## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction and General Principles</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>ACA Part 382 Subparts</td>
<td>6</td>
</tr>
<tr>
<td>1</td>
<td>Definition of an Individual with a Disability</td>
<td>7</td>
</tr>
<tr>
<td>1</td>
<td>Achieving a Non-discriminatory Service for Individuals with a Disability</td>
<td>9</td>
</tr>
<tr>
<td>1</td>
<td>The Regulations</td>
<td>10</td>
</tr>
<tr>
<td>1</td>
<td>Exceptions to this Rule</td>
<td>10</td>
</tr>
<tr>
<td>1</td>
<td>Conflict of Law Waivers</td>
<td>11</td>
</tr>
<tr>
<td>1</td>
<td>How to Obtain a Determination of Provision of Equivalent Alternative</td>
<td>12</td>
</tr>
<tr>
<td>1</td>
<td>Modifications to Comply with Part 382</td>
<td>13</td>
</tr>
<tr>
<td>1</td>
<td>Agreements Carriers must have with Airports Served</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>Accessibility of the Aircraft</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>Movable Aisle Armrests</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>Accessible Toilets</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>On Board Wheelchairs</td>
<td>16</td>
</tr>
<tr>
<td>2</td>
<td>Location of On Board Wheelchair</td>
<td>17</td>
</tr>
<tr>
<td>2</td>
<td>Procedures for the use of the On Board Wheelchair</td>
<td>18</td>
</tr>
<tr>
<td>2</td>
<td>B757 Accessibility Seating Diagram</td>
<td>22</td>
</tr>
<tr>
<td>2</td>
<td>B767 Accessibility Seating Diagram</td>
<td>23</td>
</tr>
<tr>
<td>2</td>
<td>Provision of Priority Space in the Cabin for Storage of Passengers Wheelchairs</td>
<td>24</td>
</tr>
<tr>
<td>2</td>
<td>Accessibility of Videos, DVDs and Other Audio Visual Equipment</td>
<td>24</td>
</tr>
<tr>
<td>3</td>
<td>Before the Flight</td>
<td>25</td>
</tr>
<tr>
<td>3</td>
<td>Advance Information about the Aircraft</td>
<td>25</td>
</tr>
<tr>
<td>3</td>
<td>When Advance Notice and Pre Boarding can be required from a Passenger with a Disability</td>
<td>26</td>
</tr>
<tr>
<td>3</td>
<td>Where a Service is required by the ACAA rule</td>
<td>28</td>
</tr>
<tr>
<td>3</td>
<td>When Safety Assistants / Attendants can be required</td>
<td>28</td>
</tr>
<tr>
<td>3</td>
<td>Selection of Safety Assistants / Attendants</td>
<td>29</td>
</tr>
<tr>
<td>4</td>
<td>At the Airport</td>
<td>32</td>
</tr>
<tr>
<td>4</td>
<td>Airport Accessibility</td>
<td>32</td>
</tr>
<tr>
<td>4</td>
<td>Moving Through the Airport</td>
<td>33</td>
</tr>
</tbody>
</table>
Passenger Information ........................................................................................................................................... 34
Security Screening ............................................................................................................................................... 35
Section 5 - Boarding, Deplaning and Connecting Assistance ............................................................................. 36
Preboarding ....................................................................................................................................................... 36
Boarding and Deplaning .................................................................................................................................. 36
Passengers in Wheelchairs or Other Devices ................................................................................................... 37
Section 6 - Services on the Aircraft .................................................................................................................. 38
Assistance from Crew ........................................................................................................................................ 38
Assistance Crew do not have to Provide .......................................................................................................... 38
On-board Safety Briefings ................................................................................................................................ 39
Service Animals ................................................................................................................................................ 40
Request documentation for service animals .................................................................................................... 41
Require documentation for emotional support animals .................................................................................... 41
Observe the animal's behaviour ...................................................................................................................... 41
Service Animals in the Cabin .......................................................................................................................... 42
Landing, Take Off or Turbulence ........................................................................................................................ 42
Crew Interaction ................................................................................................................................................ 43
Emotional / Psychiatric Support Animals in the Cabin ...................................................................................... 43
Destination Airports .......................................................................................................................................... 43
Service Animals Denied Boarding .................................................................................................................. 44
Mobility Aids and Assistive Devices ................................................................................................................ 45
POC, CPAP Regulations .................................................................................................................................. 47
Priority Cabin Stowage ..................................................................................................................................... 50
Cargo Stowage of Wheelchairs, Mobility Aids and Assistive Devices ............................................................ 51
Procedures for Battery-Powered mobility Aids .................................................................................................. 51
Section 7 - Part 382 Rules on Denied Boarding / Transportation Based on Disability ...................................... 53
Based on Communicable Disease or Medical Condition .................................................................................. 54
Section 8 - Training and Administration ........................................................................................................ 55
Training Requirements ...................................................................................................................................... 55
Carriage of Passengers with Disabilities
US CFR 49 Part 382 - Air Carrier Access Act
Operations Guidance Manual

Crew Training Requirement ........................................................................................................55
Training / Lesson Plans ........................................................................................................56
Training Completion Timescales ...............................................................................................56
Training Records ....................................................................................................................57
Section 9 - Complaints and Enforcement Procedures ............................................................58
Requirements for Providing Complaints Resolution Officials (CROs) ..................................58
CRO & Complaints Documentation .........................................................................................59
Complaints Record Keeping Requirements ..............................................................................61
Complaints Filed with the DOT ...............................................................................................64
Appendix A - Battery Powered Wheelchairs Cargo Stowage Flowchart ..................................65
Appendix B - Subpart B Quick Reference Guide ....................................................................67
Subpart A  General Provisions ..................................................................................................67
Subpart B  Non-discrimination and Access to Services and Information ...............................68
Subpart C  Information for Passengers ....................................................................................69
Subpart D  Accessibility of Airport Facilities ..........................................................................69
Subpart E  Accessibility of the Aircraft ....................................................................................69
Subpart F  Seating Accommodations .......................................................................................70
Subpart G  Boarding, Deplaning, and Connecting Assistance ..............................................70
Subpart H  Services on the Aircraft ........................................................................................70
Subpart I  Stowage of Wheelchairs, Other Mobility Aids, and Other Assistive Devices ........71
Subpart J  Training and Administrative Provisions ..................................................................71
Subpart K  Complaints and Enforcement Procedures ...............................................................71
Appendix C  Codes specifying Passenger Needs (SSR) ..........................................................73
Appendix D  Service Animals ....................................................................................................74
Appendix E  Passenger Information ........................................................................................78
Appendix F  US DoT Air Carrier Access Act FAQ’s .................................................................79
Appendix G - Disability Complaint Reporting Form ................................................................108
Section 1 - Introduction and General Principles

In 1986 the US Congress passed the Air Carrier Access Act, requiring the US Department of Transportation (DOT) to develop new regulations which ensure that persons with disabilities will be treated without discrimination in a way consistent with the safe carriage of all passengers. These regulations were published in March 1990.

The US DOT regulations are referred to here as the Air Carrier Access rules (ACAA). The rules are designed to ensure that the responsibilities of the traveller, the carriers, the airport operators and contractors are clear.

From 13th May 2009 these rules are now applicable to all foreign airlines with service to the USA. The rules are applied to airlines when operating services to and from the United States where US originating passengers are involved. For sub-service operations the responsibility for managing the scheme will be placed on the customer airline. Rules are not applied to round trip charter flights where no passengers are US originating.

Titan Airways will be held responsible by the US Department of Transport for failure of Titan Airways contractors to comply with the ACAA rules in providing services for disabled passengers. Titan Airways must include an assurance of compliance with this Part with any contractors that provide services to the public that are subject to the requirements of Part 382. Non-compliance with this assurance is a material breach of the contract on the contractor's part. The assurance must commit the contractor to compliance with all applicable provisions of Part 382 in activities performed on behalf of Titan Airways and also commit the contractor to implementing directives issued by Titan Airways CRO under sections 382.151 through 382.153. The US DOT do not accept a contractors non-compliance (action or inaction) as a defence against enforcement action against Titan Airways.

The purpose of the Air Carrier Access Act is prohibit both US and non US carriers from discriminating against passengers on the basis of disability, requires carriers to make aircraft, other facilities and services accessible and requires carriers to take steps to accommodate passengers with a disability.

Note:
This manual is only mandatory to Titan Airways operations on Boeing 757 and 767 aircraft operating on flights arriving or departing from the United States of America. Its contents however provide guidance on dealing with passengers with disabilities on any Titan Airways Operations.
ACAA Part 382 Subparts

Part 382 is divided into 11 subparts (sections/topics) and 2 Appendices (additional information)

- Subpart A - General Provisions
- Subpart B - Non-discrimination and Access to Services and Information
- Subpart C - Information for Passengers
- Subpart D - Accessibility of Airport Facilities
- Subpart E - Accessibility of the Aircraft
- Subpart F - Seating Accommodations
- Subpart G - Boarding, Deplaning, and Connecting Assistance
- Subpart H - Services on the Aircraft
- Subpart I - Stowage of Wheelchairs, Other Mobility Aids, and Other Assistive Devices
- Subpart J - Training and Administrative Provisions
- Subpart K - Complaints and Enforcement Procedures
- Appendix A - Report of disability related complaint data and the form for submitting disability related complaint data to the US DOT.
- Appendix B - Cross reference table. This appendix provides information on where material found in a given section of the former version of Part 382 can be found
Definition of an Individual with a Disability

Any individual who has a physical or mental impairment that is permanent or temporary, and substantially limits one or more major life activities.

Major life activities include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning.

Physical impairments can be:

- Neurological
- Musculoskeletal
- Special sense organs
- Respiratory
- Digestive

Genitourinary

- Hemic
- Lymphatic
- Skin
- Endocrine

Mental impairments can be:

- Mental retardation
- Organic brain syndrome
- Emotional mental illness
- Specific learning disabilities

Diseases and conditions can be:

- Orthopedic
- Visual
- Speech
- Hearing
- Cerebral palsy
- Epilepsy
- Muscular dystrophy
- Multiple sclerosis
• Cancer
• Heart disease
• Drug addiction
• Alcoholism

Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.
Achieving a Non-discriminatory Service for Individuals with a Disability

The physical barriers encountered by passengers with disabilities can frequently be overcome by employing simple changes in layout and technology.

By adopting the principle that many difficulties confronting passengers with hearing and vision impairments will be relieved if they are provided access to the same information that is available to all other passengers.

Thorough training of all air travel personnel who come in day-to-day contact with persons with disabilities, to understand their needs and how they can be accommodated quickly, safely and with dignity.

This guide is designed to offer information about the Air Carrier Access Act (ACAA) rules: the accommodations, facilities and services that are now required to be available. It also describes features required by other regulations designed to make air travel more accessible. This guide is structured in much the same sequence as a passenger would plan for a trip: the circumstances he or she must consider prior to travelling, what will be encountered at the airport and what to expect in the transitions from airport to airplane, on the plane and then airplane to airport.
The Regulations

The Air Carrier Access Rules aims to enable carriage of passengers with disabilities by the following basic rules:

- A carrier may not refuse transportation to a passenger solely on the basis of a disability
- Air carriers may not limit the number of individuals with disabilities on a particular flight
- All trip information that is made available to other passengers must be made available to passengers with disabilities
- Carriers must provide passage to an individual with a disability that may affect his or her appearance or involuntary behaviour, even if this disability may offend, annoy, or be an inconvenience to crew members or other passengers.

Exceptions to this Rule

Transportation may be refused if the individual with a disability would endanger the health or safety of other passengers, or transporting the person would be a violation of CAA / FAA safety rules.

- If the plane has fewer than 30 seats, the carrier may refuse transportation if there are no lifts, boarding chairs or other devices available which can be adapted to the limitation of such small aircraft by which to emplane the passenger. Airline personnel are not required to carry a mobility-impaired person onto the aircraft by hand
- There are special rules about persons with certain disabilities or communicable diseases. These rules are covered in the section entitled 'At the Airport'.
- The carrier may refuse transportation if it is unable to seat the passenger without violating the FAA Exit Row Seating rules. See the section 'On the Plane'.
Conflict of Law Waivers

If Titan Airways believe that an applicable provision of EU, UK or law of a foreign nation precludes us from complying with a provision of the ACAA, Titan Airways may request a waiver of the provision.

A waiver must be sent to the following address:

Assistant General Counsel for Aviation
Enforcement and Proceedings
C70 U.S. Department of Transport
1200 New Jersey Avenue, SE
Room W96-322
Washington D.C. 20590

The waiver request must be written in English and include the following elements:

- A copy (in English) of the law involved
- A description of how the law applies and how it precludes compliance with Part 382 of the ACAA
- A description of the alternative means the carrier will use, if the waiver is granted, to effectively achieve the objective of Part 382 subject to the waiver, or, if applicable, a justification of why it would be impossible to achieve this objective in any way.

The Department may grant the waiver request, or grant the waiver request subject to conditions if it determines that the foreign law applies, that it does preclude compliance with a provision of Part 382, and that an effective alternative means of achieving the objective of the provisions in Part 382 subject to the waiver or have demonstrated by clear and convincing evidence that it would be impossible to achieve this objective in any way.

If submitting a waiver request after 10th September 2008 where the request pertains to an applicable provision of the law of a foreign nation that did not exist on 10th September 2008, we may continue to implement the policy or practice that is the subject of the request until the Department responds to the request (within 180 days of receiving). The Department will not take enforcement action with respect to our implementation of the policy or practice during the time prior to the Department’s response.

The Department may commence enforcement action at any time after 13 May 2009 with respect to the policy or practice that is the subject of the request if it finds the request to be frivolous or dilatory.
If Titan Airways do not submit a request for a waiver under Part 382, or if a waiver request has been denied, we cannot raise the alleged existence of such a conflict as a defence to an enforcement action. Waiver requests can be followed at www.regulations.gov (conflict of law waivers/equivalent alternatives 0272 or 0273) for Titan Airways specific requests enter the docket number.

How to Obtain a Determination of Provision of Equivalent Alternative

Titan Airways may apply to the Department for a determination that we are providing an equivalent alternative to passengers with disabilities. Any applications should be sent to the following address:

Assistant General Counsel for Aviation Enforcement and Proceedings (C-70)
U.S. Department of Transportation
1200 New Jersey Avenue
SE, Room W96 – 322
Washington DC 20590

The application must be in English and include the following information:

- A citation to the specific provision of Part 382 concerning which Titan Airways are proposing an equivalent alternative
- A detailed description of the alternative policy, practice, or accommodation being proposed in place of compliance with the provision of Part 382 and an explanation of how it provides substantially equivalent accessibility to passengers with disabilities.

The Department may grant the application, or grant the application with conditions if it determines that the proposed facilitation does provide substantially equivalent accessibility to passengers with disabilities. If the application is granted Titan Airways will be deemed to be in compliance with Part 382.

Titan Airways must comply with the provisions of Part 382 without change whilst waiting for the Department to respond to the application.
Modifications to Comply with Part 382

Titan Airways must modify policies, practices and facilities when needed to provide non-discriminatory service to a particular individual with a disability, consistent with section 504 of the Rehabilitation Act (as amended). This requirement is part of Titan Airways obligation and is in addition to our duty to make the specific accommodations required in Part 382. Titan Airways does not have to make modifications that would constitute a burden or would fundamentally alter the company's program.

Procedures for Resolving Disputes

The Complaints Resolution Official (CRO) should be immediately available (even if by phone) to resolve disagreements which may arise between Titan Airways and passengers with disabilities.

<table>
<thead>
<tr>
<th>Complaint Resolution Official (CRO) : Graham Baguley</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mobile/ Cellphone</strong> : +44 7802 263345</td>
</tr>
<tr>
<td><strong>TTY equivalent by SMS text or WhatsApp</strong></td>
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The CRO must be contacted if a passenger disagrees with Titan Airways actions towards them or if a passenger is being refused boarding on the grounds of their disability or medical condition.

Travellers who disagree with Titan Airways actions toward them can pursue the issue with the CRO on the spot or by telephone.

If transportation is refused to any person based on a disability, the CRO must provide a written statement to that person within 10 working calendar days stating the basis for the refusal.

The statement must include, where applicable, the basis for the opinion that transporting the person could be harmful to the safety of the flight.

If the passenger is still not satisfied, he/she may pursue DOT enforcement action.
Agreements Carriers must have with Airports Served

As a carrier, Titan Airways must negotiate in good faith with the airport operator of each U.S. airport to ensure the provision of lifts for boarding and deplaning where level-entry loading bridges are not available.

Titan Airways must have a written, agreement with the airport operator allocating responsibility for meeting the boarding and deplaning assistance requirements of ACAA Part 382 among the parties. The agreement with a U.S. airport must provide that all actions necessary to ensure accessible boarding and deplaning for passengers with a disability are completed as soon as practicable.

