

118TH CONGRESS
1ST SESSION

H. R. 1445

To require the Secretary of Transportation to annually report on aviation consumer complaints related to passengers with a disability.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2023

Mr. COHEN (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Secretary of Transportation to annually report on aviation consumer complaints related to passengers with a disability.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prioritizing Account-
5 ability and Accessibility for Aviation Consumers Act of
6 2023”.

1 **SEC. 2. ANNUAL REPORT OF THE SECRETARY OF TRANS-**
2 **PORTATION ON AVIATION CONSUMER COM-**
3 **PLAINTS RELATED TO PASSENGERS WITH A**
4 **DISABILITY.**

5 (a) ANNUAL REPORT.—Not later than 1 year after
6 the date of enactment of this Act, and annually thereafter,
7 the Secretary of Transportation shall submit a report on
8 aviation consumer complaints related to passengers with
9 a disability filed with the Department of Transportation
10 to the Committee on Commerce, Science, and Transpor-
11 tation of the Senate and the Committee on Transportation
12 and Infrastructure of the House of Representatives, and
13 shall make each report publicly available.

14 (b) REPORT.—Each report submitted under sub-
15 section (a) shall include, but not be limited to, the fol-
16 lowing:

17 (1) The number of aviation consumer com-
18 plaints related to passengers with a disability filed
19 with the Department of Transportation during the 5
20 most recent calendar years.

21 (2) The nature of such complaints, such as re-
22 ported issues with—

23 (A) an air carrier, including an air car-
24 rier's staff training or lack thereof;

25 (B) mishandling of passengers with a dis-
26 ability or their accessibility equipment;

1 (C) the accessibility of in-flight services for
2 passengers with a disability;

3 (D) difficulties experienced by passengers
4 with a disability in communicating with an air
5 carrier or staff of an air carrier;

6 (E) difficulties experienced by passengers
7 with a disability in being moved, handled, or
8 having their schedule changed without consent;

9 (F) issues experienced by passengers with
10 a disability traveling with a service animal; and

11 (G) such other issues as the Secretary of
12 Transportation deems appropriate.

13 (3) An overview of the review process for such
14 complaints received during such period.

15 (4) How quickly review for each such complaint
16 was initiated.

17 (5) How quickly each such complaint was re-
18 solved or otherwise addressed.

19 (6) Of the complaints that were found to violate
20 section 41705 of title 49, United States Code, (com-
21 monly known as the “Air Carrier Access Act of
22 1986”)—

23 (A) the number of such complaints for
24 which a formal enforcement order was issued;
25 and

1 (B) the number of such complaints for
2 which a formal enforcement order was not
3 issued.

4 (7) How many aviation consumer complaints re-
5 lated to passengers with a disability were referred to
6 the Department of Justice for an enforcement action
7 under—

8 (A) section 504 of the Rehabilitation Act
9 of 1973 (29 U.S.C. 794);

10 (B) the Americans with Disabilities Act of
11 1990 (42 U.S.C. 12101 et seq.); or

12 (C) any other provision of law.

13 (8) How many aviation consumer complaints re-
14 lated to passengers with a disability filed with the
15 Department of Transportation that involved airport
16 staff, or other matters under the jurisdiction of the
17 Federal Aviation Administration, were referred to
18 the Federal Aviation Administration.

19 (9) How many aviation consumer complaints re-
20 lated to passengers with a disability filed with the
21 Department of Transportation that involved Trans-
22 portation Security Administration staff, or other
23 matters under the jurisdiction of the Transportation
24 Security Administration, were referred to the Trans-

1 portation Security Administration or the Depart-
2 ment of Homeland Security.

3 (c) DEFINITIONS.—

4 (1) IN GENERAL.—The definitions set forth in
5 section 40102 of title 49, United States Code, and
6 section 382.3 of title 14, Code of Federal Regula-
7 tions, apply to any term defined in such sections
8 that is used in this section.

9 (2) PASSENGERS WITH A DISABILITY DE-
10 FINED.—In this section, the term “passengers with
11 a disability” has the meaning given the term “quali-
12 fied individual with a disability” in section 382.3 of
13 title 14, Code of Federal Regulations.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated such sums as are necessary
16 to carry out this section.

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