



Canadian  
Transportation  
Agency

Office  
des transports  
du Canada

## Northern Air Transport Association Final Draft Response to the Canadian Transportation Agency Regulatory Modernization Initiative

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Making Transportation Efficient and Accessible for All

Canada

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## Background

On May 26, 2016 the Agency formally launched an initiative to review and modernize the full suite of regulations it is responsible for administering. Many of these regulations date back 20 or 25 years and need updating to reflect changes in user expectations, business models, and best practices in the regulatory field.

The Regulatory Modernization Initiative will be anchored in three goals:

- Ensuring that industry's obligations are clear, predictable, and relevant to a range of existing and emerging business practices.
- Ensuring that the demands associated with compliance are only as high as necessary to achieve the regulations' purposes.
- Facilitating the efficient and effective identification and correction of instances of non-compliance.

## Current legislative and regulatory context

The [Canada Transportation Act](#) (the CTA) gives the Agency the responsibility for ensuring that persons with disabilities obtain access to Canada's federal transportation network by eliminating unnecessary or unjustified barriers. One way the Agency achieves this goal is by developing and administering accessibility standards that apply to the transportation network under federal jurisdiction.

Under [subsection 170\(1\)](#) of the CTA, the Agency may make regulations to eliminate undue obstacles in the transportation network under federal jurisdiction. For example, the Agency may regulate:

- the design, construction or modification of means of transportation and related facilities and premises and their equipment;
- signage;
- the training of personnel interacting with persons with disabilities;
- the tariffs, rates, fares, charges and terms and conditions of carriage of persons with disabilities; and,
- the communication of information for persons with disabilities.

To date, the Agency has implemented two sets of regulations:

- [Air Transportation Regulations \(ATR\), Part VII](#)
- [Personnel Training for the Assistance of Persons with Disabilities Regulations \(PTR\)](#)

and six codes of practice:

- [Aircraft Accessibility for Persons with Disabilities](#)
- [Carriage by Rail of Persons with Disabilities](#)
- [Ferry Accessibility for Persons with Disabilities](#)
- [Removing Communication Barriers for Travelers with Disabilities](#)
- [Passenger Terminal Accessibility](#)
- [Accessibility of Non-National Airports System Air Terminals](#)

The Agency has also completed consultations on a new code of practice regarding accessibility for aircraft with less than 30 passenger seats.

## **1. Scope of modernized accessibility standards**

As part of its Regulatory Modernization Initiative, the Agency is considering creating a single comprehensive set of accessibility regulations.

The regulations would apply to all modes of transportation under the Agency's jurisdiction i.e.: travel by air, and extra-provincial rail, ferry and bus services and to terminals located in Canada. The regulations could also apply to entities whose operations are integral to the federal transportation network.

More specifically, the Agency's preliminary thinking is that the regulations should apply to:

- Canadian air carriers' domestic operations using aircraft with 30 or more passenger seats. Additionally, the Agency is contemplating including international air services using aircraft of this size operated by Canadian air carriers and possibly by foreign air carriers as well (see section on international air services below).
- Rail carriers that operate extra-provincial passenger services, with the exception of smaller operations including commuter and tourist rail.
- Ferry operators that operate extra-provincial passenger services using vessels of more than 1,000 gross tonnes.
- Intercity bus operators that operate extra-provincial passenger services.
- Terminals that:
  - are part of the National Airports System (NAS)<sup>1</sup>;

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The NAS comprises 26 airports in the national, provincial and territorial capitals and airports with annual traffic of 200,000 passengers or more. Currently, the 26 NAS airports serve 94% of scheduled passenger traffic in Canada and serve almost all interprovincial and international air services.

- serve rail carriers operating an extra-provincial service, with the exception of those that serve only commuter and tourist rail carriers;
- serve ferry operators operating an extra-provincial ferry service using vessels of more than 1,000 gross tonnes; and,
- that serve intercity bus operators operating an extra-provincial passenger service.
- Entities whose operations are integral to the federal transportation network (e.g.: Canadian Air Transport Security Authority and Canada Border Services Agency).

