



On July 28,2005 the following e-mail message was sent to the larger U.S. passenger airlines, and associations representing those carriers.

From: Strickman, Norman <OST>
Sent: Thursday, July 28, 2005 12:55 PM
Subject: Providing accurate information to consumers about accessible aircraft lavatories

Please forward this message to the appropriate people in your company/organization.

Our office recently received a complaint from a passenger alleging a violation of section 382.45 of our disability rule because she was given incomplete information concerning whether or not the aircraft she was to fly on had an accessible lavatory. After inquiring with the carrier's customer service department about whether the lavatory was accessible and whether her daughter would be able to get into the lavatory using the carrier's on-board wheelchair, she was assured that the lavatory could be accessed using the on-board wheelchair. The interior of the lavatory did, in fact, contain some accessibility features, but a person using an onboard wheelchair could not get into the lavatory.

In this instance, confusion arose between the carrier and the complainant because each was using the term "accessible" to mean different things. Because the carrier's aircraft lavatory could be "accessed" by the onboard aisle chair and was equipped with grab bars and accessible faucet handles, the customer service agent assured the complainant of the lavatory's accessibility. The complainant, however, was inquiring about wheelchair accessibility. Section 382.21(a)(3) of our rules defines "accessible lavatory" as one that "shall permit a qualified individual with a disability to enter, maneuver within as necessary to use all lavatory facilities, and leave, by means of the aircraft's on-board wheelchair. The accessible lavatory shall afford privacy to persons using the on-board wheelchair equivalent to that afforded ambulatory users. The lavatory shall provide door locks, accessible call buttons, grab bars, faucets and other controls, and dispensers usable by qualified individuals with a disability, including wheelchair users and persons with manual impairments."

Under this same provision, only double-aisle aircraft are required to be equipped with at least one accessible lavatory (as defined above). Single-aisle aircraft lavatories are not required to have any accessibility features. Many carriers nonetheless equip their single-aisle aircraft with lavatories containing some accessibility features on the interior, but typically the lavatories are not on-board wheelchair accessible. Such carriers might incorrectly tell inquiring passengers that accessible lavatories are available on their flights when, in fact, on-board wheelchair access to the interior of the lavatory is actually not possible .

The purpose of this email is to clarify that if a passenger inquires about an accessible aircraft lavatory, and the carrier's lavatory does not offer all the features spelled out in section 382.21(a)(3), the carrier must advise the passenger that the lavatory is not accessible. It may, however, indicate to the customer what accessibility features are, or are not, available concerning the lavatory. If the passenger asks about accessible lavatories and this clarification is not made,

the carrier would be in violation of section 382.45(a)(4), which requires carriers to inform consumers, on request, whether an aircraft has an accessible lavatory .

Such clarifications are mandatory when customers make a direct inquiry concerning accessible aircraft lavatories. Although not mandatory, carriers are also encouraged to provide the same information in magazines, pamphlets, websites, etc., where accessible lavatories are mentioned.

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