

October 21, 2019

Mr. David M. Capozzi
Executive Director
Architectural and Transportation Barriers Compliance Board
1331 F Street, NW, Suite 1000
Washington, DC 20004

Re: ATBCB-2019-0002

Dear Mr. Capozzi,

The undersigned organizations submit the following comments in response to an invitation for public comment by the Architectural and Transportation Barriers Compliance Board (Access Board) concerning proposed non-binding advisory guidelines for wheelchairs used within aircraft cabins. The notice was officially published for comment on August 20, 2019.

The Access Board's development of onboard wheelchair advisory guidelines is a direct result of a U.S. Department of Transportation negotiated rulemaking in 2016. The Advisory Committee on Accessible Air Transportation (ACCESS Committee) was charged with negotiating a proposed rule on accessible lavatories on single-aisle aircraft. As part of that negotiation, it became apparent that the committee also needed to consider the onboard wheelchair that would be used to access the lavatory.

Current onboard wheelchairs provide only a minimum level of support for passengers with disabilities. The onboard wheelchairs that air carriers use are not uniform in design and raise significant safety and performance concerns for passengers with disabilities who may attempt to use them in flight. Specifically, some seats are lower than the airline seat making transfers difficult. There are also no securement straps, brakes, or arm rests attached to an onboard wheelchair which can lead to a loss of balance or stability. There are also no push handles for a flight attendant to assist the person to and from the lavatory or anyway for the passenger to self-propel the onboard wheelchair.

We urge the Access Board to adopt guidelines that will meet the safety and dignity needs of passengers with disabilities in accessing lavatories. Even if the over-toilet design is deemed to be unfeasible, appropriate onboard wheelchair standards must be in place to ensure that passengers with disabilities who can stand and pivot or who have access to the small number of accessible lavatories that are currently available on some single-aisle aircraft are able to use them safely. Our comments are limited to the safety and security of the onboard wheelchair from the perspective of those who must use them.

- Section 201.1.2 Over-Toilet Positioning – Question 12 – What space constraints exist within aircraft lavatories that would prevent an onboard wheelchair from entering? The current design of a typical single-aisle aircraft lavatory does not accommodate an onboard wheelchair. Barriers include the entry threshold, the door width, and the swing

of the door. Also, space within the lavatory does not allow an onboard wheelchair to enter the lavatory and close the door or allow any maneuverability or turning radius to assist in a transfer from the onboard wheelchair to the toilet. The over-toilet design would allow such an onboard wheelchair to at least slide over the toilet in an inaccessible lavatory and provide the user with some privacy, behind a closed door, to accomplish non-toileting tasks.

- Section 201.2 Unoccupied Movement – Question 14 – Should an unoccupied onboard wheelchair be required to be maneuverable on its own wheels? We believe as part of the new standard, the onboard wheelchair should be maneuverable on its own wheels even when unoccupied; thus, alleviating the need for flight attendants to lift or carry the device and eliminating any unnecessary opportunity to incur bodily harm.
- Section 203 Stability – Question 17 – What are the stability concerns regarding existing onboard wheelchair models? We believe that many of the onboard wheelchair models are too short / small and do not allow the passenger with the disability to be properly seated on the onboard wheelchair seat. As a result, the passenger is at risk of falling in the aisle during transport to and from the lavatory or during transfer to and from airline seat or within the lavatory.
- Section 206.1 Seat Height, 206.2 Seat Size, and 206.3 Seat Padding – We agree with the recommended height of 17-19 inches equivalent to the seat height of the airline passenger seat for easy transfer. We also agree with a 15 inch width and 16 inch depth seat maximum allowed per width of the aisle and padding on the seat to eliminate the possibility of skin break down and increased spasticity which many passengers with spinal cord injury are susceptible to due to atrophy of muscle and bone. The padding will also provide greater safety and comfort.
- Section 207 Back Support – Question 27 – Should these guidelines specify a minimum width for the back support? If so, what should the recommended width be? It is important that the onboard wheelchair provide trunk support to passengers with a disability. Many people with spinal cord injury do not have trunk support or muscle strength throughout their body. Proper back support will add stability in the seated position for the passenger with a disability while being transported to and from the lavatory.
- Section 208.1 Arm Support and 209.1 Foot Support – We support the proposed requirement of two repositionable arm supports. It will allow the passenger assistance and stability when transferring to and from the onboard wheelchair and while sitting and being transported to and from the lavatory. We support the onboard wheelchair having a fixed foot support which would allow the passenger to have stability in the foot and leg when making the transfers and repositioning on the seat of the onboard wheelchair. For storage purposes, the footplate should be able to fold either up or split in the middle to ensure proper folding for storing.
- Section 210.1 (Caster) Swivel Locks and 210.2 Wheel Locks – We support requiring the onboard wheelchair to have independent caster wheels for maximum maneuverability in tight spaces of the aircraft cabin and lavatory. We also support the requirement of swivel and wheel locks to ensure safety and stability during transit and for transfers. The swivel and wheel locks should be operable by the occupant of the onboard wheelchair to ensure independence and safety.
 - Question 34 – Should these guidelines specify the size of the caster wheels? We believe that the guidelines should not specify the size of the caster wheels.

Instead, require a performance standard requiring that casters must be able to roll over the lavatory threshold.

- Section 212 Restraints – We agree with the requirement for leg and torso restraints to ensure stability in the onboard wheelchair during transport. The restraints should keep the passenger securely seated in the onboard wheelchair and prevent injury during transport in the cabin. These restraints must be able to be used by the seated passenger within the lavatory to ensure independent transfer, if necessary.

Thank you for the opportunity to comment on the proposed advisory guidelines for onboard wheelchairs. If you have any questions, please contact Lee Page, Senior Associate Advocacy Director with Paralyzed Veterans of America, at 202-416-7694 or by email at leep@pva.org.

Sincerely,

Access Living of Metropolitan Chicago
American Association of People with Disabilities
Bazelon Center for Mental Health Law
Christopher and Dana Reeves Foundation
Disability Rights Education Defense Fund
Epilepsy Foundation
Muscular Dystrophy Association
National Council on Independent Living
National Disability Rights Network
National Multiple Sclerosis Society
Paralyzed Veterans of America
The ARC of the United States
United Spinal Association