## 2. Approach to modernizing the accessibility standards

The new regulations would draw on the existing regulations, i.e. Part VII of the ATR and the PTR, and the recent proposed amendments to these regulations that were developed following extensive consultations with the Agency's Accessibility Advisory Committee (AAC). The key proposed amendments for each set of regulations are noted below (see the attached documents for full details on the proposed regulatory amendments to the ATR and PTR).

Part VII of the ATR:

- Providing sufficient space for service animals.
- Ensuring that persons with disabilities are provided with the seating that best meets their needs.
- Recognizing that some aircraft are unable to carry mobility aids that do not fit through the door of the cargo hold.
- Providing an orientation of the aircraft for persons who are blind or partially sighted.
- Ensuring that small aids and assistive devices remain with the passenger if their use is needed during a flight.

PTR:

- An update to the scope of the regulations to exclude:
  - air carriers that transport less than 10,000 revenue passengers annually;
  - air terminals that are not part of the NAS;
  - rail carriers in respect of commuter rail services provided by the carrier and tourist rail carriers; and,
  - extra-provincial ferry operators that exclusively use vessels of less than 1,000 gross tonnes.
- Prescribing a three-year time frame for refresher training.

Although the Agency does not anticipate the need for many changes to Part VII and the PTR beyond what is already contemplated by the above-noted proposed amendments given the previous extensive consultations with the AAC, the Agency welcomes further comment on these regulations.

The Agency's approach could also include converting portions of the Agency's codes of practice into regulations.

Since the mid-1990s, the Agency has relied on codes as the principal means of addressing accessibility issues on a systemic basis. In contrast to the regulations administered by the Agency, the codes are voluntary and not legally binding on transportation service providers. Rather, they contain minimum accessibility standards which carriers and terminal operators are expected to meet and encouraged to exceed.

A lot has changed since the mid-1990s. Travel, especially by air, has become more and more global, interconnectivity between modes of travel has increased, and the demand for travel, including by persons with disabilities, has increased in all sectors. It is essential that Canada's accessible transportation standards reflect these new realities and meet the growing demand for a consistent and reliable level of accessibility within the federal transportation network. Although the Agency monitors the implementation of the codes and actively promotes compliance with them through education and outreach, there is no certainty that the standards will be met and there is no legal mechanism to address non-compliance.

Against the backdrop of the Government's commitment to introduce federal accessibility legislation, additional regulations designed to ensure the accessibility of the federal transportation network would seem appropriate.

In light of the above, the Agency is considering converting the technical provisions in the codes (e.g.: provisions incorporated from the Canadian Standards Association's B651 standard, *Accessible Design for the Built Environment*) into regulations while keeping the more objectives-based provisions in the codes of practice. This approach recognizes that prescriptive regulatory provisions make requirements very clear for regulated entities and ensures these requirements can be enforced.

Many of the codes of practice have recently been updated following consultation with the AAC which would facilitate the creation of new regulatory provisions. As with the proposed amendments to Part VII and the PTR, the Agency welcomes further comment on the provisions in the codes.

## **Issues common to all modes of transportation**

The new accessibility regulations could be structured in a way that recognizes that, regardless of the mode of transportation, carriers and terminals are expected to provide many of the same services to persons with disabilities throughout a passenger's journey – from check-in to arrival at destination. At the same time, the regulations could contain provisions to reflect the services that are mode-specific, which are expected to be relatively few. Some of these mode-specific services could include: assistance moving in and out of a wheelchair tie-down on board a rail car; assistance moving from a car deck to upper passenger decks on board a ferry; and assistance accessing a relieving area for a passenger's guide dog.

Underpinning all of these services would be the need to communicate with persons with disabilities in an accessible manner and to ensure that carrier and terminal personnel are properly trained to provide disability-related assistance.

