith immediately contacts the air carrier she normally travels with, but can only provide a few hours' notice of her need to travel with her electric wheelchair.

The air carrier must make reasonable efforts to provide Ms. Smith with the service she has requested. This could include notifying ground personnel of the passenger's anticipated arrival time, and making sure the personnel understand that they will have to be ready to quickly take apart, package and safely store the wheelchair. The carrier could also consider asking Ms. Smith to e-mail instructions for taking apart her wheelchair before she leaves for the airport.

The carrier should also let Ms. Smith know if operational issues could make it impossible to put her wheelchair on the flight. If the carrier has made reasonable efforts but cannot offer the service on the flight Ms. Smith booked, they should provide other reasonable alternatives (for example, offering to rebook Ms. Smith on the next available flight).

7. We're here to help

For more information and guidance about accessible travel and the CTA's dispute resolution services, please contact us at info@otc-cta.gc.ca.

Annex A: Services that do not require advance notice

The following services must be provided by a carrier if requested without advance notice:

- Assisting the person with checking in at the check-in counter;
- Permitting the person, if they are unable to use an automated self-service kiosk or other automated check-in or ticketing process, to advance to the front of the line at a check-in counter or ticket counter;
- Assisting the person in storing and retrieving their carry-on baggage;
- Assisting the person in moving in and out of a mobility aid space;
- In the case of a person who is blind or has any other visual impairment, describing to the person, before departure or, if impossible because of time constraints, after departure, the layout of the aircraft, train, ferry or bus, as the case may be, including the location of washrooms and exits, and the location and operation of any operating controls at the person's passenger seat;
- Assisting the person in accessing any entertainment content that is offered on board, such as by providing them with a personal electronic device and assisting them in using that device;
- Before departure, providing the person with an individualized safety briefing and demonstration;
- In the case of an aircraft, train or ferry, assisting the person in moving between their passenger seat and a washroom, including by assisting them in transferring between their passenger seat and an on-board wheelchair;

- In the case of an aircraft, permitting a person to use the washroom that has the most amount of space, regardless of where the washroom is located, if the person needs an on-board wheelchair or the assistance of a support person or service dog to use a washroom;
- In the case of a person who is blind or has any other visual impairment, describing to the person, if a meal is offered on board, all the food and beverages that are offered for consumption or providing a menu in large print or in Braille;
- If a meal is served on board to the person, assisting the person with the meal by opening packages, identifying food items and their location and cutting large food portions;
- If the person is not able to access a food-service car on a train, permitting the person and any support person to order a meal, and be served the meal, at their passenger seats or in their cabin;
- If a person with a disability who is in a wheelchair, a boarding chair or any other device in which the person is not independently mobile is waiting at a terminal for departure after check-in or in order to transfer to another segment of their trip, the carrier must ensure that members of personnel:
 - provide the person with a place to wait that is close to members of personnel who are available to provide assistance to the person; and
 - periodically inquire about the person's needs and attend to those needs if the services requested by the person are services that are required by this Part; and
- Unless a person with a disability is able to request assistance from members of personnel by means of a call button, the carrier must ensure that members of personnel periodically inquire about the person's needs and attend to those needs if the services requested by the person are services that are required by this Part.

Annex B: Services that do require advance notice

The following services must be provided by a carrier if requested by a person with a disability at least 48 hours prior to the scheduled time of departure for their trip, unless the carrier requires information or documents to assess the person's request. If that is the case, up to 96 hours advance notice may be required.

- Permitting a person with a disability to board in advance of other passengers, if they arrive before or during the priority boarding period, otherwise personnel must provide assistance with boarding after the other passengers have boarded;
- Assisting the person in proceeding through any security screening process at the terminal;
- Assisting the person in proceeding to the boarding area after check-in;
- Before boarding, transferring the person between the person's own mobility aid and a mobility aid provided by the carrier;
- Assisting the person in boarding and disembarking and, in the case of a person travelling on a ferry, assisting the person in moving to and from a vehicle deck to a passenger deck;
- Before departure and on arrival at the destination, transferring the person between a mobility aid and the person's passenger seat;
- In the case of an aircraft, train or ferry, providing the person with an on-board wheelchair;
- Assisting the person in proceeding through border clearance (immigration and customs);