Under the agreement, Titan Airways may as a carrier, require that passengers wishing to receive boarding and deplaning assistance requiring the use of a lift for a flight check in for the flight one hour before the standard check in time for the flight. If the passenger checks in after this time, we must provide boarding and deplaning assistance by lift by making reasonable effort without delaying the flight.

The agreement must ensure that all lifts and other accessibility equipment are maintained improper working condition.

All carriers and airport operators are jointly responsible for the timely and complete implementation of the agreement.

A copy of this agreement must be made available, on request, to representatives of the U.S. Department of Transport.
Section 2 - Accessibility of the Aircraft

Movable Aisle Armrests

Titan Airways is not required to retrofit cabin interiors of existing aircraft to comply with ACAA Part 382.

However, if any aircraft aisle seats are replaced with newly manufactured seats, one half of the seats (not including ASP rows) must be equipped with movable aisle armrests. This is a requirement for aircraft with 30 or more passenger seats which have aisle seats with armrests.

- An aircraft is never required to have movable aisle armrests on more than half of the aisle seats.
- Movable aisle armrests are not required on ASP rows
- Movable aisle armrests should be provided proportionately in all classes of service (e.g. 80% of seats (not including ASP rows) in coach and 20% in first class then 80% of the movable armrests requirement must be in coach and 20% in first class).

For aircraft that are equipped with movable armrests, cabins must be configured or systems established to ensure that disabled passengers can readily identify and obtain seats in rows with movable aisle armrests. This information must be provided by specific seat and row number.

Titan Airways must comply with the requirement for movable aisle armrests with respect to new aircraft operated that were initially ordered after 13th May 2009 or which are delivered after 13th May 2010. Titan Airways must comply with the requirement for retrofit seats ordered after 13th May 2009.

Accessible Toilets

The accessible toilet must permit a qualified individual with a disability to enter, manoeuvre within as necessary, to use all toilet facilities and leave by means of an onboard wheelchair. The accessible toilet must allow the same level of privacy as for other passengers. Accessible toilets should provide the following facilities that can be used by wheelchair users or persons with manual impairments:

- Accessible door locks
- Accessible call buttons
- Accessible grab bars
- Accessible taps and other controls
- Accessible dispensers
Titan Airways must ensure that aircraft with more than one aisle in which toilets are provided shall include at least one accessible toilet with respect to aircraft operated that were initially ordered after 13th May 2009 or which are delivered after 13th May 2010.

There is no requirement to provide accessible toilets on aircrafts with toilet facilities that have one aisle.

Titan Airways is not required to retrofit cabin interiors to comply with ACAA Part 382, however, if a toilet on an aircraft with more than one aisle is replaced it must be accessible, this must be complied with as of 13th May 2009.

**On Board Wheelchairs**

Titan Airways must equip aircraft that have more than 60 seats and that have an accessible toilet (whether or not it is required by ACAA Part 382) with an on board wheelchair.

If a passenger asks Titan Airways to provide an on board wheelchair on a particular flight, it must be provided if the aircraft being used for the flight has more than 60 passenger seats, even if the aircraft does not have an accessible toilet. The basis of the passenger's request must be that he or she can use an inaccessible toilet but cannot reach it from a seat without using an on board wheelchair. Titan Airways can request advance notice for this service.

On board wheelchairs must meet the following standards:

- On board wheelchairs must include footrests, armrests which are moveable or removable
- Adequate occupant restraint systems
- A backrest height that permits assistance to passengers in transferring
- Structurally sound handles for manoeuvring the occupied chair
- Wheel locks or another adequate means to prevent chair movement during transfer or turbulence
- The chair must be designed to be compatible with the manoeuvring space, aisle width and seat height of the aircraft on which it is to be used and easily pushed and turned in the cabin environment by crew.

Titan Airways has on-board wheelchairs for use on B767 and B757 aircraft.
Location of On Board Wheelchair

Please see diagram below for the stowage of the on board wheelchair. Crew should ensure that the strap is secure pre-flight and on returning the wheelchair to it's stowage after use.

F4 Galley LH Forward Cup board placarded floor load limit 40lb/18kg
The wheelchair weighs 28.6lbs/13kg which is acceptable, leaving a reserve allowance of 11.5lb/5kg for other miscellaneous stowed items as required
Procedures for the use of the On Board Wheelchair

The on-board wheelchair is provided for use by the ground staff to transport wheelchair users from their wheelchair to and from their seat. Under Part 382 cabin crew will be required to assist passengers to and from the toilet in-flight on qualifying flights to and from the U.S. This may include transfer from the seat to the wheelchair where a passenger is not travelling with an assistant. Crew should assess whether they will be able to lift a passenger before doing so.

**To open the on-board wheelchair:**

- Pull the "Pull to Release" red lever
- Lift up the back rest fully whilst holding the lever
- Once the chair is in the fully up right position release the "Push to secure" red lever
- Lower the armrests

**Once the red lever has been released it should automatically lock into position**

**Usage**

- The wheelchair should be fully opened and wheeled to the passenger’s seat.
- The wheelchair should be facing in the same direction as the aircraft seats and should be 'pulled' backwards.
- The crew member should show the passenger or the passengers assistant where the breaks are located on the wheelchair (where applicable)

**If Assisting a Passenger with wheelchair transfer:**

- Ask individual of any medical conditions, sensitivity issues, or cultural issues to be aware of
- Explain to the individual the transfer steps
- Position two seats even with each other
- Verbalise that back assistant will reach through individual's arm and grasp around the individuals wrists, and individual's arms criss-crossed
- Grasp hands together just under the person's knees
- Bend at knees
- Communicate to back assistant and individual that a lift check is to take place on count of three
- Lift individual slightly up and place gently back in chair, maintaining proper back safety
- Place all armrests down
- Check for individual's comfort and assist with seatbelt if necessary
Brakes are located on the rear wheels of the wheelchair - press once to lock, press again to unlock

To close the on-board wheelchair:

- Lift the armrests
- Pull the "Pull to Release" red lever
- Fold the chair to the closed position
- Ensure the "Push to secure" red lever is in the correct position

Please ensure that care is taken when opening and closing the chair so that fingers do not become trapped
The On-Board Wheelchair 2218-series sets the airtliner standard for the transport of disabled passengers. Light-weight design, durability, safety, appearance, and ease of operation for the cabin crew are just some of the highlights of this design. Flip-up type armrests allow easy transfer to the individual’s passenger seat. The rear wheels have brakes incorporated which are always accessible by the accompanying person. Three belts - shoulder, leg, and foot belt - allow safe transport and transfer in the aircraft cabin.

- Highest possible comfort
- Advanced ergonomic design
- Easy handling
- Excellent manoeuvrability
- Light-weight 12 kg / 25 lbs.
- Accessible to all types of aircraft

In accordance with:

- JAR/FAR 25.853 flammability requirements
- SAE ARP 4120 for On-Board Wheelchairs
- Applicable JAR/FAR chapter 25
Carriage of Passengers with Disabilities
US CFR 49 Part 382 - Air Carrier Access Act
Operations Guidance Manual

ATA CHAPTER 25 20 00

Passenger Service On-Board Wheelchair

Specification 2218-xx

UNFOLDED DIMENSION

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<th>Length</th>
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<tbody>
<tr>
<td>790 mm</td>
<td>375 mm</td>
<td>1035 mm</td>
</tr>
<tr>
<td>31.10 in</td>
<td>14.76 in</td>
<td>40.75 in</td>
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Weight: 13 kg 29.5 lbs

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<th>Length</th>
<th>Width</th>
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<tbody>
<tr>
<td>880 mm</td>
<td>415 mm</td>
<td>273 mm</td>
</tr>
<tr>
<td>34.45 in</td>
<td>16.34 in</td>
<td>10.80 in</td>
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STOWAGE DIMENSION

Minimum dimension for stowage compartment, e.g. dog house or rack behind last seat row (seat recline still possible):

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<th>Height</th>
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<tr>
<td>910 mm</td>
<td>350 mm</td>
<td>445 mm</td>
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<tr>
<td>35.83 in</td>
<td>13.77 in</td>
<td>17.22 in</td>
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Specification 2218-N-xx

The 2218-N-xx is 1 inch smaller

UNFOLDED DIMENSION

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Weight: 13 kg 28.5 lbs

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<tbody>
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<td>880 mm</td>
<td>310 mm</td>
<td>275 mm</td>
</tr>
<tr>
<td>34.45 in</td>
<td>14.57 in</td>
<td>11.80 in</td>
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Features Basic Version

- Vinyl cover
- Literature pocket on seat back
- Shoulder, leg, and foot belt with velcro-type ends
- 360° swivel castors
- Foot brake on both rear wheels
- Durable stainless steel chassis
- Color of Cassi, trim and finish according to customer requirements

Options

- Nappa leather cover
- Fabric cover
- Pax-seat-belt-buckles for leg and shoulder belt
- Foldable footrest
- CUSTOMER LOGO on cover back and structure beams
- Several more options, refer to detailed brochure...

AWARD S-cassie: Transfer passenger seat requires removable armrest
B757 Accessibility Seating Diagram

On Board Wheelchair Fwd/wardrobe

Removable Armrest
Both sides of inboard seats from 2C-17C and 19C-37C

Accessible Toilets x 2
Mid toilet a/c left
Rear mid toilet a/c left

Note: ABP Rows must NOT have any of the following passengers assigned:
- Elderly or Infirm
- Unaccompanied Minors
- Infants
- Obese persons
- D Oops or Persons under 8 Police escort

ABP ONLY
1B / 1C / 1D / 1E / 1F

ABP ONLY
15A / 15B / 15F / 15G

ABP ONLY
19A / 19B / 19F / 19G

ABP ONLY
35C / 35E / 35F
B767 Accessibility Seating Diagram

Note: ASP Rows must NOT have any of the following passengers assigned:
- Elderly or Infirm
- Unaccompanied Minors
- Infants
- Group passengers
- Pregnant women
- Persons under 2 years old

Removable Armrest:
Both sides of inboard seats from 2C-17C and 19C-37C

Accessible Toilets x 2:
- Front toilet at Door 1 ace/ left
- Rear toilet b/c left

ABP ONLY:
1D / 1D
15A / 15B / 15C
16A / 16B / 16C
34C / 34D
Providing of Priority Space in the Cabin for Storage of Passengers Wheelchairs

Titan Airways must ensure that there is a priority space in the cabin of sufficient size to stow at least one typical adult sized folding, collapsible or break down manual passenger wheelchair. The dimensions of which are within a space of 13 inches by 36 inches by 42 inches without having to remove the wheels or otherwise disassemble it. This applies to aircrafts with 100 or more passenger seats.

The space must be other than overhead lockers and under seat spaces routinely used by passengers for carryon items.

Titan Airways must meet this requirement for new aircraft ordered after 13th May 2009 or delivered after 13’th May 2010.

Accessibility of Videos, DVDs and Other Audio Visual Equipment

As a carrier, Titan Airways must ensure that all new videos, DVDs and other audio visual displays played on the aircraft for safety or informational purposes that were created under Titan Airways control, are high contrast captioned. The captioning must be in the predominate language or languages in which passengers are communicated with on the flight. This must be complied with for safety purposes by 10" November 2009 and for informational purposes by 8th January 2010.
Section 3 - Before the Flight

Advance Information about the Aircraft

Titan Airways will provide the following information upon request to qualified individuals with a disability or persons making enquiries on their behalf concerning the accessibility of the aircraft expected to make a particular flight. The information must be aircraft specific where feasible (the exception being unpredictable circumstances such as weather or mechanical fault requiring a substitute aircraft that may affect availability of any services).

The required information is:

- The specific location of seats, if any, with movable armrests - by row and seat number
- The specific location of seats that are not available for passengers with a disability (ABP rows) by seat and row number
- Any aircraft related, service related or other limitations on the ability to accommodate passengers with a disability, including level entry boarding to the aircraft at any airport involved with the flight - this information must be given to any passenger who states that he or she uses a wheelchair for boarding, even if they do not request the information
- Any limitations on the availability of storage facilities, in the cabin or in the cargo bay, for mobility aids or other assistive devices commonly used by passengers with a disability, including storage in the cabin of a passenger's wheelchair.
- Whether the aircraft has an accessible toilet
- The types of services that are or are not available to passengers with a disability on the flight.
When Advance Notice and Pre Boarding can be required from a Passenger with a Disability

Titan Airways may not require passengers with disabilities to provide advance notice of their intent to travel or of their disability with the exception of providing specific services in connection with a flight as listed in the following table.

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Required by Part 382 to allow carriage</th>
<th>Advance Notice Required</th>
<th>Advance Check in Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carrier Supplied In-Flight Medical Oxygen</td>
<td>Yes</td>
<td>Up to 72hrs (Intl Flights) Up to 48hrs (Domestic Flights)</td>
<td>One hour advance check-in can be required (Intl &amp; Domestic)</td>
</tr>
<tr>
<td>Passenger supplied CPAP/POC/Ventilator/Respirator</td>
<td>Yes</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Carriage of an incubator</td>
<td>At Titan Airways discretion</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Accommodations for 10 or more passengers with disabilities travelling as a group</td>
<td>Yes</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Hook-up of a respirator / ventilator / CPAP machine or POC to the aircraft electrical supply</td>
<td>At Titan Airways discretion</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Accommodation of a passenger who must travel in a stretcher</td>
<td>At Titan Airways discretion</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Transportation of an electric wheelchair on an aircraft of less than 60 seats</td>
<td>Yes</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Provision by Titan Airways for hazardous materials packaging for batteries or other assistive devices</td>
<td>Yes</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Provision of an onboard wheelchair in an aircraft of more than 60 seats which does not have an accessible lavatory</td>
<td>The basis must be that the passenger can use an inaccessible lavatory but cannot reach it from a seat without using an on-board wheelchair.</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
<tr>
<td>Transportation of an emotional and psychiatric support animal in the cabin</td>
<td>Yes (Titan Airways need only carry dogs under ACAA rules)</td>
<td>Up to 48hrs</td>
<td>One hour advance check-in can be required</td>
</tr>
</tbody>
</table>
### Carriage of Passengers with Disabilities

US CFR 49 Part 382 - Air Carrier Access Act
Operations Guidance Manual

<table>
<thead>
<tr>
<th>Required by Part 382 to allow carriage</th>
<th>Advance Notice Required</th>
<th>Advance Check in Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation of a service animal on a flight scheduled to last more than 8 hours</td>
<td>Yes</td>
<td>Up to 48hrs</td>
</tr>
<tr>
<td>Accommodation of a passenger who has both a severe vision and hearing impairment travelling without an assistant</td>
<td>Yes</td>
<td>Up to 48hrs</td>
</tr>
</tbody>
</table>

Titan Airways may impose reasonable, non-discriminatory charges for optional services.
Where a Service is required by the ACAA rule

We are required to ensure that services are provided if appropriate notice has been given and the service requested is available on that particular flight. If a passenger does not meet advance notice or check-in requirements, reasonable effort to accommodate the requested service must be made providing that it does not delay the flight.

If a passenger with a disability provides the required notice but is required to fly on another carrier (for example, if the flight is cancelled), Titan Airways must, to the maximum extent feasible, provide assistance to the second carrier in furnishing the accommodation requested by the individual.

It must be recognised that even when a passenger has requested information in advance on the accessibility features of the scheduled aircraft, substitute aircraft may not have the same facilities.

When Safety Assistants / Attendants can be required

We may require the following individuals to be accompanied by an attendant:

- A person travelling on a stretcher or in an incubator (for flights where such service is offered).
- A person who, because of a mental disability, is unable to comprehend or respond appropriately to safety instructions given from Titan Airways crew.
- A person with a mobility impairment so severe that the individual is unable to assist in his or her own evacuation from the aircraft.
- A person who has both severe hearing and severe vision impairments which prevent him or her from receiving and acting on necessary instructions from Titan Airways crew when evacuating the aircraft during an emergency.

Titan Airways and the passenger may disagree about the applicability of one of these criteria. In such cases, Titan Airways can require the passenger to travel with an attendant, contrary to the passenger's assurances that he or she can travel alone. However the attendant must be carried at no charge.

If a passenger voluntarily chooses to travel with a personal care attendant or safety assistant that Titan Airways does not require, Titan Airways may charge for the transportation of that person –
Selection of Safety Assistants / Attendants

Titan Airways can designate a safety assistant / attendant to travel with the passenger; however, Titan Airways is not required to find or furnish a safety assistant / attendant.

The following people can be designated as a safety assistant / attendant:

- An off-duty employee who happened to be travelling on the same flight
- A volunteer from among other passengers / ABP on the flight to act as an attendant
- Provide a free ticket to an attendant of the passenger’s choice for that flight segment (as long as it is not deemed as a premeditated tactic to obtain a free ticket)

The attendant would not be required to provide personal service to the passenger with a disability other than to provide assistance in the event of an emergency evacuation. This is in contrast to the case of a passenger that usually travels accompanied by a personal attendant who would provide the passenger whatever service he or she requests.

If there is not a seat available on the flight for an attendant whom Titan Airways has determined as necessary and as a result a person with a disability holding a confirmed reservation is denied travel on the flight, the passenger with a disability is eligible for denied boarding compensation.