## **Communication**

The *Code of Practice: Removing Communication Barriers for Travellers with Disabilities* (Communication Code), first published in 2004 and recently updated following consultations with the AAC, sets out accessibility standards developed to improve the communication of transportation-related information for persons with disabilities in respect of the various modes of travel. The standards apply to both terminal operators and carriers.

As indicated above, the technical aspects of the Communication Code could be included in the proposed regulations. For example, transportation service providers could be expected to ensure that their websites are accessible per the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines, and that their automated self-service kiosks and signage meet the applicable CSA accessibility standards.

For a list of potential technical provisions for communication, see Appendix A.

3. Please provide your views on the incorporation, in regulations, of the technical standards currently in the Communication Code referenced in Appendix A.

## **NATA RESPONSE:**

**Has there been a trending of complaints that require making more rules?**

**The Code of Practice is a useful document as a checklist.**

**Technology is constantly evolving- any listed regulatory requirement for web based communication omits other means of communication and why a suggested**

**best practices is useful, not regulations that they need to be enforced, and amended.**

### ***Training***

The PTR came into effect in 1995. The PTR require that transportation service providers, including both carriers and terminal operators, train their staff and contracted personnel, within a certain period of time, on how to assist persons with disabilities.

The PTR require transportation service providers to ensure that employees and contractors who provide transportation-related services and who may be required to interact with the public or to make decisions in respect of the carriage of persons with disabilities receive a level of training appropriate to the requirements of their function (for example, persons who make policies or procedures with respect to persons with disabilities need to receive such training).

The PTR also require that employees and contractors who provide physical assistance to persons with disabilities receive training appropriate to their jobs (for example, assisting with mobility aids through doors and level changes; transferring a person between their mobility aid and a seat; guiding a person who is blind, etc.).

Another area of required training is with respect to the handling of mobility aids.

Although the Agency held extensive consultations with the AAC on proposed updates to the PTR in 2013, the initiative was still in the regulatory process when there was a change in government. As such, the Agency is considering including the proposed updates (see attached) in the new, comprehensive regulations, in addition to expanding the scope of the training provisions to include extra-provincial bus carriers and terminals.

1. Do you have any comments regarding the previously-proposed amendments to the PTR?
2. Are there any additional requirements related to training that you think should be addressed in a new regulation?

### **NATA RESPONSE**

**Training staff to be competent in their duties is a regulatory requirement listed in the Canada Labour Code as a Basic Right. The PTR is an excellent guideline with a useful template. The requirement for Air Operator's to develop and have this plan available for public review or CTA audit is the common sense approach. NATA opposes any form of procedure plan**

**approval by any regulator. State the requirement and let the operator use guidelines to manage business needs.**

International air services

Part VII of the ATR currently only applies to domestic flights using aircraft with 30 or more seats. Given that air transportation is global, the Agency is considering extending the requirements reflected in Part VII to international services operated by Canadian carriers and possibly by foreign carriers as well. Similarly, the Agency is considering extending the scope of any new regulations relating to communication, training, technical standards for aircraft (see below), and systemic issues (see below), to include international air services.

The Agency notes that foreign carriers operating flights in and out of the United States, including Canadian carriers, are required to comply with Part 382 of the U.S. rule, Nondiscrimination on the Basis of Disability in Air Travel. The Agency further notes that many of the services in that rule are the same as those required by Part VII of the ATR, although in some instances Part 382 contains additional requirements.

If the Agency's regulations were to be applied to foreign carriers, the Agency could consider an approach similar to that of the United States, whereby a carrier may apply for a waiver if it believes that a provision of its own national law precludes it from complying with a provision of the U.S rule.

1. What would the impact be on your organization's operations if the proposed regulations were to also include your international operations (training, communications, services, technical standards)?
2. Would it make a difference if the regulations applied only to the international operations of Canadian air carriers but not to foreign air carriers? Please provide concrete examples of any significant commercial or operational factors that influence your response.

**NATA RESPONSE**

**After reviewing Part 382, it seems any rule needs to be applied fairly to all. NATA does not support any reference to FAA FAR for compliance.**

**Technical standards**

As noted above, the codes of practice contain provisions which are very technical in nature, including some that prescribe the size of spaces and the precise nature of

features and facilities designed to accommodate persons with disabilities. Details regarding these provisions are reflected below, by mode.