- Assisting the person in retrieving their checked baggage;
- Assisting the person, after disembarkation, in proceeding to the general public area;
- Assisting the person, after disembarkation, in proceeding to a location where the person may receive assistance to proceed to the curbside zone from a member of the terminal operator's personnel;
- Assisting the person, if they are transferring to another segment of their trip within the same terminal, in proceeding to a location where the person may receive assistance from a member of the receiving carrier's personnel;
- Ensuring that, on the request of a person with a disability who is using a mobility aid, members of personnel on board a bus:
 - If the bus is not equipped with a washroom that can accommodate a mobility aid and any support person, stop the bus, at least every two and a half hours, at a rest stop with a washroom that accommodates a person using a mobility aid and any support person or at a rest stop chosen by the person and allow adequate time to use the washroom; and
 - Permit the person to board or disembark at a stop of their choice if the member of personnel who is operating the bus considers it safe to do so and, if not, informing the person of the location of the closest safe stop;
- Ensuring that, on the request of a person with a disability, members of personnel on board a bus:
 - assist the person to board and disembark at any stops and with their baggage; and
 - assist the person to proceed to the curbside zone;

- If the aircraft, train, bus, or ferry has an on-board entertainment system that does not offer closed captioning and audio description, providing to a person with a disability, for their use while on board, a personal electronic device for on-board entertainment which offers the same or comparable content as the on-board entertainment system and offers closed captioning and audio description of the content;
- Accepting the mobility aid of a person with a disability who needs a mobility aid during travel for transport as priority baggage, provided that the mobility aid can be physically accommodated by the aircraft, train, bus or ferry, as well as any lifts, ramps, gangways, or bridge plates, without jeopardizing safety, and permitting the person to retain their mobility aid until it becomes necessary to store it;
- Accepting a support person for transport if, because of the nature of their disability, the person with a disability, after departure and before arrival, needs:
 - assistance with eating meals, taking medication, using the washroom;
 - assistance with transferring to and from a passenger seat;
 - assistance with orientation or communication; or
 - physical assistance in the event of an emergency, including in the case of an evacuation or decompression;
- Accepting for transport the service dog of a person with a disability who needs to travel with a service dog and permitting the animal to accompany the person on board (carriers may require the person to control the dog with a leash, harness or tether during travel, and to provide documents at the time of the request and again before departure);

- Providing to a person with a disability who needs more than one passenger seat because of the nature of their disability, any passenger seat adjacent to their passenger seat that is needed by the person;
- Establishing a buffer zone around the passenger seat of a person who has a disability due to a severe allergy by:
 - providing the person with a passenger seat that is in a bank of seats (in other words, passenger seats that are immediately adjacent to each other but excluding passenger seats that are across the aisle) other than the bank of seats in which the source of the allergen is located and other than the bank of seats facing that bank of seats; and
 - notifying the passengers who are sitting in the same bank of seats as the person that a passenger with a severe allergy is present and informing them of the allergen; and
- Ensuring that any public announcement that is made on board is made in an audio format or a visual format.

Annex C: Advance Notice and Supporting Document Obligations in the *Air Transportation for Persons with Disabilities Regulations*

Part 2: Advance Notice

At least 48 hours

32 (1) If a person with a disability makes a request for a service set out in this Part at least 48 hours before the scheduled time of departure, the carrier must provide the service.

Exceptions

(2) However, if a person with a disability makes a request for a service referred to in any of paragraphs 35(a), (b), (g), (i) to (l) and (n) to (r) or section 37 or 38 less than 48 hours before the scheduled time of departure, the carrier must provide the service.

Exception — certain conditions

(3) Subsection (1) does not apply if

- (a)** a person with a disability makes a request for a service set out in this Part, other than a service referred to in subsection (2), less than 96 hours before the scheduled time of departure;
- (b)** at the time that the request is made, the carrier informs the person that information or documents are required to permit the carrier to assess their request and the person must provide them within 48 hours; and

(c) either

- i.** the person does not provide the information or documents required by the carrier within the period of 48 hours or the information and documents provided are not reasonably sufficient to permit the carrier to assess the request, or
- ii.** the carrier is not able to complete its assessment of the request within the period of 48 hours because it includes at least one day that is not a business day.

No advance notice

(4) Despite subsections (1) and (3), the carrier must make a reasonable effort to provide a service requested by a person with a disability even if the person does not comply with a requirement set out in those subsections.

Medical Certificates and Other Information and Documents

Required information

33 (1) If a person with a disability requests a service set out in this Part, except a service referred to in any of paragraphs 35(a), (b), (g), (i) to (l) and (n) to (r) or section 37 or 38, a carrier may require that the person provide any information or documents, including a medical certificate, that are reasonably necessary to permit the carrier to assess the person's request.

Reasonable effort

(2) A carrier must make a reasonable effort to provide a service requested by a person with a disability even if the person does not provide any information or documents that are requested by the carrier, including any information or documents that are referred to in subsection (1) or paragraph 41(2)(a) or 51(2)(a) or (b).