For purposes of determining whether a seat is available for an attendant, the attendant shall be deemed to have checked in at the same time as the person with the disability.

Concern that a passenger with a disability may need personal care services (e.g. assistance in using lavatory facilities or with eating) is not a basis for requiring the passenger to travel with a safety assistant.
Charges for Special Services or Accommodations

Titan Airways must not charge passengers for providing facilities, equipment or services for passengers with a ability with the exception of:

- A passenger who requires the use of more than one seat due to their size or condition (e.g. use of a stretcher)
- A passenger voluntarily travelling with an assistant, who in Titan Airways opinion is not required
Medical Certificates

Passengers must not be required to provide a medical certificate as a condition for being provided with transportation.

- Medical certificates can however be required for a passenger with a disability:
  - Who is travelling in a stretcher or incubator
  - Who needs medical oxygen during a flight, or
  - Whose medical condition is such that there is a reasonable doubt that the individual can complete the flight without requiring extraordinary medical assistance during the flight
  - Who has a communicable disease or condition that could pose a direct threat to the health and safety of others on the flight

A medical certificate is a written statement from the passenger's physician saying that the passenger is capable of completing the flight safely, without requiring extraordinary medical assistance during the flight and that the disease or infection would not, under the present conditions in the particular passenger's case, be communicable to other persons during the normal course of a flight. For a medical certificate to be valid under Part 382 it must be dated within 10 days of the scheduled date of the passenger's initial departing flight.

Example:

A passenger who schedules a flight from New York to London on January 15 with a return flight of April 15 would need to show a medical certificate dated January 5 or later. The passenger would not need to show a second medical certificate dated April 5 or later

Titan Airways can require that a passenger with a medical certificate undergo additional medical review if there is a legitimate medical reason for believing that there has been a significant adverse change in the passenger's condition since the issue of the medical certificate or where the medical certificate significantly understates the passengers risk to the health of other persons on the flight. If the results of this medical review demonstrate that the passenger, notwithstanding the medical certificate, is likely to be unable to complete the flight without requiring extraordinary medical assistance (e.g. if the passenger has apparent significant difficulty in breathing, appears in substantial pain etc.) or would pose a direct threat to the health and safety of other persons on the flight Titan Airways may refuse transport.
Section 4 - At the Airport

Airport Accessibility

The following services should be available in all terminals:

- Accessible parking near the terminal
- Signs indicating accessible parking and the easiest access from those spaces to the terminal
- Accessible medical aid facilities and travellers aid stations
- Accessible restrooms
- Accessible drinking fountains
- Accessible ticketing systems at primary fare collection areas
- Amplified telephones and text telephones (TTs) for use by persons with hearing and speech impairments (there must be at least one TT in each terminal in a clearly marked accessible location)
- Accessible baggage check-in and retrieval areas
- Jetways and mobile lounges that are accessible (at airports that have such facilities)
- Level entry boarding ramps, lifts or other means of assisting an individual with a disability on and off the aircraft
- Information systems using visual words, letters or symbols with lighting and colour coding and systems for providing information orally
- Signs indicating the location of specific facilities and services
Moving Through the Airport

US airport facilities must currently include one accessible route from an airport entrance to ticket counters, boarding locations and baggage handling areas. These routes must minimise any extra distance that wheelchair users must travel compared to other passengers to reach these facilities. Outbound and inbound baggage facilities must provide efficient baggage handling for individuals with a disability, and these facilities must be designed and operated so as to be accessible. There must be appropriate signs to indicate the location of accessible services.

Titan Airways will not restrict the movements of persons with disabilities in terminals or require them to remain in a holding area or other location while awaiting transportation and other assistance.

Titan Airways must ensure that there is an accessible route from the gate and the area from which the aircraft is boarded (e.g. the tarmac where level-entry boarding is not available).

Titan Airways must ensure that systems of intra- and inter-terminal transportation, including but not limited to, moving sidewalks, shuttle vehicles and people movers comply with applicable requirements.
Passenger Information

Titan Airways will ensure that individuals with a disability who identify themselves as persons who need visual or hearing assistance have prompt access to the same information provided to other passengers (at any US airport where the airport has control over the covered gates, ticketing areas and customer service desks both the airport and Titan Airways are jointly responsible for compliance. The information that must be provided includes (but is not limited to) the following:

Information concerning flight safety

- Ticketing
- Flight check-in
- Flight delays or cancellations
- Schedule changes
- Boarding information
- Connections
- Gate assignments
- Checking baggage
- Volunteer solicitation on oversold flights (e.g. offers of compensation for surrendering a reservation)
- Individuals being paged by airlines
- Aircraft changes that affect the travel of persons with disabilities

Passengers who identify themselves as needing visual or hearing assistance should be provided with information no later than the information is provided to other passengers with respect to information regarding claiming baggage

Copies of Part 382 must be made available for review to any member of the public when operating qualifying flights to the US. Copies will be kept in the US Go Now Kit on-board the aircraft or within the Electronic Flight Bag.
Security Screening

An individual with a disability must undergo the same security screening as any other member of the travelling public as required by US law at a US airport or by foreign law at a foreign airport.

If an individual with a disability is able to pass through the security system without activating it, the person shall not be subject to special screening procedures. Security personnel are free to examine an assistive device that they believe is capable of concealing a weapon or other prohibited item.

In individual with a disability is not able to pass through the system without activating it, the person will be subject to further screening in the same manner as any other passenger activating the system.

Security screening personnel at some airports may employ a hand-held device that will allow them to complete the screening without having to physically search the individual. If this method is still unable to clear the individual and a physical search becomes necessary, then at the passenger's request the search must be done in private.

If the passenger requests a private screening in a timely manner, Titan Airways must provide it in time for the passenger to board the aircraft. Such private screenings will not be required however, to a greater extent or for any different reason than for other passengers although this may take more time.

Mobility aids or assistive devices may be searched if security personnel believe, in their judgement that it may conceal a weapon or other prohibited item. Security personnel may also search qualified individuals with a disability whose aids activate the security system in the same manner as for other passengers.
Section 5 - Boarding, Deplaning and Connecting Assistance

Preboarding

As a carrier, Titan Airways must offer Pre-boarding to passengers with a disability who self-identify at the gate as needing additional time or assistance to board or stow accessible equipment, or be seated.

Boarding and Deplaning

Titan Airways must either ensure prompt provision or promptly provide assistance requested by or on behalf of passengers with a disability, or offered by carrier or airport personnel and accepted by passengers with a disability, in enplaning and deplaning.

Titan Airways must provide boarding and deplaning assistance through the use of lifts or ramps at any U.S. commercial service airport with 10,000 or more annual enplanements where boarding and deplaning at level-entry loading bridges or accessible passenger lounges is not available. Assistance through the use of lifts applies to aircraft with a passenger capacity of 19 or more.

Exceptions for the use of lifts are any aircraft model determined by the U.S. Department of Transport to be unsuitable for boarding and deplaning assistance by lift, ramp or other suitable device. The Department will make such a determination if there is either no existing boarding or deplaning assistive device on the market that will accommodate the aircraft without significant risk of serious damage to the aircraft or injury to passengers or employees, or internal barriers are present in the aircraft that would preclude passengers who use a boarding or aisle chair from reaching a non-exit row seat.

When level entry boarding is not required under ACAA Part 382, Titan Airways must provide or ensure the provision of boarding and deplaning assistance by any available means to which the passenger consents. However, passengers must not be hand-carried on or off the aircraft even if they give their consent to do so unless this is the only way of evacuating the individual in the event of an emergency.
The situations in which level-entry boarding is not required but in which we must provide assistance include:

- The boarding or deplaning process occurs at a U.S. airport that has 10,000 or more enplanements per year
- The boarding or deplaning process occurs at a non U.S. airport
- An aircraft is being used that is exempt from using lifts under ACAA Part 382
- Circumstances beyond control e.g. severe weather, unexpected mechanical problems, prevent the use of a lift

At a foreign airport where the enplaning, deplaning or connective assistance is provided by the airport operator, Titan Airways may rely on the services provided by the airport operator to meet the requirement of Part 382. If the services provided by the airport operator are not sufficient to meet the requirements, Titan Airways must supplement the airport operator's services to ensure that requirements are met. A Conflict of Laws Waiver may be applied for if it is believed that Titan Airways is precluded by law from supplementing the airport operator's services.

**Passengers in Wheelchairs or Other Devices**

Passengers who have requested assistance must not be left unattended by personnel responsible for enplaning, deplaning or connecting assistance in a ground wheelchair, boarding wheelchair or other device in which the passenger is not independently mobile for more than 30 minutes. This requirement applies even if another person (e.g. family member, personal care attendant) is accompanying the passenger, unless the passenger explicitly waives the obligation.
Section 6 - Services on the Aircraft

Assistance from Crew

As a carrier, Titan Airways must provide the following services to qualifying passengers who self-identify themselves as being an individual with a disability needing the assistance:

- Assistance in moving to and from seats, as part of the enplaning and deplaning process
- Assistance in preparation for eating, such as opening packages and identifying food
- If there is an on-board wheelchair on the aircraft, assistance with the use of the on-board wheelchair to enable the person to move to and from a toilet.
- Assistance to a semi-ambulatory person (some ability to walk) in moving to and from the toilet, not involving lifting or carrying the person
- Assistance in stowing and retrieving carry-on items, including mobility aids and other assistive devices stowed in the cabin
- Effective communication with passengers who have vision impairments and I or who are deaf or hard of hearing, so that these passengers have timely access to information provided by Titan Airways to other passengers (e.g. weather, on-board services, flight delays, connecting gates at the next airport)

Assistance Crew do not have to Provide

Titan Airways do not have to provide extensive special assistance to qualified individuals with a disability. Extensive special assistance includes the following activities:

- Assistance in actual eating
- Assistance within the toilet or assistance at the passenger’s seat with elimination functions
- Provision of medical services
On-board Safety Briefings

FAA and CAA regulations require that airline personnel provide a safety briefing to all passengers before take-off. This briefing is for the passenger's own safety and is intended for that purpose only.

Titan Airways may offer an individual briefing to a person whose disability precludes him or her from receiving the information presented in the general briefing. The individual briefing must be provided as inconspicuously and discretely as possible. The briefing can be offered before other passengers board the flight if the passenger with the disability chooses to pre-board. A safety briefing can be given at any time before take-off that does not interfere with other safety duties.

Crew may not 'quiz' the individual about the material presented in the briefing, except to the same degree they quiz passengers about the general briefing. Titan Airways must not take adverse action to a qualified individual with a disability on the basis that, in Titan Airways opinion, the passenger did not understand the safety briefing.
Service Animals
Titan Airways is required by the ACAA to permit a service animal to accompany a passenger with a disability. As a non U.S. carrier Titan Airways are only required to accommodate dogs.

A service animal:

- Provides assistance to an individual with a disability (service dog)
- Is necessary for an individual's emotional well-being (emotional/psychiatric support dog)
- Is not required to be licensed or certified

To distinguish whether a dog is a service animal or pet the following steps can be taken:

- Obtain credible verbal assurance
- Ask the passenger "Is this your pet?"

Follow up questions:

- "What tasks or functions does your animal perform for you?"
- "What has it been trained to do for you?"
- "How does your animal assist you with your disability?"

N.B. Assistance does not have to be during the flight for the service animal to travel, it may be at the beginning or end of the journey.

Identification cards, other written documentation, presence of a harness, tags or the credible verbal assurances must be accepted as evidence that a dog is a service animal.

Check for physical indicators

- Harness
- Vest
- Cape
- Backpack
- Tag
Request documentation for service animals

Documentation should not be asked for routinely but can be asked for if the passenger’s verbal response is not good or clear. On a flight segment scheduled to take 8 hours or more, Titan Airways, may as a condition of permitting the service dog to travel in the cabin, require the passenger using the service animal to provide documentation that the animal will not need to relieve itself on the flight or that the animal can relieve itself in a way that does not create a health or sanitation issue on the flight.

Require documentation for emotional support animals

Titan Airways can require up to 48 hours notice if a passenger wishes to travel with an emotional/psychiatric support animal and up to one hour pre-boarding. Current documentation for emotional support or psychiatric service animals must state:

- Passenger has mental health-related disability
- Animal necessary for mental health treatment
- Assessor is licensed mental health professional caring for the passenger (psychiatrist, psychologist, licensed clinical social worker)
- Date and type of mental health license (it does not have to state the specific type of illness)

The documentation should be dated within one year and on the mental health professional's letter headed paper stating:

- The passenger has a mental or emotional disability recognised in the Diagnostic and Statistical Manual of Mental Disorders - Fourth Edition (DSM IV)
- The passenger needs the emotional support or psychiatric service of the dog as an accommodation for air travel and/or for activity at the passenger's destination.
- The individual providing the assessment is a licensed mental health professional and the passenger is under his or her professional care; and
- The date and type of the mental health professional’s license and the state or other jurisdiction in which it was issued.

Observe the animal's behaviour

Service animals should behave properly in public settings. Service animals do not run freely around an aircraft, bark or growl repeatedly at other people, bite or jump on people or urinate or defecate in the cabin or gate area.
Service Animals in the Cabin

Transportation to a service dog must not be denied on the basis that it may offend or annoy crew or passengers travelling on the aircraft.

The service dog must be permitted to accompany the passenger to any seat in which the passenger sits, unless the dog obstructs an aisle or other area that must remain unobstructed to facilitate an emergency evacuation. If the dog cannot be accommodated at the seat location of the passenger with a disability, the passenger must be given the opportunity to move with the dog to another seat where it can be accommodated. If the dog is smaller than a 2 year old child it may be considered as a lap child. Crew may also ask other passengers if they would mind sharing foot space with the animal. The fact that a service animal may need to use a reasonable portion of an adjacent seat's foot space (that does not deny another passenger effective use of the space for his or her feet) is not an adequate reason to refuse carriage. The following options should be discussed with the passenger with the disability as a last resort:

- Option to travel on a later flight where there may be more room to accommodate the passenger to travel with the service animal.
- Carrying the animal in the cargo compartment (if applicable)

Passengers should not be charged extra for services required by Part 382

Where a disabled passenger has been allowed to board with an emotional or psychiatric support dog, they will not be asked to move if another passenger seated next to them does not wish to sit next to the animal. The passenger who does not wish to be seated next to the animal must move to another seat.

For long haul flights it is recommended that passengers bring a fleece or vet bed for their service dog.

Landing, Take Off or Turbulence

A dog car safety harness or equivalent should be used to secure the passengers service dog during take off, landing and turbulence (a collar and lead will not be acceptable for this).
Crew Interaction

It is important to remember that a service animal is still working for its owner, even when sitting next to them in the cabin. Crew should observe the following:

- Crew should not pet, play or feed a service animal
- Do not ask for the name of the dog or call the dog by name
- Ask the owners permission before interacting with the dog.

In some cases the owner may ask a member of crew to sit with their dog whilst they use the on-board toilet. Crew may oblige as long as it does not interrupt a safety related duty or service.

Emotional / Psychiatric Support Animals in the Cabin

If a passenger is travelling with an emotional or psychiatric support dog, Titan Airways is not required to accept the animal for transportation in the cabin unless the passenger provides current documentation (no older than one year from the date of the passenger's scheduled initial flight). **Currently the CAA are not accepting emotional or psychiatric dogs into the UK.**

Destination Airports

Titan Airways must promptly take all steps necessary to comply with foreign regulations regarding animal health needed to permit the legal transportation of a passenger’s service animal from the U.S. into a foreign airport. Titan Airways does not have to accept a service animal where the destination country would prohibit it from entering.

Information on routes that accept registered service dogs can be found on the following website: www.defra.gov.uk

Alternatively phone the PETS scheme helpline for advice on rules for acceptance on 0870 241 1710.

The Department for Environment and Rural Affairs (DEFRA) approved airports in the UK for service dogs to fly into are Heathrow, Gatwick and Manchester.
Service Animals Denied Boarding

All steps must be promptly taken to comply with foreign regulations needed to permit the legal transportation of a passenger's service animal from the U.S. into a foreign airport.

If it has been decided not to accept an animal as a service animal, the reason for the decision must be explained to the passenger at the time and documented in writing. The CRO should be contacted to speak to the passenger and to take the passengers details. The CRO must write to the passenger explaining the decision within 10 calendar days of the incident.

See Appendix D for further guidance on Service Animals travelling from the U.S. into the U.K.
Mobility Aids and Assistive Devices

Titan Airways must permit passengers with a disability to bring the mobility aids and assistive devices listed below into the aircraft cabin, provided that they can be stowed in designated priority storage areas or in overhead lockers or under seats consistent with FAA, PHMSA, TSA or CAA security policies contained in Section 9 of Part F.