## ***Air***

Technical standards for air carriers are set out in the Agency's *Code of Practice: Aircraft Accessibility for Persons with Disabilities for Fixed-Wing Aircraft with 30 or More Passenger Seats* (the Air Code).

The technical aspects of the Air Code could be included in the proposed regulations. For example, air carriers could be expected to have seats with liftable armrests so that passengers can be transferred to their seat, tactile row markers could be expected in order that passengers who are blind or partially sighted are able to find their seat, and washrooms could be expected to have accessible features, such as handles that can be operated with minimal force.

For a comprehensive list of the technical provisions in the Air Code, see Appendix B.

1. Please provide your views on the incorporation, in regulations, of the technical standards currently in the Air Code referenced in Appendix B.
2. Are there any of these standards you are currently having significant difficulty meeting? If so, please explain the challenges.
3. Are there any alternatives or additional standards that you would propose? Please explain, in respect of any alternative accommodation measures, how they would provide an equivalent level of accessibility and, in respect of additional standards, why you think these are required.
4. Please describe how you ensure that persons with hearing impairments or visual impairments are made aware of gate changes and provided assistance, as needed, to get to new gates (e.g. via messages sent to personal hand-held devices or devices provided by the carrier)?
5. What significant challenges, if any, do you think you might face if you are required to obtain the Agency's pre-approval for the acquisition of new equipment, or retrofit of existing equipment, which would reasonably be expected to impact access by persons with disabilities?
6. Describe your policy(ies) on the acceptance of mobility aids with batteries.

## **NATA RESPONSE**

**Due to the specific focus of these questions, individual operators need to respond. The summer is not a good time to try and get this type of input as all operators are busy.**

**Question #6 is very important in light of the problem with the Lithium Battery and also is why it is problematic to make rules here that are really a TDGR issue.**

### **Systemic issues**

In addition to addressing systemic accessibility issues through the existing regulations and codes of practice, a number of issues have been addressed through the Agency's complaint adjudication process. As a tribunal, the Agency can resolve complaints by rendering binding decisions like a court does. Similar to court decisions, the Agency's decisions are only binding on the carriers or terminals named in the complaints. Although other carriers and terminals may choose to implement the same or similar measures ordered in an Agency decision, there is no requirement to do so without a decision that binds them. This results in two significant issues: for persons with disabilities, an inconsistent level of accessibility as accommodation policies can vary amongst service providers; and, for service providers subject to Agency decisions, an uneven playing field given their competitors are not required to implement the corrective measures ordered by the Agency. The Agency sees the Regulatory Modernization Initiative as an ideal opportunity to address these issues.

The Agency is considering addressing the following systemic issues as part of its initiative.

#### ***One person, one fare***

In 2008, the Agency issued a decision arising from complaints against Air Canada, Air Canada Jazz and WestJet regarding their policies to charge on a per seat basis. The Agency found that these policies created undue obstacles for persons with disabilities who require additional seating to accommodate their disabilities to travel on domestic flights operated by the carriers. Decision No. 6-AT-A-2008 required the carriers to amend their policies and procedures to incorporate a one-person-one-fare regime for these persons with disabilities.

The Agency is considering how best to address this systemic issue in respect of each of the modes of federal transportation.

Recognizing the broad range in sizes of operations, differences in markets served, and the related competitive pressures and financial realities that can exist (especially with

respect to passenger air travel), the Agency is interested in hearing from stakeholders about options for addressing the issue. These could include a policy whereby qualifying passengers with disabilities are never charged for extra seats required to accommodate their disability or a policy whereby qualifying passengers with disabilities are refunded fares paid for additional seating when it is determined that there were empty seats on their particular trip.

