

# ADA/Sec. 504 Training and Service Requirements at Airports



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

*Office Of Civil Rights*

ACHIEVING SAFETY  
THROUGH DIVERSITY

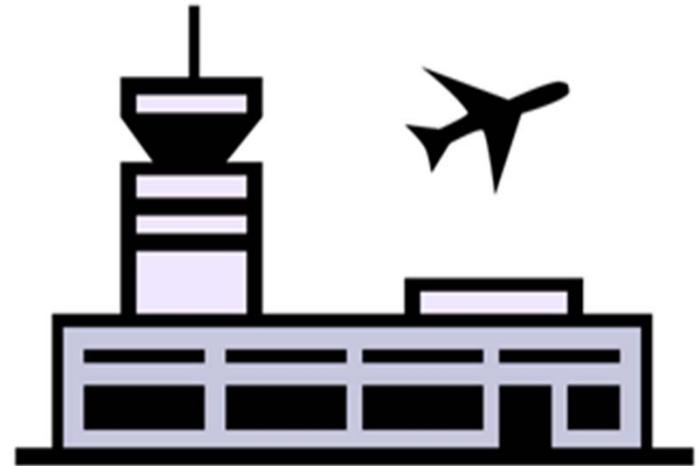
**Presented to: National Training Conference**

**Date: September 9, 2016**



# Topics of Discussion

- **Background / General Information**
  - Legal Framework
  - Disability Defined
- **Communication**
  - Terminology
  - Pitfalls
- **General Service Requirements**
  - Wayfinding
  - Complaints
- **Applications at Airports**
- **Open Mic**



# Definition – Disability

## – Disability

- A physical or mental impairment that substantially limits one or more of the major life activities
- A record of such an impairment
- Being regarded as having such an impairment

## – Approximately 57 million people in the U.S. have a disability

## – Many disabilities are hidden

# Legal Framework – Introduction

## – Airport facilities are under several statutory authorities

- Americans with Disabilities Act (ADA)
- State and local laws
- Sec. 504 of the Rehabilitation Act (Sec. 504)
- Air Carrier Access Act (ACAA)



## – Various implementing Federal regulations

- ADA: 28 CFR 35 and 36; 49 CFR 37 and 38
- Sec. 504: 49 CFR 27
- ACAA: 14 CFR 382

# Legal Framework – Introduction (cont.)

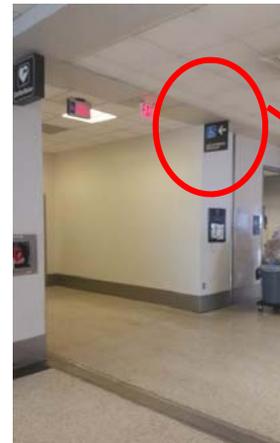
## – Regulations for special circumstances

- Boarding Assistance
- Ground Transportation
- Use and Maintain Accessibility Equipment



## – Some services are implied by other regulatory requirements

- Wayfinding assistance
- Communication
- Reasonable modification/ accommodation



# Legal Framework – Reasonable Modification

- 49 C.F.R. § 27.7(e) and 28 C.F.R. § 35.130(b)
- **Reasonable modifications are required for people with disabilities, except in cases of**
  - Undue burden
  - Fundamental alteration
  - Direct threat
- **Contracts and airport policies should clarify obligations**
  - How to receive requests
  - How to respond to reasonable modification requests
  - FAA requires processes, not particular outcomes

# Communications – Terminology

Appropriate Phrases	Disfavored Phrases
Person with a disability	The disabled / handicapped / crippled
Person who is blind / low vision	The blind / blind people
Person who is deaf / low hearing	The deaf
Person who uses a wheelchair	Wheelchair-bound
Person with a psychiatric disability	Crazy / nuts
Person with an intellectual, cognitive, developmental disability	Retarded / mentally defective

# Communications – Pitfalls

## – Privacy Issues

- Curiosity
- Skepticism



## – Service Animal Questions

- Is the animal required because of a disability?
- What work or task is the service animal trained to perform?

## – Service Animal Issues

- Emotional support animals
- Service animal relief areas

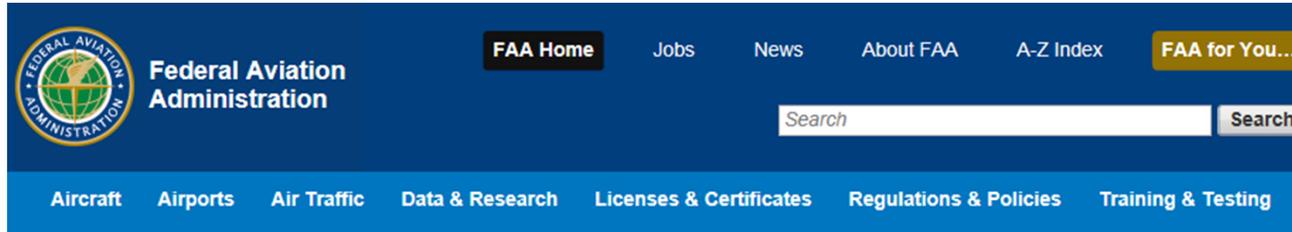


# General Services – Wayfinding

- Signage
- Information booth as equivalent facilitation
- Temporary Signage
- Emergency evacuation



