

Air Passenger Protection Discussion Paper

Response from Tracy Odell

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Context for My Response

I am responding from the perspective of someone who uses a power wheelchair that is customized for very specific orthopedic support.

I find the questions in the discussion paper to be moot from my perspective – since the inaccessibility of the aircraft and the procedures to transfer me from my own wheelchair to the aircraft wheelchair make it virtually impossible for me to fly without risk of personal injury or loss or damage to my equipment.

I support the comments made by other members of the committee, and so will not repeat their comments in my response.

If there is truly interest in “air passenger protection” as the discussion paper is titled, there are a number of things that need to be done so that I, and others with similar needs, can truly be protected from harm or injury while travelling.

Change the Regulations to Permit Travel in One’s Own Mobility Device.

A key thing that should be addressed in any regulation regarding air carriers is that they permit people to remain in their mobility device on the aircraft.

People with disabilities who rely heavily on their wheelchair for postural support and mobility, like me, have flown in fear that our wheelchairs will be lost or damaged in transit. This is not a hypothetical situation, but happens quite regularly. It costs airlines a lot of money when they have to pay for repairs or compensate people for the loss.

It would cost \$27,000.00 Cdn. to replace my wheelchair. However, it’s impossible to compensate for the loss of mobility when you are horrified to discover that your wheelchair is lost or damaged once you’ve arrived at your destination. Imagine someone just arbitrarily paralyzing you or breaking

your legs when you landed. How do you compensate someone for the pain, lost time, and emotional distress of this loss of mobility?

The current process takes a great deal of time and energy to transfer someone from their own wheelchair which provides all the support needed, to a Washington wheelchair, and then finally to an aisle wheelchair. Transfers can require 2 or even 3 people, and then even so, as in my case, cannot be done comfortably, safely and without injuries. Lifting the wheelchair into the cargo hold requires up to 4 baggage handlers. The weight of my wheelchair alone (without me in it) is over 400 pounds. Baggage handlers have limits to how much weight they should be lifting to prevent workplace injuries.

If people with disabilities like mine were permitted to bring our mobility devices on board, and stay in them throughout the flight because they were secured properly, how much more quickly and efficiently this process could become. The risk of injury to staff and passengers and loss or damage to personal property would be virtually eliminated. I understand that the reason for not doing this has been because of the mistaken belief that a person's mobility device would jeopardize other passengers in the event of heavy turbulence or a crash.

Yet, it is possible to make airplanes wheelchair-accessible. All Wheels Up <https://www.allwheelsup.org/> is one organization that has proposed a viable solution. It involves having removable airline seats and a Q'Straint system available to securely fasten a person's mobility device whether it be a power wheelchair, scooter or manual wheelchair. More information about their proposed solution and a video can be found at: <https://www.allwheelsup.org/our-solution/>.

All Wheels Up found that **existing wheelchair restraints from Q'Straint used in accessible cars and buses can exceed the FAA requirement of 16 G's**. An effective tie-down system will address safety concerns, because it protects other passengers as well as the person with a disability who relies on their mobility device for postural support and comfort.

Being able to do stay in our wheelchairs would eliminate issues of loss or damage to our wheelchairs. Almost every time I have flown my chair has been damaged and in need of repair before it can function.

Making airplanes accessible to the point that someone can bring their mobility device on board will assist airlines to maintain – or even increase –

their revenue. Because the population is aging, an increasing number of people will be using mobility devices. People who can afford to, will be able to fly rather than – like me – deciding not to take the risk of personal injury or loss and damage to a mobility device which we cannot live without.

This is not just an inconvenience – this is a serious hardship, because in my case, I cannot use just any other wheelchair. My wheelchair is customized and specially adapted to provide me with the back, neck, and lateral support that I need to be able to sit safely and comfortably. For example, there are seatbelts and harnesses to keep me in place, headrest and lateral support, and cushion backrest and leg adjustability.

The last two times I flew within Canada (Calgary and Vancouver from Toronto), I strained my shoulder getting lifted into the airline seat. The airline seat has a high back which makes it very difficult for a 2-person lift from the aisle wheelchair to the airline seat. No doubt, this is an injury risk for airline staff as well.