1. Describe any policy you may have regarding fares charged to persons with disabilities for extra seating in order to accommodate their disability (e.g. to travel with an attendant or a large guide dog or because of a fused leg). For example, do you offer free travel for attendants or a reduced fare?
2. Please provide your views on how to best implement such a policy, including your views on the following:
  - Should qualifying passengers with disabilities always be provided, free of charge, extra seating required to accommodate their disability?
  - Should qualifying passengers with disabilities be refunded fares paid for additional seating when it is determined that there were empty seats on their particular trip?
4. Please describe any significant difficulties, including operational, safety, financial difficulties, you would face in implementing such a policy.

## **NATA RESPONSE**

**Individual air carriers need to be consulted but in regards to Question #2: NATA's concern with any Rule is the then interpretation, and possible misuse. All Air Carriers try to assist their customers' needs but it needs to be to useful guidelines that are provided to all employees with training. In regards to Question #3, here are certain difficulties, especially with single aisle aircraft:**

**Blockage of Emergency exits and aisle;**

**Aircraft that do not have two seats together and there are operational issues associated with passenger placement;**

**Mandating free travel for attendants is fundamentally imposing a tax on all the other passengers because there is no such thing as a free ride. Do not mean to sound churlish, but every pound on a plane increases the cost and the space in finite.**

## **Allergies**

The Agency has issued a number of decisions relating to the accommodation of persons disabled by allergies. These decisions have examined allergies to [peanuts and nuts](#), [other food allergies](#), [cats](#), [perfume](#), and [environmental sensitivities](#).

Most recently, the Agency conducted an inquiry in response to a request from the former Minister of Transport to examine allergies to peanuts, nuts and sesame seeds onboard aircraft with 30 or more seats on domestic and international flights operated by Canadian air carriers, and on international flights to and from Canada operated by foreign air carriers. Initial findings indicate that the following [mitigation measures](#) would be the most effective:

- a buffer zone, consisting of the row in which the allergic passenger sits or the pod-seat, as applicable;
- an announcement to other passengers within the buffer zone that they must refrain from eating peanuts, nuts or sesame seeds or foods containing these;
- not serving meals or snacks containing peanuts, nuts or sesame seeds in the buffer zone (recognizing that any food may contain trace amounts of the allergens);
- advising passengers with allergies to peanuts, nuts and sesame seeds who provide advance notification of their allergies that they are expected to take the same precautions they take during their daily living, including carrying their allergy medication on their person; wiping down their seat area to remove any allergens; bringing their own food;
- abatement, by allowing passengers to wipe down their seating areas;
- having policies on air carrier websites in order to inform passengers on how to make arrangements for accommodation and what their responsibilities are; and,
- training flight crews on signs and symptoms of an allergic reaction.

It is worth noting that in [Decision No. 134-AT-A-2013](#), the Agency found that although ideally a buffer zone would be established to address all allergies, it is impracticable for carriers to provide a buffer zone to address all the various food allergies that passengers may have on any given flight. In that decision, the Agency found that the appropriate accommodation for persons with allergies to foods other than peanuts and nuts is the reseating of such persons upon request and when possible having regard to safety considerations, in combination with precautions that persons with severe allergies would be expected to take in their daily lives.

The Agency has also addressed allergies to cat dander in response to complaints against Air Canada and WestJet (Decision No. 227-AT-A-2012 <https://www.otc-cta.gc.ca/eng/ruling/227-at-a-2012> ). In that decision, the Agency found that the

accommodation for persons disabled by allergies to cat dander could be either a buffer zone or a ban on cats on a passenger's flight when the aircraft does not have high efficiency particulate air filters or provide 100% fresh air.

In terms of looking into imposing regulatory requirements on transportation service providers to accommodate passengers with allergies, the Agency would consider the type of exposure – i.e.: ingestional, inhalational, and topical – and explore the feasibility of accommodation measures to address various allergens. The Agency would also consider the type of accommodation that might be appropriate by mode of transportation. For example, it would appear that providing accommodation for allergies may be less challenging in rail travel as reseating passengers away from the source of an allergen may be achieved by moving them to a separate car. Similarly, on ferries, passengers are not confined to specific areas and can more easily distance themselves from allergens. Providing accommodation on buses may pose some of the same challenges as providing it onboard aircraft although, unlike air travel, passengers travelling on buses would generally be able to obtain relatively quick access to medical care in the case of a serious allergic reaction. Regardless of the mode of transportation, however, any accommodation measures that might be required by regulation would be premised on the expectation that persons disabled by allergies will take the same precautions they do in their daily living, such as carrying their medication on their person, wiping down seating areas, etc.