**Mobility** aids that passengers with a disability may bring into the aircraft cabin:

- Wheelchairs - manual, folding, collapsible (or component parts)
- Canes
- Crutches
- Walkers

Assistive devices that passengers with a disability may bring into the aircraft cabin:

- Respiratory devices with non spillable (lithium) batteries that comply with applicable safety, security and hazardous materials rules - POC (Portable Oxygen Concentrator), CPAP (Continuous Positive Airway Pressure Device), Ventilator
- Syringes
- Auto-injectors
- Vision-enhancing device
- Prescription medicines

Mobility aids and assistive devices should not be included in carry-on baggage policies or towards a limit on carry-on baggage.
Carriage of Passengers with Disabilities
US CFR 49 Part 382 -Air Carrier Access Act
Operations Guidance Manual

The minimum requirements for respiratory assistive devices for transportation:

- Approval label
- Meets stowage safety requirements
- Adequate batteries to last 150% of the flight duration
- Extra batteries packaged properly
- Check in one hour before general check-in time
- Physician statement (POC only)
POC, CPAP Regulations

Portable Oxygen Concentrators (POCs) take in oxygen and concentrates it for the user. It can be used on 2 settings:

- On demand
- Continuous

Continuous Positive Airway Pressure Device (CPAP) are primarily used for obstructive sleep apnea. Components are:

- Flow generator (PAP machine) provides the airflow
- Hose connects the flow generator (sometimes via an in-line humidifier) to the interface
- Interface (nasal or full face mask, nasal pillows, or less commonly a lip-seal mouthpiece) provides the connection to the user's airway

On July 12, 2005 the American FAA approved the use of portable oxygen concentrator for use on commercial airlines. This Special Federal Aviation Regulation (SFAR) will permit passengers to use certain portable oxygen concentrator devices on aircraft, provided certain conditions in this SFAR are satisfied. The SFAR includes a POC preparation requirement for carry-on baggage transport, and a battery-packaging standard necessary for the safe carriage of extra POC batteries in carry-on baggage. This rulemaking action was deemed necessary to address the traveling needs of people on oxygen therapy.

Special Federal Aviation Regulation

14 CFR Parts 11 and 121
[Docket No. FAA-2004-18596; SFAR No. 106]

No person may use and no aircraft operator may allow the use of any portable oxygen concentrator device, except the following portable concentrator devices:

- AirSep FreeStyle,
- AirSep LifeStyle,
- Delphi RS-00400,
- Inogen One,
- Invacare XP02,
- Respironics EverGo,
- SeQual Eclipse.
These devices may be carried on and used by a passenger on board an aircraft provided the aircraft operator ensures that the following conditions are satisfied:

(1) The device does not cause interference with the electrical, navigation or communication equipment on the aircraft on which the device is to be used;

(2) No smoking or open flame is permitted within 10 feet of any seat row where a person is using a portable oxygen concentrator.

(3) During movement on the surface, take-off, and landing, the unit must:
   (i) Either be stowed under the seat in front of the user, or in another approved stowage location, so that it does not
   (ii) If it is to be operated by the user, be used only at a seat location that does not restrict any passenger’s access to, or use of, any required emergency or regular exit, or the aisle(s) in the passenger compartment;

(4) No person using a portable oxygen concentrator is permitted to sit in an exit row;

(5) The pilot in command must be apprised whenever a passenger brings and intends to use a portable oxygen concentrator on board the aircraft and the pilot in command must be informed about the contents of the physician's written statement (as required in Section 3(b)(3) of this SFAR), including the magnitude and nature of the passenger's oxygen needs.

(6) Whenever the pilot in command turns off the" Fasten Seat Belt" sign, or otherwise signifies that permission is granted to move about the passenger cabin, passengers operating their portable oxygen concentrator may continue to operate it while moving about the cabin.

The user of the portable oxygen concentrator must comply with the following conditions to use the device on board the aircraft:

(1) The user must be capable of hearing the unit's alarms, seeing the alarm light indicators, and have the cognitive ability to take the appropriate action in response to the various caution and warning alarms and alarm light indicators, or be travelling with someone who is capable of performing those functions;

(2) The user must ensure that the portable oxygen concentrator is free of oil, grease or other petroleum products and is in good condition free from damage or other signs of excessive wear or abuse;
(3) The user must inform the aircraft operator that he or she intends to use a portable oxygen concentrator on board the aircraft and must allow the crew of the aircraft to review the contents of the physician's statement. The user must have a written statement, to be kept in that person's possession, signed by a licensed physician that:

(i) States whether the user of the device has the physical and cognitive ability to see, hear, and understand the device's aural and visual cautions and warnings and is able, without assistance, to take the appropriate action in response to those cautions and warnings;
(ii) States whether or not oxygen use is medically necessary for all or a portion of the duration of the trip; and
(iii) Specifies the maximum oxygen flow rate corresponding to the pressure in the cabin of the aircraft under normal operating conditions.

(4) Only lotions or salves that are oxygen approved may be used by persons using the portable oxygen concentrator device;

(5) The user, whose physician statement specifies the duration of oxygen use, must obtain from the aircraft operator, or by other means, the duration of the planned flight. The user must carry on the flight a sufficient number of batteries to power the device for the duration of the oxygen use specified in the user's physician statement, including a conservative estimate of any unanticipated delays; and

(6) The user must ensure that all portable oxygen concentrator batteries carried on-board the aircraft in carry-on baggage are protected from short circuit and are packaged in a manner that protects them from physical damage. Batteries protected from short circuit include: (1) Those designed with recessed battery terminals; or (2) those packaged so that the battery terminals do not contact metal objects (including the battery terminals of other batteries). When a battery-powered oxygen concentrator is carried onboard aircraft as carry-on baggage and is not intended to be used during the flight, the battery must be removed and packaged separately unless the concentrator contains at least two effective protective features to prevent accidental operation during transport.

See also CAP 562 Guidance
Priority Cabin Stowage

Where an aircraft is fitted with a space in the cabin of sufficient size to stow at least one collapsible or break-down manual passenger wheelchair (dimensions 13" x 36" x 42") not including space in overhead lockers or under seat spaces, the space should be used as priority stowage for a passenger with a disability who pre-boards.

A passenger with a disability who uses a wheelchair and takes advantage of the opportunity to pre-board the aircraft must have priority to stow his or her wheelchair in the priority stowage, they should have priority over other items brought onto the aircraft by other passengers or crew enplaning at the same airport. If the stowage is being used for crew luggage or an on-board wheelchair they must be removed to make room for the passenger's wheelchair, even if these items were stowed first.

Passengers with assistive devices who pre-board the aircraft should be allowed to use the priority stowage, with priority over other items brought on by passengers enplaning at the same airport with the exception of wheelchairs.

Passengers who do not take the opportunity to pre-board should still be able to use the area to stow his or her wheelchair or other assistive device on a first-come first-served basis along with all other passengers seeking to stow carry-on items in the area.

If a wheelchair is too big to be stowed in the priority stowage space while fully assembled but will fit if the wheels or other components can be removed without the use of tools, the components must be removed (guidance on how to remove components can be sought from the passenger that it belongs to) so that it can be stowed in the designated space. The removed components should be stowed in areas provided for carry-on luggage.
Cargo Stowage of Wheelchairs, Mobility Aids and Assistive Devices

Where a passenger's wheelchair or other mobility aid or assistive device cannot be transported in an approved stowage area in the cabin it must be stowed in the baggage compartment.

Wheelchairs, other mobility aids and assistive devices must be given priority over other baggage and cargo. Where this priority results in other passenger's baggage being unable to be carried on a flight we must ensure that their baggage reaches their destination on the next flight operated to the destination. Where there is not another flight being operated by Titan Airways other means of transporting the baggage must be organised.

Wheelchairs, mobility devices and other assistive devices should be among the first items retrieved from the baggage compartment and placed as close as possible to the door of the aircraft so that the passenger can use their own equipment except for when this would be inconsistent with Federal regulations governing transportation security or transportation of hazardous materials or if the passenger requests the return of the items at the baggage claim area instead of at the door of the aircraft.

Procedures for Battery-Powered Mobility Aids

Wherever baggage compartment size and aircraft airworthiness considerations do not prohibit doing so, Titan Airways must accept a passenger's battery powered wheelchair or other similar mobility device, including the battery, as checked baggage.

Passengers may be required to have battery-powered wheelchairs or other similar mobility devices transported on a flight check in one hour before the check-in time for the flight. If the passenger checks in after this time, the wheelchair or mobility device must still be carried if it is possible and with reasonable effort to do so without delaying the flight.

See Appendix A for Battery Powered Wheelchairs Cargo Stowage Flow Chart

If the battery on the passengers wheelchair or similar mobility device has been labelled by the manufacturer as non-spillable, or if a battery-powered wheelchair with a spillable battery (lithium) can be loaded, stored, secured and unloaded in an upright position, we must not require the battery to be removed and separately packaged. Any battery that is inadequately secured to a wheelchair or for a spillable battery, is not contained in a wheelchair that cannot be loaded, stowed, secured and unloaded in an upright position must be removed and packaged separately. A damaged or leaking battery must not be transported.
When it is necessary to detach the battery from the wheelchair we must provide packaging and pack the battery if requested by the passenger. Titan Airways may refuse to use packaging materials or devices other than those that are normally used for this purpose.

Batteries must not be disconnected on wheelchairs or other mobility devices equipped with a non-spillable battery completely enclosed within a case or compartment integral to the design of the device unless an applicable safety regulation with mandatory legal effect requires that it should be.

Qualifying passengers should be permitted to provide written directions concerning the disassembly and reassembly of their wheelchairs, mobility aids and other assistive devices. These instructions must be carried out to the greatest extent feasible and where safety regulations permit. Where Titan Airways have disassembled any of the above items they must also be reassembled by Titan Airways and returned to the passenger in the condition in which we received them. The basis for calculating the compensation for a lost, damaged or destroyed wheelchair or other assistive device shall be the original purchase price of the device under Part 382.

**Videos, DVDs and Other Audio-Visual Presentations on the Aircraft**

Any new videos, DVDs and other audio-visual presentations played on the aircraft for safety purposes or information purposes that are created under Titan Airways control must be high contrast captioned. The captioning must be in the predominant language or languages in which passengers are communicated to during the flight.
Section 7 - Part 382 Rules on Denied Boarding / Transportation Based on Disability

Titan Airways will not refuse to provide transportation to a passenger with a disability on the basis of his or her disability, except as specifically permitted by Part 382.

Passengers must not be refused transportation because their disability results in appearance or involuntary behaviour that may offend, annoy, or inconvenience crewmembers or other passengers.

Titan Airways are allowed under Part 382 to determine whether there is a disability-related safety basis for refusing to provide transportation to a passenger with a disability if you are able to demonstrate that the passenger poses a direct threat. In determining whether an individual poses a direct threat, you must make an individualised assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence to ascertain:

- The nature, duration and severity of the risk
- The probability that the potential harm to the health and safety of others will actually occur, and
- Whether reasonable modifications of policies, practices or procedures will mitigate the risk.

If the passenger is determined to pose a direct threat, Titan Airways must select the least restrictive response from the point of view of the passenger, consistent with protecting health and safety of others. (e.g. the passenger should not be refused transportation if the health and safety of others can be protected by means short of a refusal)

In exercising this authority, Titan Airways must act consistently with the provisions of Part 382 or be subject to enforcement action from the US DOT.

If a passenger is refused transportation on his or her originally scheduled flight on the basis of their disability, Titan Airways' CRO must provide to the person a written statement of the reason for the refusal. This statement must include the specific basis for the opinion that the refusal meets the standards set out in Part 382 or is otherwise permitted by Part 382. The written statement must be received by the individual within 10 calendar days of the refusal of transportation.
Based on Communicable Disease or Medical Condition

Under Part 382 Titan Airways may not do any of the following things on the basis that a passenger has a communicable disease or infection, unless it is determined that the passenger's condition poses a direct threat:

- Refuse to provide transportation to the passenger
- Delay the passenger's transportation (e.g. require the passenger to take a later flight)
- Impose on a passenger any condition, restriction, or requirement not imposed on other passengers; or
- Require the passenger to provide a medical certificate

Directives from public health authorities or agencies (US Centres for Disease Control, World Health Organisation) may be relied on when assessing whether a passenger poses a direct threat. In making the assessment consideration should be given to the significance of the consequences of a communicable disease and the degree to which it can be readily transmitted by casual contact in an aircraft cabin environment.

<table>
<thead>
<tr>
<th>Medical Condition</th>
<th>Severity of Medical Condition</th>
<th>Communicability of Medical Condition</th>
<th>Direct Threat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cold</td>
<td>Not severe</td>
<td>High</td>
<td>No</td>
</tr>
<tr>
<td>AIDS</td>
<td>Severe</td>
<td>Low</td>
<td>No</td>
</tr>
<tr>
<td>SARS</td>
<td>Severe</td>
<td>High</td>
<td>Yes</td>
</tr>
</tbody>
</table>

If a passenger with a communicable disease meeting the direct threat criteria has a medical certificate describing measures for preventing transmission of the disease during the normal course of the flight, Titan Airways will be required to provide transportation to the passenger unless unable to carry out the measures.

If this results in the postponement of the passengers travel, they must be permitted to travel at a later time (up to 90 days from the date of the postponed travel) at the fare that would have applied to the passengers originally scheduled trip, without penalty or, at the passengers discretion, provide a full refund for any unused flights, including return flights.

If action is taken which restricts the passengers travel, Titan Airway's CRO must write to the passenger, on the passenger's request, within 10 working days providing a written explanation.
Section 8 - Training and Administration

Training Requirements

As a carrier that operates aircraft with 19 or more passenger seats, Titan Airways must provide appropriate training to all employees that deal with the travelling public.

Titan Airways employees should receive training so that they are proficient in the following:

- The requirements of Part 382 and other Federal regulations affecting the provision of air travel to passengers with a disability
- Procedures concerning the provision of air travel to passengers with a disability including the proper and safe operation of any equipment used to accommodate passengers with a disability.

Crew Training Requirement

Operating cabin crew shall also receive training in the following:

- Employees involved in providing boarding and deplaning assistance
- The use of boarding and deplaning assistance equipment used by the carrier and appropriate boarding and deplaning assistance procedures that safeguard the safety and dignity of passengers.
- Awareness and appropriate responses to passengers with a disability, including persons with physical, sensory, mental and emotional disabilities, including how to distinguish among the differing abilities of individuals with a disability.
- Recognition of requests for communication accommodation from individuals whose hearing or vision is impaired and to use the most common methods for communicating with these individuals that are readily available, such as writing notes or taking care to enunciate clearly (training in sign language is not required)
- Recognition of requests for communication accommodation from individuals who are deaf-blind passengers and to use any established means of communicating with these passengers where available such as reading information on a sheet or communicating through an interpreter.
Training / Lesson Plans

- Titan Airways must consult with organisations representing persons with disabilities in the UK when developing training programs, policies and procedures, or if unavailable, individuals with disabilities or international organisations representing individuals with disabilities.
- Titan Airways must ensure that all personnel who are required to receive training receive refresher training on a triennial basis to maintain proficiency. The program must describe how employee proficiency will be maintained.
- Titan Airways must provide or ensure that contractors provide training to contractors' employees concerning travel by passengers with a disability. This training is required only for those contractor employees that deal directly with the public and tailored to the employees' functions.

CRO

Employees designated as CROs must receive training concerning the requirements of Part 382 and duties of a CRO. Training should be completed before commencement of CRO duties. CROs must complete annual refresher training concerning their duties and the provisions of the regulation.

Training Completion Timescales

<table>
<thead>
<tr>
<th></th>
<th>Initial</th>
<th>Recurrent</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRO</td>
<td>Initial training required prior to commencement of duties</td>
<td>Annual</td>
</tr>
<tr>
<td>Customer Facing Employees</td>
<td>Initial training to be completed within 60 days of assuming their duties</td>
<td>3 yearly</td>
</tr>
<tr>
<td>Crew members</td>
<td>Initial training to be completed within 60 days of assuming their duties</td>
<td>3 yearly</td>
</tr>
</tbody>
</table>
Training Records

Titan Airways must incorporate procedures implementing the requirements of Part 382 into manuals or other guidance or instructional materials provided for Titan Airways employees or contractors employees who provide services to passengers including, but not limited to:

- Pilots
- Cabin Crew
- Reservation and ticket counter personnel
- Gate agents
- Ramp and baggage handling personnel
- Passenger service office personnel

Records must be retained for review by the US DOT. If after review the department determines that any portion of these materials must be changed in order to comply with Part 382, the DOT will direct Titan Airways to make the appropriate changes.

Individual employee records must demonstrate that all relevant employees have undertaken Initial and Recurrent training and must be retained for three years.
Section 9 - Complaints and Enforcement Procedures

Requirements for Providing Complaints Resolution Officials (CROs)

Titan Airways must make a CRO available at each airport serving flights that begin or end at a U.S. airport. The CRO may be available in person at the airport or via telephone (at no cost to the passenger). If a telephone link to the CRO is used, TTY service or similarly effective technology (text, webchat etc) must be available so that persons with hearing impairments may readily communicate with the CRO. The CRO service must available in the language(s) available to the general public.

