Canadian Transportation Agency | Office des transports du Canada

Consultation meeting regarding requests by CATSA and CBSA for Conditional Exemptions from the Tactile Signage Requirements in the *Accessible Transportation for Persons with Disabilities Regulations*: What We Heard

Canadian Transportation Agency

Canada

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Catalogue Number: TT4-93/2024E-PDF
ISBN: 978-0-660-73046-2

Available in alternate formats
Aussi disponible en français

Background

The Canadian Air Transport Security Authority (CATSA) and the Canada Border Services Agency (CBSA) filed applications with the Canadian Transportation Agency (CTA) requesting an authorization to use equivalent alternative measures to those prescribed under subsection 235(1) of the *Accessible Transportation for Persons with Disabilities Regulations* (ATPDR). This regulation requires both entities to ensure that the signage under its control meets specific requirements that are prescribed in the National Standard of Canada CSA/ASC B651:23 to ensure that signs are accessible to persons with disabilities.

On April 10, 2024, the CTA issued Letter Decisions LET-AT-A-20-2024 and LET-AT-A-21-2024, narrowing the scope of the exemptions being considered to only the tactile signage requirement under paragraph 235(1)(d) of the ATPDR.

CATSA and CBSA made their requests based on the premise that the proposed alternative measure of a tactile booklet for passengers who are blind or have reduced vision would provide an equivalent or a greater level of accessibility to that of the requirement of paragraph 235(1)(d) of the ATPDR. Both CATSA and CBSA submit that the tactile booklet conveys regulatory signage information in a single point of reference for passengers to read which would better serve passengers with visual impairments than the current regulatory requirement of providing tactile markings on the signage itself, which is (often/generally) out of reach for passengers. The tactile booklets also contain large print and raised print in addition to Braille, in both official languages.

The CTA opened consultations on April 11, 2024, seeking input on CATSA's and CBSA's requests and further to a request from representatives of the community of persons with disabilities (community), CTA staff convened a meeting on June 20, 2024. The purpose of the meeting was for CATSA and CBSA to provide more context around their requests in order for the community to have a better understanding in order to participate in the consultation and provide their comments to the CTA. The following organizations were invited to participate in the meeting: the Council of Canadians with Disabilities (CCD), the Confédération des organismes de personnes handicapées du Québec (COPHAN), the Canadian Council of the Blind, the Canadian National Institute for the Blind (CNIB), the Alliance for Equality of Blind Canadians, the National Coalition of People who use Guide and Service Dogs in Canada (Coalition), Guide Dog Users of Canada, Barrier-Free Canada, and the Canadian National Society for the Deaf-Blind. CCD, COPHAN, the CNIB, and the Coalition attended the meeting.

Meeting on June 20, 2024

CTA staff provided context for the discussion, noting that the ATPDR are a very prescriptive set of regulations and with highly prescriptive regulations, requirements can sometimes be impractical in certain situations where an alternative can provide the same, or a greater, level of accessibility. In some cases, requirements may become obsolete, when, for example, new technology is developed. For this reason, the legislation permits requests for the use of alternative measures that provide an equivalent or greater level of accessibility, under subsection 170(4) of the *Canada Transportation Act*.

CATSA's Presentation

CATSA explained that in looking at the signage accessibility requirements, it considered how passengers navigate its checkpoint and how it can share the information they need in a better way. Their current signs are either 11 x 14 inches on metal stanchion posts or 22 x 28 inches on a large sign stand that sits on the floor. With the addition of large text and Braille, the signs would need to be printed in a larger format or divided into multiple signs to accommodate all the required information, ultimately causing greater barriers within the tight space of passenger queues.

Options such as accessible digital tools were considered, but as these require substantial planning and investment, CATSA will explore these further as a longer-term enhancement.

Prior to making its request to the CTA, CATSA consulted with representatives from the CNIB, Accessibility Standards Canada, CBSA, and Treasury Board of Canada Secretariat. CATSA indicated that all these organizations considered the alternative of the booklet to be a positive advancement to meet their obligation.

If the proposed measure is accepted, CATSA would distribute the booklets to all 89 airports simultaneously, accompanied by training for all screening officers, and a detailed process included in its Standard Operating Procedures to ensure a consistent experience for passengers, regardless of the airport they are using. CATSA already has a process in place for passengers with vision loss which involves the offer of assistance through the checkpoint. CATSA indicated that a new facilitator resource is coming to several airports this year and they will be trained to offer support.