1. Describe any policy you may have regarding travel by persons with disabilities due to allergies to peanuts, nuts, and sesame seeds (for example, a policy to provide buffer zones)?
2. What significant constraints, if any, would prevent you from accommodating persons with disabilities due to allergies to peanuts, nuts, and sesame seeds with the measures set out in the findings of the [Ministerial Inquiry into Allergies to Peanuts, Nuts and Sesame Seeds in Commercial Air Travel - Report of the Inquiry Officer](#)?
3. Describe any policies you may have with respect to travel by passengers who are disabled by:
  - a) allergies to animal dander
  - b) other allergies
4. What significant difficulties, if any, would prevent you from accommodating persons with disabilities due to allergies with accommodation measures similar to those outlined in [Decision No. 227-AT-A-2012](#) (for example, seating separations)?

5. Please describe any alternative suggestions to accommodate passengers who are disabled because of their allergies.

## **NATA RESPONSE**

**The most important defence a person with known allergies is to be prepared. Any form of mass transit imposes certain stress and risks to be managed. It is unfair to expect the Air Carrier to be responsible for managing a person's personal allergic risk by prescriptive rules such as seat segregation for so many reasons. Education, not regulation is important. It is the responsibility of the traveler to contact the air carrier with any specific needs, which is now in place. There are more allergies appearing; guidelines with education allow the customer and carrier to discuss and negotiate a solution to any potential health risk.**

### ***Service animals***

The Agency is considering expanding the requirements for the acceptance of service animals.

More and more Canadians with disabilities who use animals to provide them with disability-related assistance are travelling and a growing number are using different types of animals to provide them with the assistance they need. These animals are performing a much wider variety of functions than ever before, such as providing physical support and assistance with balance and stability to persons with mobility disabilities; recognizing changes that happen before a person experiences a seizure; acting as a buffer against people crowding too closely to a person with post-traumatic stress disorder; and providing emotional support to individuals with mental health disabilities.

The existing provisions in Part VII of the ATR only require air carriers to accept service animals that have been certified, in writing, as having been trained by a professional service animal institution and that are properly harnessed. The codes of practice for transportation by rail and ferry reflect the expectation that carriers will accept service animals for carriage under the same circumstances. Neither the ATR nor the codes prevent carriers from accepting service animals that do not meet these criteria.

The Agency is interested in exploring the development of a regulation that is more inclusive than the Part VII provisions and which would apply to all federal modes of transportation.

In examining this issue, the Agency may look to see how it is being addressed by other jurisdictions. For example, the U.S. Part 382 regulations are less restrictive than the Part VII provisions in terms of what air carriers can require as proof that an animal is a qualified service animal. Under the U.S. rule, air carriers must accept different types of service animals and, as evidence that an animal is a service animal, carriers must

accept identification cards, other written documentation, the presence of harnesses or tags, and the credible verbal assurances of a qualified individual with a disability. For a person seeking to travel with an animal used for emotional support or with a psychiatric service animal, the carrier must accept the animal if the person provides documentation on the letterhead of a licensed mental health professional setting out certain pieces of information. The full rule can be viewed on the [U.S. Government Publishing Office](#) website.

1. What medical documentation, if any, would you require to support an individual's claim that they require an animal in order to accommodate their disability-related needs while traveling?
2. What types of documentation, or assurances from a person with a disability would you require, if any, as proof that an animal is a legitimate service animal?
3. Which types of service animals, if any, would you not be willing to allow a person with a disability to retain with them onboard (versus carrying the animals in the cargo hold or baggage car)? Please indicate reasons for your response.