Passengers must be made aware of the availability of a CRO and how to contact the CRO in the following circumstances:

- In any situation in which any person complains or raises a concern with Titan Airways regarding discrimination, accommodations or services with respect to passengers with a disability where crew do not immediately resolve the issue to the customers satisfaction or provide a requested accommodation, the passenger must be immediately informed of the right to contact a CRO and contact the CRO on the passenger’s behalf or provide the passenger a means (e.g. a phone). This must be given to the passenger in a format he or she can use.
- Any reservation agents, contractors and Web sites must provide information equivalent to the requirement above for passengers with a disability using those services who complain or raise a concern about a disability-related issue.
- Each CRO must be thoroughly familiar with the requirement of Part 382 and the carrier’s procedures with respect to passengers with a disability. The CRO is intended to be Titan Airways expert in compliance with the requirements Part 382.
- Titan Airways must ensure that each CRO has the authority to make dispositive resolution of complaints on Titan Airways behalf. This means that the CRO must have the power to overrule the decision of any other personnel except for a decision made by a pilot-in-command of an aircraft based on safety.
CRO & Complaints Documentation

10-day Response Required

Titan Airways must provide a written statement within 10 calendar days of the incident when the passenger is denied transportation on his/her originally scheduled flight due to the passenger disability e.g. communicable disease, Portable Oxygen Concentrator, Service Animal

30-day Response Required

Titan Airways must respond to all other disability-related complaints not involving refusal of transportation within 30 calendar days of the receipt of the complaint

Complaint Submissions

Titan Airways must respond to written complaints received by any means (e.g. letter, fax, email, electronic instant message).

Titan Airways is not required to respond to complaints submitted by a passenger or his/her representative more than 45 days after the incident.

However, if the DOT refers a passenger complaint more than 45 days after the incident, Titan Airways is required to respond as it were submitted within 45 days.

Titan Airways may establish policy to investigate and respond to all disability-related complaints regardless of the time between the alleged incident and the filing of the complaint.

No Response Required

If a CRO receives a complaint before the action or proposed action of Titan Airways staff or contractors, the CRO must take, or direct other carrier personnel to take, whatever action is necessary to ensure a violation does not occur.

If the violation is prevented a written statement is not required by the US DOT.
Confirm or Deny Violation

When responding to complaints, Titan Airways must confirm or deny that a violation occurred.

Where a violation has been confirmed, the statement to the passenger must include the following information:

- Summary of the facts
- What steps if any Titan Airways proposes to take in response to the violation
- The right to pursue US DOT enforcement action

If Titan Airways denies a violation has occurred, the statement to the passenger must include the following information:

- Summary of the facts
- Reasons under Part 382 for making the determination
- The right to pursue US DOT enforcement action

Summary of the Facts

The summary of the facts should include:

- The passenger's name
- The nature of his/her disability
- Required accommodations
- Description of the incident

These should be recorded on the Passenger Information form which is located in the US Paperwork Go Now Kit on board the B757 and B767 aircrafts (see Appendix E)

Resolutions

Resolutions for a violation will vary depending on when the CRO becomes involved in the situation. If a verbal complaint is received at the airport (or over the phone), the CRO potentially has more options available to resolve the situation. However, if the CRO receives a written complaint after the fact, the resolution can be limited to an apology and an assurance to follow through with corrective actions.
Corrective Actions

Whether a CRO receives a verbal or written complaint, the corrective action(s) determination is key in the prevention of the same violation being repeated in the future.

Corrective actions can include:

- Training for personnel or contract personnel
  - Knowledge of Part 382
  - Skills training in sensitivity and awareness, wheelchair transfers, stowage of assistive devices etc
- Titan Airways policy and procedure changes may be necessary.
- Equipment such as transfer boards, wheelchair lifts, onboard wheelchairs, extra wide wheelchairs, etc may need to be purchased, repaired or replaced.

Complaints Record Keeping Requirements

A record of written complaints must be kept for any flight segment originating or terminating in the U.S. from an individual or submitted on behalf of an individual with a disability concerning a difficulty associated with the person's disability, which the person experienced when using or attempting to use Titan Airways Services.

Disability complaints must be categorised by type of disability and nature of complaint. Information regarding a passenger's disability must be recorded separately in the following areas:

- Vision and hearing impaired
- Mentally impaired
- Communicable disease
- Allergies (e.g. food allergies, chemical sensitivity)
- Paraplegic
- Quadriplegic
- Other wheelchair
- Oxygen
- Stretcher
- Other assistive device (cane, respirator etc)
- Other disability
Information regarding the alleged discrimination or service related problem related to the disability must be separately recorded in the following areas:

- Refusal to board
- Refusal to board without an attendant
- Security issues concerning disability
- Aircraft not accessible
- Advance notice dispute
- Seating accommodation
- Failure to provide adequate or timely assistance
- Damage to assistive device
- Service animal problem
- Unsatisfactory information
- Other

Titan Airways must submit an annual report summarizing the disability-related complaints that have been received during the prior calendar year using the form in Appendix G which can also be found at the following internet address:

http://382reporting.ost.dot.gov

The report must be submitted by the last Monday in January of each year for complaints received during the previous calendar year. Submissions should be made via the Web except for situations allowed in Part 382.

All fields should be filled out with a '0' being entered where there were no complaints in a given category. Each annual report must contain the following certification signed by Titan Airways authorised representative.

"I, the undersigned, do certify that this report has been prepared under my direction in accordance with the regulations in 14 CFR Part 382. I affirm that, to the best of my knowledge and belief, this is a true, correct, and complete report".

Electronic signatures will be accepted.

Correspondence and records of all actions taken on all disability-related complaints must be retained for three years from their creation and must be made available to U.S. DOT officials upon request.
The above records must be kept;

- whether Titan Airways is the carrier or is operating under a code share for any disability related complaints received from or on behalf of passengers with respect to difficulties encountered in connection with service provided.
- when Titan Airways is unable to reach agreement with the codeshare partner as to whether the complaint involves service Titan Airways provides or service the code share partner provides
- disability-related complaints forwarded by another carrier or governmental agency with respect to difficulties encountered in connection with a service provided by Titan Airways

Where Titan Airways is code sharing partner, we must forward to the code share partner disability-related complaints received from or on behalf of passengers with respect to difficulties encountered in connection with service provided by the code sharing partner.

Carriers that do not submit their data via the Web shall use the disability related complaint data form specified in Appendix G The form should be mailed to the following address:

U.S. Department of Transportation
Aviation Consumer Protection Division
(C-75), 1200 New Jersey Avenue, SE,
West Building
Room W96-432
Washington DC 20590
Complaints Filed with the DOT

Any person believing that Titan Airways has violated any provision of Part 382 may seek assistance or file an informal complaint at the U.S. Department of Transportation no later than 6 months after the date of the incident by either:

- going to the website of the Department's Aviation Consumer Protection Division at http://airconsumer.ost.dot.gov and selecting "Air Travel Problems and Complaints" or
- writing to the Department of Transportation, Aviation Consumer Protection Division (C-75), 1200 New Jersey Avenue, SE., Washington DC 20590

Any person believing that Titan Airways has violated any provision of Part 382 may also file a formal complaint under the applicable procedures of 14 CFR Part 302

A formal complaint under Part 382 must be filed within 6 months of the incident on which the complaint is based in order to ensure that the Department of Transportation will investigate the matter.
Appendix A - Battery Powered Wheelchairs Cargo Stowage Flowchart
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Appendix B - Subpart B Quick Reference Guide

Subpart A  General Provisions
Covers the purpose of Part 382
Explains the terms in Part 382

• ACAA Air Carriers Access Act
• Air Transportation refers to US and non US air transportation
• Carrier refers to US carriers
• Foreign Carrier refers to non US carriers
• Assistive Devices refers to any piece of equipment that assists a passenger with a disability to cope with the effects of his/her disability. Such devices are intended to assist a passenger with a disability to hear, see, communicate, manoeuvre, or perform other functions of daily life and may include medical devices and medications
• Battery Powered Mobility Aid refers to an assistive device that is used by individuals with mobility impairments such as a wheelchair, a scooter or a Segway when it is used as a mobility device by a person with a mobility-related disability
• Commuter Carrier refers to an air taxi operator
• CPAP Machine refers to a Continuous Positive Airway Pressure Machine
• Direct Threat means a significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices or procedures
• Equivalent Alternative means a policy, practice, or other accommodation that provides substantially equivalent accessibility to passengers with disabilities, compared to compliance with a provision
• Expected max flight duration means a carriers best estimate of the total duration of the flight from departure gate to arrival gate, including taxi time to and from the terminals, taxi time to and from the terminals based on the scheduled flight time and factors such as wind and other weather conditions forecast, anticipated traffic delays, one instrument approach and possible missed approach at destination and any other conditions that may delay arrival of the aircraft at the destination gate
• FAA means Federal Aviation Administration, an operating administration of the Department of Transportation
• Facility means a carrier's aircraft and any portion of an airport that a carrier owns, leases or controls
• High-contrast captioning means captioning that is at least as easy to read as white letters on a consistent black background

• Indirect Carrier means a person not directly involved in the operation of an aircraft who sells air transportation services to the general public other than as authorised agent of a carrier

• Individual with a disability means any individual who has a physical or mental impairment that, on a permanent or temporary basis, substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

• On Demand Air Taxi means an air taxi operator that carries passengers or property and is not a commuter carrier as defined in Part 382

• PHMSA means the Pipeline and Hazardous Materials Safety Administration, an operating administration of the Department of Transportation

• POC Portable Oxygen Concentrator

• Scheduled Service means any flight scheduled in the current edition of the Official Airline Guide, the operators published schedule or the computer reservation system used by the carrier

• TSA Transportation Security Administration, an agency of the Department of Homeland Security

When carriers are required to comply with Part 382

Whom the provision of Part 382 applies to

Conflict of Laws Waivers

Determination of Equivalent Alternative

Subpart B - Non-discrimination and Access to Services and Information

General non-discrimination under Part 382

Modifications to policies, practices and facilities

Contractor's compliance with Part 382

Covers whether carriers can limit numbers of disabled passengers on a flight

Covers whether carriers can refuse transportation on the basis of disability

Covers whether carriers can limit access to transportation on the basis of a communicable disease or other medical condition
Requirements of passengers to carry a medical certificate
Requirements for passengers to provide advance notice
Advance notice in order to obtain certain services
Covers whether carriers can require a passenger to travel with a safety assistant
Covers whether carriers can charge for services provided from Part 382
Covers whether carriers can impose restrictions on passengers with a disability that are not imposed on other passengers
Covers whether carriers can ask passengers to sign waivers or releases

Subpart C  Information for Passengers

Flight related information carriers must provide to qualified individuals with a disability
Accessible information and reservation services for individuals who are deaf, hard of hearing or deaf-blind
Availability of Part 382 for passengers

Subpart D  Accessibility of Airport Facilities

Covers requirements carriers must meet concerning the accessibility of the airport
Information carriers must give individuals with a vision or hearing impairment at airports
Security screening procedures
What services must carriers provide if automated kiosks are inaccessible

Subpart E  Accessibility of the Aircraft

Requirements for moveable armrests
Requirements for accessible toilets
Requirements for on-board wheelchair
Requirements for priority space in the cabin to store passenger's wheelchairs
Requirements for accessibility of videos, DVD's and other audio-visual presentations on the aircraft

Other aircraft accessibility requirements applicable to carriers

Subpart F  Seating Accommodations

Which passengers must carriers make seating accommodations

Mechanisms carriers should use to make seating accommodations

Seating accommodations carriers must make not covered by 382.81 (a) through to (d)

Other seating requirements for passengers with a disability

Subpart G  Boarding, Deplaning, and Connecting Assistance

Assistance carriers must provide passengers when moving around the terminal

Pre-boarding requirements

Carrier’s general obligations with respect to boarding and deplaning assistance

Which aircrafts are required to provide boarding and deplaning assistance through the use of lifts

Agreements carriers must have with airports they serve

Other boarding and deplaning assistance carriers must provide

May a carrier leave a passenger unattended in a wheelchair or other device

Responsibility of carriers at foreign airports where operators have the responsibility of enplaning, deplaning and connecting assistance

Subpart H  Services on the Aircraft

Services that must be provided to passengers with disabilities on board the aircraft

What services are carriers not required to provide to passengers with a disability on-board the aircraft

What requirements apply to on-board safety briefings
Must carriers permit passengers with a disability to travel with service animals

What information must carriers give individuals with vision or hearing impairment on aircraft

Subpart I  Stowage of Wheelchairs, Other Mobility Aids, and Other Assistive Devices

What mobility aids and other assistive devices may passengers with a disability bring onto the aircraft

What are the requirements concerning priority stowage for wheelchairs and other assistive devices

What procedures carriers should follow when wheelchairs, mobility aids or other assistive devices must be stowed in the hold

What procedures apply to stowage of battery-powered mobility aids

What other requirements apply when passengers wheelchairs, mobility aids or assistive devices must be disassembled for stowage

Covers whether baggage liability limits apply to mobility aids and other assistive devices

Requirements concerning evaluation and use of passenger-supplied electronic devices for respiration in the cabin during flight

Subpart J  Training and Administrative Provisions

What training are carriers required to provide for their personnel

What records concerning training must carriers retain

Subpart K  Complaints and Enforcement Procedures

What are the requirements for providing CRO's

What actions do CRO's take on complaints

How must carriers respond to written complaints

What are carriers obligations for recordkeeping and reporting on disability-related complaints
How are complaints filed with the DOT

**Appendix A** Report of disability related complaint data and the form for submitting disability related complaint data to the US DOT.

**Appendix B** Cross reference table. This appendix provides information on where material found in a given section of the former version of Part 382 an be found.
## Appendix C Codes specifying Passenger Needs (SSR)

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>WCHR</td>
<td>Passenger who can walk up and down stairs and move about in an aircraft cabin, but who requires a wheelchair or other means for movements between the aircraft and the terminal, in the terminal and between arrival and departure points on the city side of the terminal.</td>
</tr>
<tr>
<td>WCHS</td>
<td>Passenger who cannot walk up or down stairs, but who can move about in an aircraft cabin and requires a wheelchair to move between the aircraft and the terminal, in the terminal and between arrival and departure points on the city side of the terminal.</td>
</tr>
<tr>
<td>WCHC</td>
<td>This category covers a wide range of passengers. It includes those who are completely immobile, who can move about only with the help of a wheelchair or any other means and who requires assistance at all times from arrival at the airport to seating in the aircraft or, if necessary, in a special seat fitted to their specific needs, the process being inverted at arrival. This category also includes passengers with a disability only affecting the lower limbs who require assistance to embark and disembark and to move inside the aircraft cabin but who are otherwise self-sufficient and can move about independently in their own wheelchair at the airport. Specifying the level of autonomy at the time of booking will avoid the provision of inappropriate assistance.</td>
</tr>
<tr>
<td>DEAF</td>
<td>Passenger who is deaf or hard of hearing or a passenger who is deaf without speech.</td>
</tr>
<tr>
<td>BLIND</td>
<td>Blind or visually impaired passenger.</td>
</tr>
<tr>
<td>DEAF/BLIND</td>
<td>Blind and deaf passenger, who can move about only with the help of an accompanying person.</td>
</tr>
<tr>
<td>DPNA</td>
<td>Disabled Passenger with intellectual or developmental disability needing assistance. This covers with disabilities such as learning difficulties, dementia, Alzheimer’s or Down’s syndrome and who will need assistance.</td>
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Appendix D Service Animals

On February 26, 2007, the U.S. Department of Transportation's Aviation Enforcement Office issued a guidance document to assist carriers and passengers with disabilities in complying with both U.S. and U.K. regulations concerning the transport of service animals on flights from the U.S. to the U.K. by: 1) explaining the procedures passengers must follow to comply with the U.K.'s Pet Travel Scheme (PETS); 2) explaining the procedures U.S. and foreign carriers must follow to obtain an approved Required Method of Operation (RMOP) from the U.K.'s Department for Environment Food and Rural Affairs (DEFRA); and 3) notifying both U.S. and U.K. carriers operating flights between the U.S. and the U.K. that failure to obtain an approved RMOP from DEFRA will be considered a violation of the ACA by the Department's Aviation Enforcement Office and may subject such carriers to enforcement action.

A service animal is PETS-compliant when the passenger can demonstrate that the animal meets the U.K.'s animal health requirements for entry into the U.K. (i.e., it has an embedded microchip ID, it has had a rabies vaccination, a rabies antibodies blood test no earlier than 6 months prior to the animal's entry into the U.K., and treatment against certain parasites), and possesses either a European Union (EU) pet passport or a third country official veterinary certificate documenting that these health requirements have been met. Under PETS, only dogs, cats and ferrets that meet these requirements may be transported into the U.K. from outside the EU without a 6-month quarantine upon arrival.