The design of the airline seat does not match my body posture, so this added to the pain in my shoulder, and caused a strain in my neck and back. I was several days at my destination – both ways – before the pain went away.

These experiences have rendered it impossible for me to fly in an aircraft. This resulted in me missing my daughter's graduation which was held in Vancouver and her wedding which was held in California. There is no price tag that can be placed on this type of heartbreaking loss and exclusion.

Until I can fly seated in my own wheelchair, I do not have an equal right to use an aircraft, because the regulations as they exist make it impossible for me to fly and therefore exclude me from the service.

Change the Regulations to Require Having a Wheelchair-Accessible Washroom on the Aircraft.

Right now, a person is expected to go to the washroom before the pre-boarding period because washrooms on aircraft are not wheelchair accessible.

A flight from Toronto to Calgary or Vancouver might take 3½ to 4 hours, but when you add the time when you actually have the opportunity to go to the washroom before and after the flight, a person might be waiting 8 hours or

more to use the washroom. People who need assistance to transfer into a seat are the first on and the last off of the aircraft. This adds hours to the time between washroom opportunities.

If there are further delays on the tarmac, even if unavoidable, this adds to the time a human being has to wait to be able to go to the washroom. This is unreasonable and inhumane. Wearing a diaper is not a suitable approach – diapers can leak, particularly over this period of time when a person may need to void more than once. Installing a catheter for the trip is also not a suitable approach, because it can cause bladder infections and illness, totally spoiling the time at the destination. In my case, a catheter would not stay in place through a lift and getting dragged around to be positioned in the seat. The catheter would tear away from the bladder, causing leaking and physical damage, not to mention extreme pain. I would like the people developing these regulations to try it sometime and see how it feels.

It is essential to provide wheelchair-accessible washrooms on airplanes. It would be unthinkable to remove all washrooms from aircraft and expect all passengers to wait hours and hours to relieve themselves. Would other passengers be expected to accept the rationale that the space could be used for additional seats, which gives the airline more revenue? Of course not! That would be preposterous. So why are airlines allowed to neglect the toileting needs of passengers with disabilities? VIA Rail has similar challenges with the space available for passenger seating and accessible washrooms. Yet they have committed to retrofit cars to make them accessible. Their plans may be helpful in thinking about how to design accessible aircraft.

Until there are wheelchair-accessible washrooms on airplanes, I do not have an equal right to use an aircraft, because the regulations as they exist make it impossible for me to fly and therefore exclude me from the service.

Change the Regulations to Permit an Attendant Who will Assists a Person Who Has a Disability to Fly Free of Charge

In my case, I cannot travel alone. If my arm slips off my drive switch, I need help to get my arm back in its position. If I need to eat or drink anything, I need someone to feed me. If I get uncomfortable and need to be physically moved or adjusted, I require someone to help me do that as well. If I need to go to the washroom, I need someone help me who I have pre-trained to ensure that both my attendant and I are safe. My attendant might be a paid

person, but could also be a friend or family member who is not being paid, but who is trained and capable of assisting me in a safe manner.

Travelling with an attendant is not an option for me. Consistent with the one person/one fare decision, I consider my attendant to be extension of myself – since they are performing tasks that I would otherwise do for myself if I were able to use my arms and legs. Paying for the second person’s fare when they are primarily accompanying a person with a disability to render assistance, is unaffordable for most passengers. Therefore, the regulations should be changed to permit an attendant to travel free when their assistance is required to make the trip possible for a person with a disability.

Until I can fly with an attendant (support person) to assist me throughout the flight, I do not have an equal right to use an aircraft, because the regulations as they exist make it impossible for me to fly and therefore exclude me from the service.

Conclusion

None of the above issues are dealt with in the discussion paper. Yet to me, the above issues are paramount.

All the other topics in the discussion paper are rendered moot to me if I cannot fly in the first place, because of the significant barriers outlined above which apply to me and others who have significant physical disabilities.

It is time that regulations were updated to make aircraft fully accessible. People with disabilities deserve the chance to fly to various locations within Canada and abroad. This is only possible if there is a commitment to make aircraft fully accessible to the point that people can fly in their own wheelchairs, use washroom facilities on board, and have assistance from a support person who may be travelling with us.

Respectfully submitted,

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