

DISABILITY RIGHTS

DOMESTIC

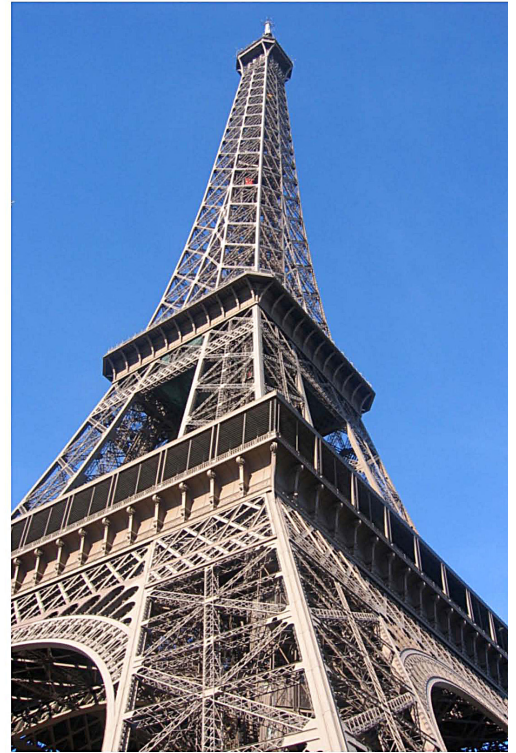
Whether traveling locally, domestically or internationally, PwDs should be aware of their legal rights. Ideally, this should be introduced as part of their rehabilitation journey prior to transitioning to the community. If not, learning disability rights should be one of the first things learned once discharged home. Knowing the provisions of these laws can mean the difference between a seamless and challenging travel experience. It can also help PwDs defend their rights at each stage of the travel process.

In the United States, the American Disabilities Act (ADA) of 1990 and the American Carrier Access Act (ACAA) of 1986 prevent discrimination against Americans with disabilities. The ADA allows equal opportunities for individuals with disabilities in employment, state and local government activities which includes transportation, recreation, and public accommodations like restaurants, hotels, recreation facilities, and retail stores. Public accommodations must comply with the ADA's architectural standards and prohibits exclusion, segregation and unequal treatment. Title III, in particular, requires accommodations to "remove barriers in existing buildings where it is easy to do so without much difficulty or expense given the public accommodation's resources." This law allows PwDs the freedoms to travel, work, live, and play in their communities and affords them access to resources on accessibility across the United States.

The Air Carrier Access Act of 1986, on the other hand, deals with air transportation. It prohibits discrimination from US and foreign carriers towards PwDs. The law covers requirements for boarding assistance, accessibility of airport facilities and the aircraft itself, including services on the aircraft, stowage of wheelchairs, mobility aids and other assistive devices, as well as training and administration provisions. The Department of Transportation requires all carriers operating an aircraft with 29 or more seats to train "to proficiency" all personnel who directly serve the traveling public. In addition, per the ACAA, carriers must return all assistive devices to the passenger in the same condition in which they are received, and must cover the cost of repair or replacing damaged and lost equipment. Airlines, also cannot require an individual to sign a waiver for damage or loss of a wheelchair or assistive device.

Travelers can find more information regarding the disability rights and anti-discrimination laws on the following websites:

- The ADA: <https://www.ada.gov>
- Disability Rights Education and Defense Fund: <https://dredf.org/legal-advocacy/international-disability-rights/international-laws>
- Department of Transportation: <https://www.transportation.gov/airconsumer/disability>
- The ACAA: https://www.accessiblejourneys.com/airlines/air_carrier_act_details.htm



From top left to right: Neuschwanstein Castle, Germany; Venice, Italy; Amsterdam, Netherlands; Paris, France.

INTERNATIONAL

Countries outside the USA may or may not have laws protecting those with disabilities especially during travel. There are several resources that provide specific information about each country's standards of accessibility. It is recommended that travelers familiarize themselves with this information prior to planning travel outside the United States.

- The U.S. Department of State International Travel- Country Information: <https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages.html>.
- The UN Enable website presents information on countries who have signed the United Nations Convention on the Rights of Persons with Disabilities (United Nations Department of Economic and Social Affairs, 2019): <https://www.un.org/development/desa/disabilities/>
- The Disabled Passenger Rights Guaranteed by the European Union is equivalent in scope to the Air Carrier Access Act of the United States and addresses non-discrimination towards PwDs, provides regulations on wheelchair assistance and DME as well as compensation for lost or damaged wheelchairs and assistive devices: <https://www.reducedmobility.eu/disability-travel-by-air-breaking-down-eu-regulation-11072006.html>.