Under the ACA and Part 382, a PETS-compliant service animal that poses a significant risk to the health or safety of passengers or airline personnel or causes a significant disruption to cabin service may be denied transport in the aircraft cabin on flights from the U.S. to the U.K. Examples would be a PETS-compliant service animal which, due to its size, protrudes into or blocks the main cabin aisle(s) in violation of safety regulations, or an animal that barks or growls frequently or manifests other aggressive or disruptive behaviour. In those instances, before deciding to exclude the animal from the cabin, carriers should first seek to eliminate or mitigate the significant risk to health or safety or the significant service disruption (e.g., offering the passenger a different seat in the same class of service where the animal will not block the aisle or create an obstruction, offering a passenger the option of traveling on a later flight, or muzzling a dog that barks frequently).
What happens if a PETS-compliant service animal cannot be accommodated in the cabin on flights to the U.K.?

If a PETS-compliant service animal cannot be accommodated in the cabin and there is a passenger-provided International Air Transport Association (IATA)-approved container (kennel) in which to transport the animal, Titan Airways must transport the animal in the cargo hold, but only if we can ensure its safe passage in the cargo hold.

When a PETS-compliant service animal must be transported in the cargo hold on a flight to the U.K., who is responsible for providing the IATA-approved kennel?

The passenger is responsible for providing an IATA-approved kennel in order for his or her service animal to be transported in the cargo hold in accordance with U.K. regulations on flights into the U.K.

What are Titan Airways responsibilities to ensure that the carriage of a service animal in the cargo hold is done in accordance with U.K. regulations?

Titan Airways is responsible for:

- Establishing procedures in its Required Method of Operation (RMOP) specifically addressing how a PETS-compliant service animal will be checked in, routed to the cargo area, transported in an IATA-approved kennel in the cargo hold, and moved to the inspection facility upon arrival in the UK;
- Obtaining DEFRA's approval of this RMOP. (Titan Airways may address the procedures for cargo and in-cabin transport either in the same RMOP or in separate RMOPs);
- Transporting the service animal in the passenger-provided IATA-approved kennel with the animal's PETS documentation affixed to the kennel as prescribed by DEFRA; and
- Following the procedures outlined in the approved RMOP for transporting a service animal in the cargo hold.
What step(s) should Titan Airways take to help ensure passengers with a PETS-compliant service animal are able to travel to the U.K. with their animal in the cargo hold if the animal cannot be accommodated in the cabin?

During the reservations process, Titan Airways (where applicable) should notify any individual indicating that he/she will be traveling with a service animal on a flight to the U.K. that if the animal would pose a significant threat to the health or safety of others or cause a significant disruption to cabin service that cannot be eliminated or mitigated (e.g., obstructing an aisle or other area that must remain unobstructed in order to facilitate an emergency evacuation, frequent barking when no muzzle is available, or displaying threatening behavior, such as by growling), then the animal will not be accommodated in the cabin. The carrier should also inform the passenger that in those circumstances, if the passenger wishes for the animal to travel in the cargo hold rather than be excluded from the flight, he/she must provide the carrier an IATA-approved kennel in which to transport the animal. Titan Airways can provide this notice during the reservations process by referring the passenger to its website where the information is posted, by sending the information to the passenger in an e-mail, or by telephone.

What happens when Titan Airways cannot accommodate a PETS-compliant service animal in the cabin on a flight into the U.K. and the passenger does not have an IATA-approved kennel with him/her or does not wish to be separated from his/her service animal during flight?

The Aviation Enforcement Office strongly encourages carriers to assist in making alternate travel arrangements for any passenger who is unable to travel on his/her scheduled flight until he/she can obtain an IATA-approved kennel for his/her service animal. The Office encourages similar action by carriers for any passenger who does not wish to be separated from his/her service animal during flight. Although not required, the Aviation Enforcement Office strongly encourages carriers to allow any such passenger who wishes to rebook on a different flight to the same destination, to do so at the same fare.

What happens if Titan Airways cannot accommodate a PETS-compliant service animal either in the cabin or the cargo hold on a flight into the U.K.?

Titan Airways should provide a full refund upon request to any passenger whose PETS-compliant service animal cannot be accommodated in the cabin (e.g., the animal is too large) or in the cargo hold (e.g., cargo hold temperature is outside the limits permitted for live animal transport, or the passenger does not have an IATA-approved kennel in which to transport the animal). In the alternative, Titan Airways should allow the passenger to travel with his or her PETS-compliant service animal on a later flight. The Aviation Enforcement Office would consider it to be a violation of the law if a carrier refuses to provide a full refund or accommodate the passenger and his or her service animal on a later flight where the service animal can be accommodated safely either in the cabin or cargo hold.
A passenger can help ensure that he/she will be able to travel to the U.K. with his/her service animal in the cargo hold if it cannot be accommodated in the cabin by:

a) Notifying the Titan Airways well in advance of the date that he/she will be travelling with a service animal;

b) Asking Titan Airways for information about its policy on transporting animals in the cargo hold, including what is needed to ensure the animal’s safe passage in the cargo hold and any restrictions for cargo travel that might apply (e.g., temperature conditions that limit live animal transport); and

c) Having a back-up plan in place to ensure that his/her service animal can meet the requirements for transport in the cargo hold on the day of travel (i.e., have an IATA-approved kennel available) should the animal pose a significant threat to the health or safety of others such that the carrier is unable to accommodate it in the cabin.

May Titan Airways require health documentation for carriage of a service animal on flights from the U.S. into countries other than the U.K.?
Appendix E  Passenger Information

<table>
<thead>
<tr>
<th>Air Carrier Access Act</th>
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<tr>
<td>Part 382</td>
</tr>
<tr>
<td>Passenger Information</td>
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<table>
<thead>
<tr>
<th>Passengers Name:</th>
<th>Flight Number</th>
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<tbody>
<tr>
<td>Passenger Address:</td>
<td>Date:</td>
</tr>
<tr>
<td>No1:</td>
<td>Captain</td>
</tr>
<tr>
<td>CRO Contacted</td>
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<table>
<thead>
<tr>
<th>Passenger Complaint:</th>
<th>Summary of Steps Taken:</th>
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<tr>
<td>LASSO</td>
<td></td>
</tr>
<tr>
<td>Listen</td>
<td>- Listen and understand passenger complaint</td>
</tr>
<tr>
<td>Apologise</td>
<td>- Apologise for the inconvenience</td>
</tr>
<tr>
<td>Solve</td>
<td>- Are there any steps that can be taken to solve the problem for the passenger</td>
</tr>
<tr>
<td>Satisfy</td>
<td>-</td>
</tr>
<tr>
<td>Offer</td>
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Appendix F  US DoT Air Carrier Access Act FAQ’s

Office of Aviation Enforcement and Proceedings
Washington DC

May 13, 2009

FAQs - Air Travel of People with Disabilities Under the Amended Air Carrier Access Act Regulation

FAQ - Applicability - Section 382.7

1. Does the rule apply to foreign-originating charter flights?

   Answer: Charter flights by foreign carriers that originate at a foreign airport and operate to a United States airport and then back to a foreign airport without picking up any passengers who did not begin their journey at the foreign airport are not subject to the requirements of Part 382 with respect to any passengers on those flights, including U.S. citizens.

2. On a code-share flight operated by a foreign carrier between two foreign points, is the U.S. code-share partner responsible for ensuring compliance with the service provisions of Subpart I with respect to passengers holding tickets bearing that U.S. carrier's code?

   Answer: Generally, no. In section 382.19 (c) of the final rule, Subpart I was inadvertently omitted from the list of subparts for which a U.S. carrier is responsible to ensure compliance with the service-related provisions on a flight operated by its foreign code share partner between two foreign points with respect to passengers traveling under its code. The correction of this omission will be addressed in an upcoming notice of proposed rulemaking. Until then, the Department's Aviation Enforcement Office will only hold U.S. carriers responsible for their passengers carried on a code-share flight operated by a foreign airline under the Air Carrier Access Act (i.e. the statute itself) for ensuring that the basic services outlined in this subpart are provided. Examples of basic services include: allowing passengers to bring mobility aids and other assistive devices, including a passenger's folding wheelchair, in the aircraft cabin to be stowed consistent with safety and security requirements; stowage of wheelchairs, other mobility aids, or other assistive devices in the baggage compartment if an approved stowage area is not available in the cabin; and returning wheelchairs, mobility aids and other assistive devices to the passenger in the condition in which they were received. An example of a service that will not be required on such flights is the acceptance of a passenger's electronic respiratory assistive device (e.g., POC) for use on board an aircraft.
3. On a code-share flight operated by a U.S. carrier between a U.S. airport and a foreign airport where a passenger is holding a ticket bearing a foreign carrier's code, which carrier is responsible for Part 382 violations involving that passenger?

Answer: In the above scenario, as the operating carrier, the U.S. airline would be responsible for violations of Part 382 with respect to all passengers on the flight, while the foreign carrier code-share partner would be responsible only with respect to passengers holding tickets bearing that carrier's code. As a matter of policy, the Aviation Enforcement Office would generally attribute responsibility to the carrier determined to actually be at fault after conducting an investigation.

Section 382.10(c) - Equivalent Alternative Determination

4. What information should be included in a request for an equivalent alternative determination?

Answer: Part 382 requires a carrier that submits an application for an equivalent alternative determination to include a detailed description of the alternative policy, practice, or other accommodation the carrier proposes to use in place of compliance with the cited provision(s) of Part 382, and an explanation of how the carrier will provide substantially equivalent accessibility to passengers with disabilities. We cannot specify what information would be appropriate in all circumstances. However, in the context of an equivalent alternative request involving movable aisle armrests, for example, diagrams, photos, and videos would likely be useful in showing that what the carrier desires to do is an equivalent alternative to the accommodation described in the cited provision(s) of Part 382. The Department has also found it to be useful for carriers to consult with organizations representing persons with disabilities when developing an equivalent alternative application to ensure the alternative policy, practice, or other accommodation actually provides an equivalent alternative to the requirements of Part 382 for which the equivalent alternative request is being made. Providing the Department the views of such organizations would be helpful.
Section 382.11 (a)(3) - Non-discrimination and Benefits of Air Transportation Related Services

5. If a carrier's premium service includes airline-provided transportation from the customer's home or a central pick-up location in the city to the airport, must that transportation be accessible to passengers with disabilities?

Answer: Yes. Both U.S. and foreign air carriers are subject to ACAA requirements generally prohibiting discrimination in the provision of air transportation and related services (14 CFR 382.11 (a)(1) and (3)). If an airline provides ground transportation services to its premium customers (e.g., first class passengers or elite frequent flyers), the Aviation Enforcement Office would regard the failure or refusal of an airline to provide "equivalent service" to a passenger with a disability in connection with a covered flight in the same class of service as a violation of these provisions. Equivalent service means that the airlines must ensure that, in all relevant respects (e.g., response time, where and when the service is provided, any limitations on service availability), the service provided to people with disabilities must be equivalent to that provided to everyone else.

The equivalent service obligation does not mean that the airline itself must necessarily own accessible vehicles.

It could be possible, for example, for the airline to have a contract or arrangement with another provider (e.g. ground transportation company that has accessible vehicles) to pick up a passenger with a disability for the airline, as long as the service provided was truly equivalent. The obligation of U.S. and foreign airlines to provide equivalent service under the ACAA applies both in the U.S. and in other countries (with respect to flights to and from the United States in the case of foreign carriers). It should be noted that, in addition to the ACAA requirements, U.S. and foreign carriers also have an obligation to provide "equivalent service" with respect to such airline-provided ground transportation in the U.S. under the Americans with Disabilities Act and the Department of Transportation's ADA rules (49 CFR Part 37).
Section 382.23 - Medical Certificates and Medical Clearances

6. Under what circumstances may a carrier determine that there is reasonable doubt that a passenger can complete the flight safely without requiring extraordinary medical assistance during the flight and thus require the passenger to obtain a medical clearance as a condition for providing air transportation? How is "extraordinary medical assistance" defined?

Answer: A carrier may determine that there is reasonable doubt that a passenger can complete the flight safely without requiring extraordinary medical assistance during the flight when the passenger's condition does not appear to be medically stable (e.g., the passenger has apparent significant difficulty in breathing, appears to be in substantial pain, etc.). Extraordinary medical care is care that may require the use of on-board emergency medical equipment (e.g., automated external defibrillator or enhanced emergency medical kit (EEMK)) or voluntary assistance from another medically trained passenger, or a delay/diversion to obtain the medical assistance necessary to stabilize that passenger. Extraordinary medical assistance may also be needed when a passenger is unable to self-administer medication or routine medical care necessary to maintain the stability of his/her condition during a flight (e.g., insulin injection). In instances where the carrier reasonably concludes that extraordinary medical assistance may be necessary, it may require a medical certificate. The carrier is also free to offer the passenger the option of undergoing pre-flight medical clearance.
7. When there is reasonable doubt that a passenger can complete a flight safely without extraordinary medical assistance, and the carrier consequently requires the passenger to provide a medical certificate from his/her physician as a condition for air travel, what information should the certificate contain?

Answer: When a passenger's ability to complete a flight safely without extraordinary medical assistance is in doubt, the carrier may require a medical certificate that states whether the passenger is medically stable for the flight. The medical certificate should also explicitly state that the passenger is capable of completing the flight safely without requiring extraordinary medical assistance. The passenger may assist the carrier by providing information regarding his/her condition and prognosis including whether the condition is chronic or acute, although the rule does not permit airlines to require this information as a condition of travel. If the passenger has such a medical certificate indicating that he/she is capable of completing the flight safely, the carrier may require medical clearance only if there is a legitimate medical reason for believing that there has been a significant adverse change in the passenger's condition since the issuance of the medical certificate. It would be a violation of Part 382 for a carrier to routinely require a medical clearance and refuse to honor a medical certificate provided by a passenger.

8. Are airlines required to provide in-flight emergency medical assistance to passengers?

Answer: No. There are no federal regulations requiring carriers to provide emergency medical care or to establish a standard of care for the provision of emergency medical care. The FAA does have certain requirements for equipment, training, and procedures which crewmembers and/or medical professionals providing voluntary medical assistance can use to respond to medical events on the aircraft. Under most airline policies, however, the use of certain emergency medical equipment (e.g., EEMK) is restricted to medical professionals providing voluntary assistance.
9. What should carriers do to safeguard the personal medical information (e.g., physician's statements, medical certificates, and documentation from licensed mental health professionals for emotional support and psychiatric service animals) that Part 382 permits them to require of certain passengers in order to provide certain accommodations?

Answer: We recommend that airlines not retain personal medical information that they require a passenger to provide as a condition for obtaining disability accommodations. If airlines choose to retain such information, we recommend that they take steps to safeguard it (e.g., maintaining the information in a separate confidential file for as long as they retain the passenger's reservation records for the flights involved).

382.27 - Advance Notice

10. When must a carrier accommodate a passenger accompanied by an emotional support or psychiatric service animal who has not provided 48 hours' advance notice?

Answer: Carriers must accommodate a passenger accompanied by an emotional support or psychiatric service animal who has not provided 48 hours' advance notice if the carrier can do so by making reasonable efforts, without delaying a flight. The carrier, at its discretion, may waive its 48 hours' advance notice requirement in order to expedite the short-notice air travel of a passenger accompanied by an emotional support or psychiatric service animal.

Section 382.29 (b) & (c) - Safety Assistant

11. If a passenger with a mobility impairment presents himself/herself with a safety assistant to the carrier and it appears to carrier personnel that the passenger, relying on the physical assistance of the safety assistant, will not be able to evacuate the aircraft in case of an emergency, can the carrier require a different safety assistant?

Answer: Yes, a carrier can require a different safety assistant if its personnel reasonably believe that, relying on the physical assistance of the safety assistant presented, the passenger with a mobility impairment cannot evacuate the aircraft. However, if the passenger with a disability disagrees with the carrier's decision, the carrier cannot charge for transporting the new safety assistant.
12. When is a carrier permitted to require a passenger it believes cannot physically assist in his or her own evacuation to travel with a safety assistant and to pay for the assistant?

Answer: An airline is permitted to require a passenger to travel with a safety assistant after it has asked the passenger whether he/she can physically assist in his/her own evacuation and the airline reasonably concludes that the passenger cannot do so. The Aviation Enforcement Office interprets this provision as allowing the carrier to require the passenger to pay for the transportation of a safety assistant if the passenger cannot state how he/she is able to physically assist or concedes that he/she is unable to do so. If the passenger explains how he/she can physically assist in his/her evacuation and maintains that he/she can do so, but the carrier disagrees, the carrier may require the passenger to find a safety assistant but the carrier may not charge for the transportation of the safety assistant. Alternatively, the carrier may choose to provide a safety assistant to the passenger (e.g., another passenger or an off-duty crewmember).

Section 382.31 (c) - Web Fare Discounts

13. If a carrier's commercial website is inaccessible to passengers with visual impairments, is that carrier required to disclose the existence of, and sell discounted web-based fares to a passenger with a visual impairment who calls or appears in person to inquire about airfares, make a reservation, or purchase a ticket?