CATSA is of the view that the booklet will prevent passengers from having to locate various regulatory signs and provide them with a convenient way to obtain all the information they need in advance of entering the checkpoint. Passengers may read the booklet at their own pace, bring it with them as they go through the checkpoint, or have it read to them.

CATSA intends to make passengers aware of the booklet by way of information on its website and through social media posts as well as share it with organizations serving the vision loss community who can help to spread awareness. Additionally, they will work with airport authorities and airlines as they are the first point of contact for the travelling public.

CBSA's Presentation

CBSA explained that the border has a convergence of many different laws and rules in which the system relies on people to self report their goods and present themselves for exam. This places the obligation on the traveller to be aware of the rules which are conveyed by using a lot of signs.

CBSA found that meeting all of its various obligations related to signs led to issues of practicality where it would interfere with improving accessibility. CBSA indicated that in most cases, the signage would have to be so large that it would need to be posted on perimeter walls which is not where the people are. People are in dynamic queues in the middle of the space and do not have access to the outside walls. In some cases, the signage would be extremely large with no way to post it at a height that someone could reach it.

CBSA has already included tactile signage on its small message signs, but there are eight larger signs that it proposes to include in its tactile booklet.

Together with CATSA, CBSA looked at alternatives, such as auditory cones to relay messages but found they don't suit an environment where people are on the move. It also looked at QR codes and are open to adding them as an addition to an alternative product but noted that these cannot fully meet the requirement on their own and not everyone who may need to use them would be comfortable with the technology. CBSA acknowledged that a combination of measures may be needed to make things as accessible as possible but felt that the booklet is a practical solution to making sure the long messages are accessible.

CBSA acknowledged that its consultation with the community that was done prior to the application to the Agency could have been extended to more organisations in the community. It also noted that as part of renewing its accessibility plan, it is participating, along with CATSA, in a University of Laval study sponsored by Accessibility Standards Canada to have them specifically look at signage in airports so that the findings can be taken into account.

CBSA would use a variety of techniques to ensure its personnel and the public are aware of the booklet, such as through its training program and operational bulletin, as well as on its website, through social media, and outreach with the air industry.

CBSA also noted that a person always has the option of in-person processing with an officer.

Discussion period

There were four main themes in the discussion:

- CNIB consultation
- Lack of consultation with the community by CATSA and CBSA
- Choice
- Views on the booklet as an alternative measure

CNIB consultation

The CNIB explained how it was involved in providing feedback to CATSA and CBSA on the design of the booklet and indicated that it looked at the Braille element of the booklet to make sure that it was "good" Braille and to see how well it could be managed by individuals with different skill levels of reading Braille. The CNIB also considered that it would be used by persons that are moving through a process who may also be managing a guide dog or cane, luggage, etc.

Community members noted that while the CNIB was there to assist with the booklet, it was not engaged to consider or advise on the best way to put forward the signage information and were only asked to provide input on the booklet.

CATSA indicated that as a result of the feedback from the CNIB, it added more weight to the pages of the booklet to improve the sturdiness without making too heavy, as well as changed the location of the binding to make it easier to handle. It also added a tab on each page to indicate where the Braille starts.

Lack of consultation by CATSA and CBSA

The majority of the discussion centered around comments from the community related to the lack of consultation by CATSA and CBSA. The community expressed their disappointment at not being engaged earlier and emphasized the importance of being engaged early in the process, when solutions are being considered. The community want to be part of finding solutions and are best placed to know what works for them.

CATSA acknowledged that the consultations with the community should have been broader and made prior to the application being filed with the Agency. CATSA pledged to do so going forward. It wants to serve the community better and provide them with the best experience.

CBSA also acknowledged that its consultation with the community was not what it needed to be and fully supports the need for consultation.

Choice

Community members noted that everyone is different. The way one person navigates an airport is different than the way another would. Choices should be offered, and security and border agents should be available to answer questions.

It was suggested that the option of a QR code should be offered as it would be used by some. The availability of options is important.

Views on the booklet

Community members expressed that it's unknown whether the booklet will be the solution.

The community noted that only 2 to 3 percent of individuals might find the Braille useful.

Next steps

Although the public consultation closed on June 20, 2024, the community members that participated in the meeting were given until July 18, 2024, to submit any additional written comments on CATSA's and CBSA's requests in light of information provided during the meeting.

All feedback will be considered by the Panel in issuing its determination on whether to grant CATSA and the CBSA conditional exemptions of up to three years from the requirement under paragraph 235(1)(d).