#### **NATA RESPONSE**

**This link dated September 16, 2016 clearly identifies all the issues with prescriptive rules and why any service animal needs to be a decision of the air carrier, in a general policy sense ( size, type) and operationally specific application ( space availability, disability)**

**<http://aviationweek.com/commercial-aviation/airlines-seek-curb-service-animal-rules>**

#### ***Positioning and seating devices***

In recent years, the Agency has received complaints from persons with disabilities regarding difficulties using special seating or positioning devices onboard aircraft.

The Agency is considering a regulation that would require all carriers, regardless of the mode of transportation, to allow passengers who require these devices to accommodate their disability to be able to use them unless this is prohibited by safety rules or would otherwise seriously compromise the person's safety or that of other passengers.

1. Would this cause any significant challenges?

#### **NATA RESPONSE**

**There is so much variability in aircraft interiors and disability equipment. So little compatibility, this cannot be a prescriptive based rule.**

### ***Accessible in-flight entertainment***

It goes without saying that passengers with disabilities wish to enjoy in-flight entertainment as much as passengers without disabilities. The reality, however, is that passengers with hearing or visual impairments are often unable to do so as a result of inaccessible technology.

The Agency wishes to examine the possibility of requiring in-flight entertainment to be accessible (e.g.: by providing closed captioning and described video). This could include looking into whether existing entertainment systems can accommodate these formats and exploring alternatives, such as the use of tablets that contain videos in accessible formats.

1. Please indicate how your in-flight entertainment is provided (e.g, individual screens, shared screens, via personal devices/tablets).
2. Describe any policies you may have regarding the accessibility of in-flight entertainment (e.g. regarding the acquisition of equipment or content; closed captioning, video description, etc.)?
3. Describe any significant challenges you would face in ensuring video and/or audio content is accessible, including by providing closed captioning and described video on:
  - a) devices available to all passengers (existing in-flight entertainment systems);
  - b) airline-owned devices, such as tablets, made available to passengers with disabilities in order to ensure access to inflight entertainment.
6. If you feel systems onboard your aircraft cannot be made accessible by either of the above-noted methods, please describe any alternatives for ensuring that passengers with disabilities have equal access to inflight entertainment.

### **NATA RESPONSE**

**The traveler wishes anything special should be required to contact the air carrier and negotiate what is available. It is not fair to expect Air Carriers to provide differing media delivery systems to an unknown customer available everyday.**

### **Reporting, monitoring and compliance**

The Agency would propose to encourage compliance with any new accessibility regulations by requiring service providers to publish multi-year accessibility plans and report on accessibility-related complaints that they receive. Accessibility plans provide an opportunity for service providers to demonstrate how they meet accessibility

standards, their plans for removing existing obstacles, and strategies for preventing new ones. Complaint statistics can provide insight into obstacles that may exist and thereby inform the Agency's compliance monitoring activities.

1. Please describe any significant challenges you might face in publishing:
  - multi-year accessibility plans; and
  - Reports on accessibility complaints received by your organization.

Your input

The matters raised are complex and the Agency needs broad input from its Accessibility Advisory Committee and Canadians. The Agency plans to complete consultations and draft modernized regulations by the end of 2017, and implement the regulations in 2018.

## **NATA RESPONSE**

**This last question summaries every carrier and this Association's fears with good guidelines being promulgated into regulation. Now there will be an annual reporting requirement.**

**Why?**

**What will the information provided to the agency be beneficial to the customer on the day?**

**Presently all Air Carriers try very hard to provide customers/passengers with the most positive and efficient travel experience.**

**NATA member carriers have well deserved reputation achieving this daily in harsh conditions, into airports where the irony of the lack of infrastructure support of the aviation system, causes considerable difficulties to persons with disabilities as Northern terminals are inadequate in size and services.**

**Happy to discuss this last point further based on my experiences to over 20 Northern airports.**

**For your consideration**

**Glenn Priestley**

**Executive Director**

**Northern Air Transport Association**