Answer: Yes, when a carrier's commercial website is inaccessible to passengers with visual impairments, the carrier must disclose web-based discount fares to any prospective passenger who contacts the carrier via other normal channels for inquiring about fares, making a reservation, or purchasing transportation (e.g. telephone reservation line, airport ticket counter) and states that he or she has a visual impairment and is unable to use the web site. The carrier must sell a web-based discount fare to such a person if his or her itinerary qualifies for the fare as it is offered on the web (e.g., same cities and dates).
Section 382.51 (a)(5) - Airport Accessibility

14. How does the Department define the term "control" used in defining a carrier's facility in 14 CFR 382.3 and in Subpart D (Accessibility of Airport Facilities), which require a carrier to comply with certain provisions of Part 382 if the carrier "owns, leases, or controls" the airport facility.

Answer: The Aviation Enforcement Office defines control as the use of a facility by an airline during its operations and as may be further described in its use and lease agreement with the airport. For example, a carrier that uses a gate at an airport for the purpose of deplaning or enplaning its aircraft has control of the gate area during its deplaning or enplaning operations and is required to ensure that the applicable provisions of Part 382 are met.

15. Under what authority are U.S. airports required to cooperate with airlines to implement provisions of Part 382 that involve joint airline/airport responsibilities?

Answer: Most U.S. airports receive Federal financial assistance from the FAA. Therefore, airports are subject to section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in Federally assisted programs. In some areas (e.g., provision of lifts where level-entry boarding is not available), Part 382 and the Department's section 504 regulation (49 CFR Part 27) already impose joint requirements on airlines and airports. The Department anticipates amending Part 27 to ensure that any new joint airport/airline responsibilities in the revised Part 382 are covered under Part 27 as well as under Part 382.

16. Where should carriers and airports establish the service animal relief areas required at U.S. airports under the rule?

Answer: While not specifically required by our rule, carriers and airports may wish to consider the benefits of establishing animal relief areas both inside and outside the secure area (e.g., to accommodate passengers with short connection times, to minimize time needed for escort service, passenger convenience). In doing so, carriers should consult with service animal training organizations. In establishing animal relief areas inside the secure area, carriers and airports should coordinate closely with the Transportation Security Administration (TSA) and the Customs and Border Protection (CBP) offices serving the airport to ensure that the animal relief area can be used consistent with TSA and CBP procedures.
17. **Who is responsible for the installation and maintenance of service animal relief areas at U.S. airports?**

Answer: Animal relief areas should be provided in cooperation between airlines and the airport operator and in consultation with local service animal training organization(s). The national and international service animal organizations below have directories of training organizations on their websites that carriers and airport operators can use to find the nearest service animal training organization to the consulting airport. Such groups are often able to put airlines and airports in touch with sources of the necessary technical expertise on establishing relief areas.

American Dog Trainers Network

http://www.inch.com/-dogs/service.html

Assistance Dogs International http://

www.assistancedogsinternational.org/membersstatecountry.php

If the Department's Aviation Enforcement Office received a complaint alleging that an animal relief area was not available or not being properly maintained, the carrier(s) would ultimately be responsible for ensuring these areas are available and maintained, with respect to terminal facilities it owns, leases or controls. However, the actual establishment of the animal relief area as well as its maintenance could be handled contractually with the airport operator since several carriers could be using the same designated animal relief area.

18. **What factors should airlines and airports consider in designating and constructing areas for service animal relief at U.S. airports?**

Answer: Factors to consider in establishing relief areas include the size and surface material of the area, maintenance, and distance to relief area which could vary based on the size and configuration of the airport. The best solution based on these factors will vary from airport to airport and therefore involvement of all the stakeholder groups in the planning is critical (e.g., airline, airport, service animal training organization, TSA, CBP). Some considerations for designating and constructing areas that are safe for humans and animals include:

- Designate relief areas solely for that purpose. This helps keep the area free of hazards and distractions, and helps prevent the spread of waste contamination.
- Establish relief areas:
  - accessible to passengers with all types of disabilities;
  - of a size adequate for larger dogs to use;
Carriage of Passengers with Disabilities
US CFR 49 Part 382 - Air Carrier Access Act
Operations Guidance Manual

- that minimize the travel distance to and from the gate for passengers making connecting flights;
- and
- equipped with adequate lighting to enhance usability and security.

• Keep the area clean (e.g., free of broken glass, bottle caps, and trash). When feasible, the area should also be free of loud noises and strong odors.
• Use a gravel or sand surface for relief areas. Gravel can be disinfected adequately to reduce the chance of germs being spread between animals or being carried outside of the relief area.
• Adequate drainage should be installed to allow cleaning by regularly hosing down the relief area.
• Provide trash cans for waste disposal that are emptied frequently.

Note that there is a requirement for carriers to consult with service animal training organizations in establishing animal relief areas. (See question 17 above.)

19. **Some carriers have voluntarily established disability advisory boards to provide feedback on services that may affect individuals with disabilities.** Maya carrier consult with its disability advisory board members in lieu of a local service animal training organization on the establishment of airport service animal relief areas?

Answer: A carrier may consult with its disability advisory board members on the establishment of an airport service animal relief area, but may not do so in lieu of consulting a local service animal training organization.

Where there is no local service animal training organization, the Aviation Enforcement Office would consider consultation with a national or international service animal training organization to satisfy the requirement.

20. **How will travellers accompanied by assistance dogs/service animals know where the relief areas are located in U.S. airports?**

Answer: Passengers who request that the carrier provide them with assistance to an animal relief area should be advised by the carrier of the location of the animal relief area. Additionally, if requested, it would be the responsibility of the carrier to accompany a passenger traveling with a service animal to and from the animal relief area. (See also question 29.)
Subpart E (Sections 382.61 - 382.71) - Aircraft Accessibility

21. Given the many variations in aircraft seat design, how does the Department define "movable aisle armrest" for purposes of complying with the requirements of section 382.61?

Answer: The term "movable aisle armrest" in section 382.61 refers to an armrest on an aisle seat that moves or folds out of the way while the seatback remains in an upright position to permit a passenger with a mobility impairment to safely make an unobstructed transfer (with assistance from carrier personnel if the passenger's physical ability necessitates such assistance) from an aisle wheelchair to his or her aircraft seat.

22. What factors will determine whether an aircraft seat design can be considered an equivalent alternative to a seat with a movable aisle armrest as required by Part 382?

Answer: There is no specific list of factors that the Department will consider when determining whether or not an aircraft seat without a movable aisle armrest provides an equivalent alternative to this requirement. However, in making the determination as to whether the seat is equivalent the Department looks to see whether individuals can make an assisted and unassisted horizontal transfer from the onboard aisle or boarding chair to the aircraft seat without being lifted over an armrest or other obstacle. Some factors that the Department will consider include, but are not limited to (1) the fabric used on the seat, (2) the pitch of the row of seats, (3) the training required to properly transfer passengers into the seat, (4) the shape of the seat’s shell, (5) whether the armrest moves only when the seat is placed in an angled or reclined position, and (6) any obstruction of the foot well when the seat is placed in an angled or reclined position. In reviewing equivalent alternative determination requests for the requirement that aircraft have a movable aisle armrest, the Department will view the seat and its surroundings in totality and determine whether or not the seating accommodation provides access to persons with a disability equivalent to what can be achieved via a movable aisle armrest. See question 4 for further information as to what should be included in an equivalent alternative request.
23. Since the applicability of certain requirements of Part 382 is linked to the passenger seating capacity of an aircraft (e.g., moveable aisle armrests on aircraft of 30 or more seats, on-board wheelchair to reach accessible lavatory on aircraft of more than 60 seats, priority stowage space for a collapsible passenger wheelchair on aircraft of 100 or more seats), may a carrier avoid complying with such requirements by reducing the number of seats on an aircraft?

Answer: No. The Department has long held that a carrier may not avoid compliance with our aircraft accessibility requirements by reducing the number of seats on an aircraft. Therefore, it looks at the manufacturer's maximum designed seating capacity of a given aircraft type for purposes of determining compliance with Part 382. For example, if a manufacturer designs an aircraft type to hold a maximum of 110 passenger seats, a carrier that stipulates that the aircraft is to be delivered with 99 seats, or that takes delivery of an aircraft with 110 seats and then removes 11 seats, would still need to provide a priority space in the aircraft cabin to store a passenger's folding wheelchair which is required on aircraft with a designed seating capacity of 100 or more seats. (See 14 CFR 382.67). Similarly, if an aircraft with a maximum designed seating capacity of 65 seats is modified to have fewer than 60 seats, there would still be a requirement for an on-board wheelchair. (See 14 CFR 382.65).

On aircraft whose maximum designed seating capacity is 30 or more, and the seating has been modified to fewer than 30 seats, movable aisle armrests must be provided on at least one-half of the remaining aisle seats in rows in which passengers with mobility impairments are permitted to sit under FAA or applicable foreign government safety rules. (See 14 CFR 382.61).
Section 382.81 - Seating Accommodations

24. Can an airline require passengers with a disability accompanied by service animals to sit in the bulkhead row?

Answer: No. As stated in 382.81 (c), a passenger with a disability traveling with a service animal must be provided, as the passenger requests, either a bulkhead seat or a seat other than a bulkhead seat that would accommodate the service animal subject to applicable safety regulations. If the passenger chooses a seat other "than a bulkhead seat, the carrier is not required to permit the passenger to specify a particular seat of his or her choosing (e.g., "7C") that he or she would not be entitled to under the carrier's normal seat-selection procedures, except to the extent necessary to accommodate the animal as required by sections 382.117(b) and (c) of the rule.

25. May a carrier exclude a passenger with a disability seeking to travel with a service animal from his or her specific assigned seat or require that passenger to sit in a particular seat in the cabin?

Answer: No, except to comply with FAA or applicable foreign government safety regulations. A service animal may be placed at the feet of a person with a disability at any bulkhead seat or in any other seat as long as when the animal is seated/placed/curl up on the floor, no part of the animal extends into the main aisle(s) of the aircraft and the service animal is not at an emergency exit row seat.

Section 382.87 - Other Seating Accommodations

26. Must a passenger needing more than one seat to accommodate his/her disability pay for the additional seat(s)?

Answer: A person who requires more than one seat for any reason (e.g., because of obesity or a disability) can be required to pay for all of the seats used.
Section 382.91 (b) - Moving Within the Terminal

27. Part 382 states that the delivering carrier (i.e., the first carrier) is responsible for connecting assistance. What happens if the receiving carrier (the second carrier) has no staff at its gates at the time that the delivering carrier would be bringing the passenger to the receiving carrier's gate?

Answer: As a general matter, the Aviation Enforcement Office interprets the requirement to provide connecting assistance to include the delivering carrier positively "handing off" a passenger receiving connecting assistance to staff of the receiving carrier. If the receiving carrier has no staff at any of its gates in that terminal at the time the passenger is brought there (e.g., if the passenger missed the second flight because the first flight was delayed), the staffer of the delivering carrier who is providing the assistance should advise the passenger of this fact and offer to take the passenger to another location of the receiving carrier that may be staffed (e.g., the ticket counter, or an office location). The passenger should not be left at an unstaffed gate unless he or she has agreed.

If no staff of the receiving carrier can be located, the delivering carrier should advise the passenger of this fact. If the passenger asks to be taken to the terminal entrance or motor vehicle pickup point - for example, in order to go to a hotel - the delivering carrier must do so. If the passenger wishes to remain at the airport, the delivering carrier's obligation to an ambulatory passenger ends at that point. For a non-ambulatory passenger, the delivering carrier is subject to section 382.103, which states that a carrier must not leave a passenger who has requested connecting assistance unattended in a wheelchair or comparable device, in which the passenger is not independently mobile, for more than 30 minutes. In that situation the delivering carrier must take the passenger to a location staffed by the delivering carrier, or at a minimum must check on the passenger at least every 30 minutes. The obligation to provide connecting assistance ends 12 hours after the delivering carrier began the connecting assistance to that passenger, or when the airport closes, or when the delivering carrier's operations at that airport end, whichever comes first.
28. Where should assistance begin in moving from the terminal entrance (or a vehicle drop-off point adjacent to the entrance) through the airport to the gate for a departing flight? Where should assistance end in moving from the gate to the terminal entrance (or a vehicle pick-up point adjacent to the entrance) after an arriving flight? Define the terms "terminal entrance" and "vehicle drop-off point adjacent to the entrance."

Answer: A passenger with a disability is entitled to assistance, on request, in moving from the curb at the entrance to the airport terminal from which his/her flight is operating, through the airport and to his/her aircraft seat for departure and from his/her aircraft seat to the curb at the entrance to the airport terminal upon arrival. "Terminal entrance" refers to the area where passengers can directly enter a terminal after arriving by ground transportation, which could include by automobile or other means of public transportation, such as by bus, train, or subway. It does not include parking garages or car rental areas adjacent to an airport terminal. "Vehicle dropoff point" refers to the location where ground transportation vehicles are permitted to drop off individuals at the curb or other immediate entrance to an airport terminal.

Passengers arriving at a terminal entrance where an airline has no employees (neither its own nor contractors on its behalf) at the curbside or other vehicle drop-off point (e.g., a subway walkway directly connecting the subway facility to an airport terminal entrance) are responsible for entering the terminal (or having an individual do so on his or her behalf) to request assistance from his or her airline. Although not required by our rules, carriers are encouraged to consider the feasibility of installing a well-marked telephone or other means by which airline passengers can contact the appropriate airline in such situations.

29. Who is responsible for providing escort assistance to an airport service animal relief area and how can a passenger accompanied by a service animal obtain such assistance?

Answer: Airlines are responsible for providing assistance to animal relief areas upon request at those airports where such animal relief areas are required. Airlines are free to use contractors to provide this service. Passengers can obtain such assistance by requesting it from appropriate airline personnel. (See question 20 also dealing with service animal relief escort assistance.)
Sections 382.95 - 382.105 - General Requirements for Boarding and Deplaning Assistance

30. If a passenger asks a skycap representing a carrier other than the carrier operating his/her flight to provide wheelchair assistance, would that carrier be required to provide such assistance?

Answer: It depends. If the passenger is traveling on a code-share flight and the code of the skycap's carrier is shown on the passenger's ticket, both that carrier and the carrier operating the flight would be required to provide wheelchair assistance to the passenger with a disability. If the passenger is not traveling on a code-share flight, a carrier which is not shown on the passenger's ticket and which is not operating the passenger's flight would not be obliged to provide such assistance under Part 382. We would, however, strongly encourage those carriers to help disabled passengers in distress regardless of who they are flying.

31. What recourse do carriers have when it appears that a passenger requesting wheelchair assistance is not disabled and is abusing the accommodation requirement by requesting such assistance in order to facilitate or expedite clearance through the security screening or customs and border protection checkpoint at the airport?

Answer: Given the great variety of disabilities, not all of which are immediately apparent to a casual observer, carriers should not assume that a passenger who requests wheelchair assistance but lacks a visible disability is necessarily abusing the service. It is permissible to ask a passenger about his or her disability as it relates to the need for wheelchair assistance. For example, carrier personnel could ask "How does the requested wheelchair service assist with your disability?" Avoid questions like "What is your disability?" The latter question implies that a carrier is asking for a medical label or for the cause of a disability, which would be intrusive and inconsistent with the intent of the ACAA. Part 382 requires that the specified accommodations be provided to all qualified passengers, even if this results in service being provided to an occasional person whose need for accommodations may be questionable.
32. Where enplaning, deplaning, or connecting assistance provided by an airport or its contractors at a foreign airport is determined by a carrier to be inadequate to meet the requirements of Part 382 due to insufficient training, is the carrier required to supplement the enplaning, deplaning and connecting service, the training of the airport/contractor employees, or both?

Answer: If an airport or its contractors fail, for whatever reason, to provide prompt and adequate enplaning, deplaning, and connecting assistance as required by Part 382, an airline must supplement the services provided by the airport contractor by providing the supplemental services itself or hiring a contractor to do so. If the airline believes that it is precluded by law from supplementing the airport's services, it may apply for a conflict of law waiver under 382.9. The requirement for an airline to train contractors applies only to its own contractors and not to an airport's contractors. However, we would encourage an airline to work with airports whenever inadequate training appears to be the cause of an airport-provided service failure.

Section 382.117 - Service Animals

33. What type of documentation are carriers permitted to require as a condition of permitting a service animal to travel on a flight segment scheduled to take 8 hours or more?

Answer: The carrier may require documentation that the animal will not need to relieve itself during the expected duration of the flight or that the animal can relieve itself in a way that does not create a health or sanitation issue on the flight. Examples of documentation a passenger could provide include either a written statement from a veterinarian, a signed statement from the passenger containing the procedures that he/she employs to prevent the animal from having to relieve itself (e.g., limitation on the provision of food and water) and an assurance that the use of these procedures has prevented the animal from relieving itself for a period similar to that of the planned duration of the flight, or a signed statement with photographs or other illustrations of the animal's ability to relieve itself without posing a health or sanitation problem (e.g., the use of a passenger-provided absorbent plastic-backed pad).
34. May carriers require documentation that an animal accompanying a passenger with a disability is a service animal?

