

Dear Canadian Transportation Agency

The issue I would like to raise in relation to your consultation process is in regards to transporting mobility devices aboard aircraft.

I believe that section 148 (subsection 2) of the Air Transportation Regulations of the Canadian Transportation Act, which states that:

(2) Where an air carrier operates an aircraft that has fewer than 60 passenger seats and the design of the aircraft does not permit the carriage of a person's aid referred to in paragraph (1)(a), the air carrier
(a) is not required to carry the aid; and
(b) shall advise the person about transportation arrangements that are available for the aid.

is a clause which is allowing air carriers to discriminate against passengers with disabilities, while citing the act as an excuse to do so.

My husband uses a power wheelchair. While we were flown to Cleveland from Toronto last year by Air Canada on a Dash-8 aircraft, Air Canada has since switched to using a CRJ aircraft, which will not accommodate his wheelchair in the cargo hold, and so we've been denied service by them for another flight that we would like to take in September, 2016. We were advised that no alternative arrangements for the wheelchair could be made and so my husband is being denied the ability to fly to Cleveland, a service that is offered to the general public. No other airlines or aircrafts fly on this route, therefore the route and destination themselves are now unavailable to him, rather than simply the aircraft itself.

This clause in the Transportation Act is allowing Air Canada to skirt its responsibilities under the Canadian Human Rights Act. Regardless of the reason that this clause is in the act, the result of it is that my husband doesn't get to fly to certain destinations that are only serviced by smaller aircraft.

In addition, because it is not spelled out anywhere what "arrangements" or "alternatives" need to be offered, Air Canada sees fit to offer nothing as an alternative.

Air Canada is using the Canadian Transportation Act to perpetuate discrimination.

I hope that you take the time to consider this issue in your consultation process and if you have any further questions I would be happy to answer them.

Natalie Rose (Sanborn)