Answer: Generally no, except in limited circumstances as discussed below. Unless a foreign carrier has received a conflict of laws waiver permitting the carrier to impose such a requirement, or the carrier finds that the verbal assurances of the passenger are not credible and there are no other indications of the animal's status such as a harness, tag or vest, the airline may not require such documentation. Carriers are permitted to require documentation for emotional support animals and psychiatric service animals.

35. What conditions may carriers impose on the transport of service dogs?

Answer: Carriers must transport all service dogs (e.g., guide dogs, seizure alert dogs, etc.) as long as safety and animal health requirements are met.

36. Must carriers accept emotional support and psychiatric support animals in the aircraft cabin?

Answer: U.S. carriers must accept any emotional support or psychiatric service animal in the aircraft cabin consistent with applicable safety and animal health requirements and ensure that its foreign code share partners do the same on covered flights with respect to passengers traveling under the U.S. carrier’s code. Foreign carriers must accept any emotional support or psychiatric service dog in the aircraft cabin consistent with applicable safety and animal health requirements on covered flights.
37. What should airline personnel do if a passenger with a disability is accompanied in the airplane cabin by a service animal that does not fit in the space immediately in front of the passenger and there is no other seat in the cabin with sufficient space to safely accommodate the animal?

Answer: If a service animal does not fit in the space immediately in front of the accompanying passenger with a disability and there is no other seat with sufficient space to safely accommodate the animal and its partner (i.e. user), there are several options to consider for accommodating the service animal in the cabin in the same class of service. The carrier should speak with other passengers to find a passenger in an adjacent seat who is willing to share foot space with the animal, or a passenger in a seat adjacent to a location where the service animal can be accommodated (e.g., in the space behind the last row of seats) or adjacent to an empty seat, who is willing to exchange seats with the service animal's partner. As noted in the preamble to our rule, there are probably no circumstances in which the purchase of a second seat would be necessary to accommodate the service animal.

If a class of service on a flight is totally filled, there would not be any seat available for purchase. If the class of service had even one middle seat unoccupied, the passenger with a service animal could be seated next to the vacant seat. It is likely that even a large animal (e.g., Great Dane) could use some of the floor space of the vacant seat, making any further purchase by the passenger unnecessary. Only if there is no alternative available to enable the passenger to travel with the service animal in the cabin on that flight should the carrier offer options such as transporting the service animal in the cargo hold or transportation on a later flight with more room. When transportation on a later flight is offered, carriers are strongly encouraged, but not required by Part 382, to allow any passenger who wishes to rebook on a different flight to the same destination and on the same airline to do so at the same fare.
38. If a carrier determines that a service animal cannot accompany a passenger with a disability in the cabin due to a behavior problem on the part of the animal that may result in a direct threat to the health or safety of others or a fundamental alteration in service, what should the carrier do?

Answer: The carrier should first permit the passenger to try available means of mitigating the problem (e.g. muzzling a barking service dog) before deciding to exclude the service animal from the cabin. If those means are not successful, the carrier may follow its company policy on pets because the animal has shown that it has not been successfully trained to function as a service animal in public settings. Whenever the airline decides not to accept an animal for travel as a service animal, the airline must provide the passenger a written explanation of its decision within 10 calendar days of the incident.

39. If a carrier determines that a service animal cannot accompany a disabled passenger in the cabin and the passenger refuses to allow the animal to be transported in the cargo hold and requests instead to be rebooked on a later flight, must the carrier do so without additional charge?

Answer: If an airline cannot safely transport a service animal (e.g., because it is too large to fit anywhere in the cabin), a carrier must follow its non-discriminatory contract of carriage provisions applicable to the passenger's fare in determining how to best re-accommodate such passengers. Although not required by Part 382, carriers are strongly encouraged to allow any such passengers who wish to rebook on a different flight to the same destination and on the same airline to do so at the same fare.
40. **How can a passenger accompanied by a service animal find out whether the country he or she is traveling to has animal health regulations that carriers as well as the passenger with a service animal must comply with in order to ensure the legal entry of the service animal into that country?**

Answer: Passengers should always confirm well in advance with the embassy or consulate of the country they plan to visit and with the airline on which they will be traveling, which animal health regulations apply. Most countries have animal health regulations that require certain health conditions to be met before an animal can be legally admitted to the country. At a minimum, most countries require a valid rabies vaccination certificate issued by a licensed veterinarian. Additional health measures may be required within specified time frames before you travel and species restrictions may also apply. Passengers should be aware that many islands have similar restrictions, even for animals traveling from the mainland of the same country (e.g., Hawaii), and check with the island's designated animal health authority before traveling to determine what conditions apply.

41. **For purposes of providing documentation stating a passenger's disability-related need for an emotional support or psychiatric service animal, what kind of practitioners qualify as "licensed mental health professionals"?**

Answer: Any licensed mental health professional (e.g., psychiatrist, psychologist, licensed clinical social worker) including a medical doctor who is specifically treating a passenger's mental or emotional disability is a practitioner qualified to provide documentation stating the passenger's need for an emotional support or psychiatric service animal. A qualified practitioner would include a general practitioner who is treating the passenger's mental or emotional disability.

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1 The Psychiatric Service Dog Society has filed a petition for rulemaking with the Department requesting the deletion of 14 CFR 382.117 (e) and related portions of the rule and guidance (DOT-OST~2009-0093). These provisions authorize airlines to require documentation stating the passenger's need for the use of a psychiatric service animal or emotional support animal, and to require up to 48 hours' advance notice to review and verify this documentation. The Department will be seeking public comment on this petition. If the Department changes its rule in response to this petition, this FAQ, as well as FAQ 8, 9, 42, and 43 will be revised as appropriate.
42. **May a carrier require that the documentation a passenger provides in order to travel with an animal that is used as an emotional support or psychiatric service animal state the passenger's specific mental or emotional condition?**

   Answer: No. A carrier may only require that a passenger's documentation confirm that a passenger has a mental or emotional disability recognized in the Diagnostic and Statistical Manual of Mental Disorders- Fourth Edition (DSM-IV), in addition to three other items (i.e., the passenger needs the animal for air travel and/or activity at the passenger's destination, the individual providing the assessment is a licensed mental health professional and that passenger is under his/her care, the date and type of mental health professional's license and the state or other jurisdiction in which it was issued).

43. **May a carrier accept documentation from a licensed mental health professional concerning a passenger's need for a psychiatric or emotional support animal if the documentation is more than one year old?**

   Answer: Carriers may, at their discretion, accept from the passenger with a disability documentation from his or her licensed mental health professional that is more than one year old. We encourage carriers to consider accepting "outdated" documentation in situations where such passenger provides a letter or notice of cancellation or other written communication indicating the cessation of health insurance coverage, and his/her inability to afford treatment for his or her mental or emotional disability.
Section 382.121 - Stowage of Mobility Aids and Other Assistive Devices in the Cabin

44. When may a bag containing an assistive device be counted towards a passenger's carry-on bag limit?

Answer: An assistive device is any piece of equipment that assists a passenger with a disability to hear, see, communicate, maneuver, or perform other functions of daily life, and may include medical devices and medications. A carrier may count toward a passenger's carry-on limit a carry-on bag containing items other than an assistive device. For example, a bag containing both medications related to the passenger's disability and toiletry items or one in which a back brace and clothing are packed would be subject to the carry-on limit even though the medications and back brace meet the definition of assistive device. To the extent possible, all of a passenger's assistive devices should be included in one bag. When making a determination as to whether an item qualifies as an assistive device, the carrier may ask the passenger how the item assists the person in performing a function of daily life.

45. May carriers assess excess baggage charges for an assistive device tendered as checked baggage that exceeds the standard size, weight, or number limit in the carrier's free baggage allowance?

Answer: As a general matter, a carrier must not charge for assistive devices that exceed the standard baggage limits on size, weight, or number of pieces. However, there are circumstances under which the carriage of devices due to their weight, size, or number would constitute an undue burden or cause a fundamental alteration of the carrier’s service. In such situations the carrier may not be required to transport the assistive device free of charge or possibly at all. These situations necessitate case-by-case determinations.
46. Is a carrier obliged to make room for a passenger's assistive device in an overhead compartment or other in-cabin stowage area if all compartments are full by the time the passenger boards the aircraft?

Answer: Carriers must offer pre-boarding to passengers with a disability who self-identify at the gate as needing to stow accessibility equipment (see section 382.93). If a passenger with a disability does not self-identify and take advantage of the opportunity to pre-board, and all overhead compartments are full by the time the passenger boards, the carrier would not be obliged to remove and check carry-on items of other passengers in order to stow the assistive device in the cabin. Although not required by our rule, in situations where such a passenger would need to use the assistive device during the flight (e.g., a cane used to walk to the aircraft lavatory), we would encourage the carrier to ask other passenger(s) to agree to gate check an item and allow the passenger to stow this device in the cabin despite the passenger's not having pre-boarded.

Section 382.125 - Assistive Devices Stowed in the Cargo Compartment

47. Are food and equipment that a service animal requires to function as a service animal considered assistive devices under Part 382?

Answer: Equipment used by a service animal (e.g., harness, leash, vest) in conjunction with its work as a service animal is an assistive device under the rule. Food is not equipment under this definition and therefore when tendered as carry-on or checked baggage, the standard size, weight, and baggage allowance limits of the carrier may apply.

Section 382.131 - Liability Limits for Mobility Aids on International Flights

48. What are the liability limits for loss or damage to wheelchairs and other assistive devices on international flights?

Answer: Baggage liability limits for most international travel, including flights of U.S. carriers, are governed by the Montreal Convention and other international agreements, rather than by 14 CFR Part 254. Therefore, on covered flights between a U.S. and a foreign airport, compensation for loss, damage or delay of a wheelchair or other assistive device is usually limited to 1,000 Special Drawing Rights. (See www.imf.org for the current value of a Special Drawing Right.)
Section 382.133 - Respiratory Assistive Devices

49. May a carrier require advanced notice or a physician's statement more than 48 hours before a flight's scheduled departure from a passenger wishing to use an approved portable oxygen concentrator (POC) in the aircraft cabin? May a carrier require advance notice or a physician's statement more than 48 hours before the scheduled departure of a domestic flight or more than 72 hours before the scheduled departure of an international flight from a passenger wishing to use carrier-supplied oxygen (for carriers that supply oxygen in flight)?

Answer: No, a carrier cannot require a passenger wishing to receive carrier-supplied medical oxygen to provide advance notice or a medical certificate more than 72 hours in advance for international flights or more than 48 hours in advance for domestic flights. A carrier also cannot require a passenger wishing to use his/her POC to provide advance notice or a medical certificate more than 48 hours in advance. Further, if a passenger provides a medical certificate less than 48 hours or 72 hours, as appropriate, in advance of the scheduled departure of the flight, the carrier must still review the medical certificate if it can do so by making reasonable efforts. Of course, a carrier is free to request and encourage passengers with disabilities to provide a medical certificate well in advance of the time allotted in the rule.

50. May a carrier require a passenger to obtain a new physician's statement for each flight?

Answer: No, a carrier may only require that the medical certificate be dated within 10 days of the scheduled date of the initial (outgoing) flight shown on the passenger's itinerary for that trip. A carrier may not require a second medical certificate dated within 10 days of the scheduled date of the passenger's continuing or return flight in connection with the same trip, even if the continuing or return flight has been rescheduled to a later date.

51. Are ventilators, respirators, continuous positive airway pressure machines (CPAP) or FAA-approved portable oxygen concentrators (POCs) labelled by the manufacturers as meeting applicable FAA requirements for medical portable electronic devices?

Answer: Few, if any, such devices have been labelled as meeting applicable FAA requirements for medical portable electronic devices as of the date this document was issued,
52. May a carrier refuse to allow a passenger to use on the aircraft any respirator, ventilator, CPAP machine or FAA-approved POC that does not have a manufacturer's label indicating compliance with the standards of RTCA/DO-160 (current edition) or other applicable FAA or foreign government requirements for medical portable electronic devices?

Answer: Yes, Carriers may refuse to allow a passenger to use a respirator, ventilator, CPAP machine or FAA approved POC on-board the aircraft if the proper manufacturer’s labeling is not present on the device, However, we would encourage carriers to voluntarily conduct the necessary tests on a particular respirator, ventilator or CPAP machine model that is not labeled, in order to determine its compliance with the applicable safety standards and allow passengers to use those devices found to be safe on its aircraft. We also encourage carriers to allow the use of POCs on aircraft in accordance with the guidance contained in FAA Information for Operators

https://www.faa.gov/about/initiatives/cabin_safety/portable_oxygen/

If the manufacturer has already tested the device and it meets the RTCA standard, despite the device not being labelled, the carrier may voluntarily accept the device for use in the aircraft cabin without performing additional tests.

53. May a carrier refuse to allow a passenger to stow on the aircraft any respirator, ventilator, CPAP machine or FAA-approved POC that does not have a manufacturer's label indicating compliance with the standards of RTCA/DO-160 (current edition) or other applicable FAA or non-U.S. government requirements for medical portable electronic devices?

Answer: No. Carriers must allow passengers to carry a respirator, ventilator, CPAP machine or FAA-approved POC on-board aircraft, subject to applicable safety requirements, even if the device may not be used on-board the aircraft.
54. When the required manufacturer’s label is not present on a ventilator, respirator, CPAP machine or FAA-approved POC, what safety requirements apply to the stowage of the device on the aircraft?

Answer: To be accepted for stowage on an aircraft, a ventilator, respirator, CPAP machine or FAA-approved POC that does not have the required manufacturer’s label on the device must comply with FAA size and weight limits and have the battery removed, packaged, and protected from short circuit and physical damage in accordance with the FAA’s Special Federal Aviation Regulation (SFAR) 106, Section 3 (b)(6).

55. Must carriers accept a non-approved portable oxygen concentrator (POC) for transport in the aircraft cabin if it will not be used by the passenger during the flight or in the cargo hold of the aircraft?

Answer: No. Carriers are only required to accept FAA-approved or non-U.S. government-approved POCs, whether for use in the cabin or simply for stowage there or in the cargo hold. The U.S. Pipeline and Hazardous Materials Safety Administration [PHMSA] has determined that certain pac models are free of hazardous material and are listed in the FAA Special Federal Aviation Regulation 106, as amended, Use of Certain Portable Oxygen Concentrator Devices Onboard Aircraft.

56. May a carrier deny boarding if a lengthy flight delay results in a passenger having insufficient battery power to operate his/her portable oxygen concentrator (POC) for at least 150% of the maximum planned flight duration?

Answer: Yes. If the passenger does not have the required number of fully charged batteries to operate his/her POC on-board the aircraft for at least 150% of the maximum planned flight duration, the carrier may deny boarding to the passenger.
57. **Must carriers require passengers to furnish enough batteries for at least 150% of the expected maximum flight duration?**

   Answer: No. Section 382.133 (f)(2) allows carriers to require passengers to bring enough fully charged batteries to power the device for not less than 150% of the expected maximum flight duration. The general requirement under SFAR1 06, section 3 (b)(5) is that passengers must carry on the flight a sufficient number of batteries to power the device for the duration of the oxygen use specified in the passenger's physician statement, including a conservative estimate of any unanticipated delays. Carriers may use their own discretion in determining the number of batteries necessary to meet this requirement.

58. **May carriers charge a processing fee for accepting an FAA-approved POC provided by the passenger for use on-board the aircraft?**

   Answer: No. Since the rule requires carriers to permit an individual with a disability to use an FAA-approved POC or its equivalent in the cabin during covered flights, carriers may not charge a processing fee for accepting such devices. (See section 392.31.) The carrier may, however, charge for oxygen it voluntarily provides to passengers, a service not required by Part 382.

**Section 382.141 (a) - Training**

59. **Are there any certification requirements to teach CRO training classes?**

   Answer: No, Part 382 does not mandate any certification be obtained by persons providing CRO training. Part 382 only states the information that must be included in CRO training (see 14 CFR 382.141).
60. How is the term "training to proficiency" defined?

Answer: Proficient is defined as being well-advanced, adept, or skilled in a trade or profession. An employee who is trained to proficiency is one who provides services or accommodations to passengers in the right way, the first time. Training to proficiency is training that ensures that the individual receiving the training becomes accomplished or skilled in the subject matter being taught, as appropriate to the duties of that employee. For example, an employee whose sole job is loading and retrieving baggage and assistive devices might arguably only need to be well-trained in those aspects of Part 382 dealing with the treatment of mobility aids. On the other hand, an employee being trained to be a CRO must be trained to be an expert on all aspects of Part 382.
Appendix G - Disability Complaint Reporting Form

Name of Carrier: Titan Airways
Contact Person: 

Name: Telephone # (include country code if outside the U.S.):
Email address: 
Mailing address: Titan Airways, Enterprise House, Stansted Airport, Essex, CM24 1RN, England

Period of Data Collection:

Total number of complaints (i.e., incidents):

### REPORT OF DISABILITY-RELATED COMPLAINT DATA

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