# General Services – Wayfinding



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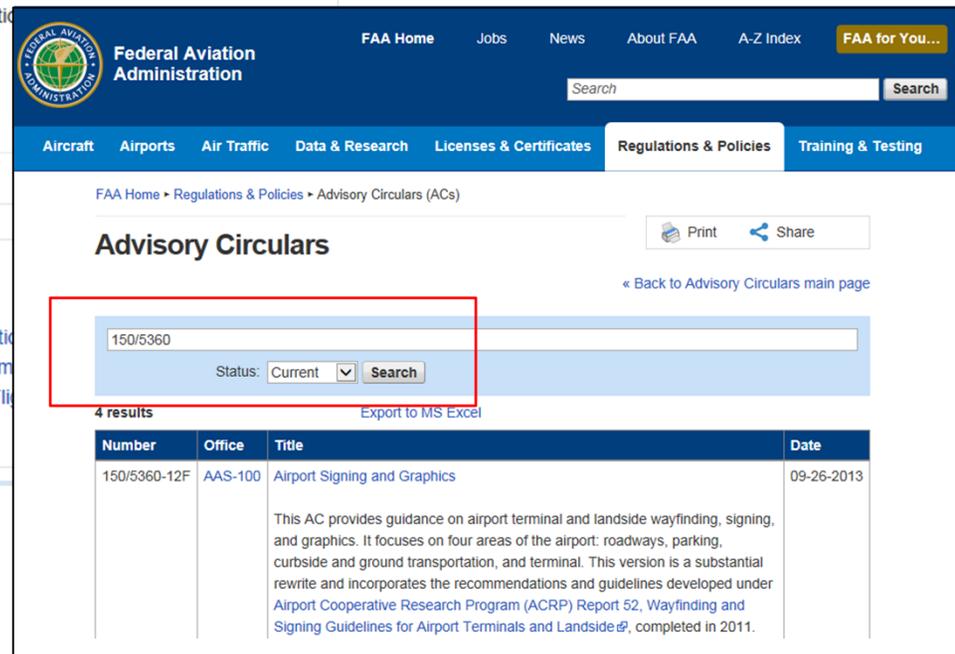
## FAA Proposes Rulemaking to Further Enhance Airport Safety

July 12 – FAA proposes airports use risk-management principles in day-to-day operations

### Regulations and Guidelines

- Advisory Circulars
- Airworthiness Directives (AD) – Current Only
- Federal Aviation Regulations (FAR)
- Forms
- Orders & Notices
- Recent Rulemaking
- Temporary Flight Restrictions

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150/5360

Status: Current Search

4 results Export to MS Excel

Number	Office	Title	Date
150/5360-12F	AAS-100	Airport Signing and Graphics	09-26-2013

This AC provides guidance on airport terminal and landside wayfinding, signing, and graphics. It focuses on four areas of the airport: roadways, parking, curbside and ground transportation, and terminal. This version is a substantial rewrite and incorporates the recommendations and guidelines developed under Airport Cooperative Research Program (ACRP) Report 52, Wayfinding and Signing Guidelines for Airport Terminals and Landside, completed in 2011.

# General Services – Wayfinding

- **AC 150/5360-12F, Airport Signing and Graphics**
  - Issued 9/26/2013
  - Guidance for typical airport terminal wayfinding measures



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## Advisory Circular

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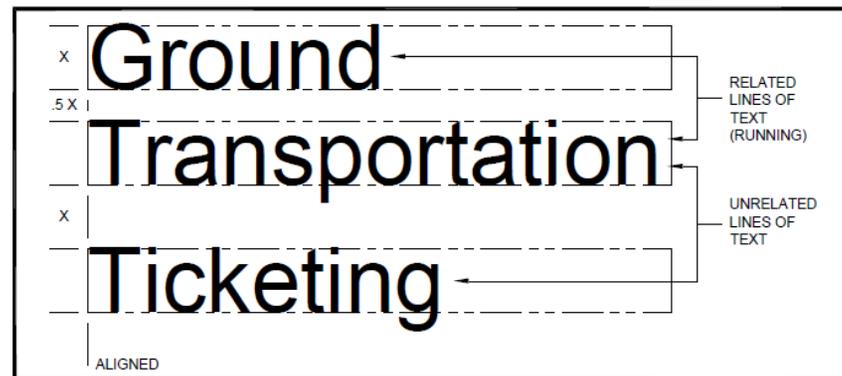
<b>Subject:</b> Airport Signing and Graphics	<b>Date:</b> 09/26/13 <b>Initiated by:</b> AAS-100	<b>AC No:</b> 150/5360-12F <b>Change:</b>
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1. **Purpose.** This advisory circular (AC) provides guidance on airport terminal and landside wayfinding, signing, and graphics.
2. **Cancellation.** AC 150/5360-12E, Airport Signing and Graphics, dated September 18, 2008 is canceled.
3. **Background.** This AC incorporates the recommendations and guidelines developed under Airport Cooperative Research Program (ACRP) Report 52, Wayfinding and Signing Guidelines for Airport Terminals and Landside, completed in 2011. This report is available at [http://onlinepubs.trb.org/onlinepubs/acrp/acrp\\_rpt\\_052.pdf](http://onlinepubs.trb.org/onlinepubs/acrp/acrp_rpt_052.pdf).
4. **Application.** The Federal Aviation Administration (FAA) recommends the guidelines and specifications in this AC for implementation of airport terminal and landside wayfinding, signing, and graphics. This AC addresses systems typically installed by an airport operator and those typically installed by individual airlines. Note that signage guidelines throughout this AC which are required under other statutory and regulatory authorities are mandatory, not recommended. The legal authority for these requirements does not come from this AC, but comes from those external authorities.
5. **Principal Changes.** This is a substantial rewrite of this AC. Users should review the entire document. The AC focuses on four areas of the airport: roadways, parking, curbside and ground transportation, and terminal.

# General Services – Wayfinding

## – General Signage Requirements from the Advisory Circular

- Standards / Guides
- Consistency
- Simplicity
- User Perspective / Passenger Experience Narrative
- Lighting / Visibility / Legibility
- Symbols
- Maintenance
- Audit

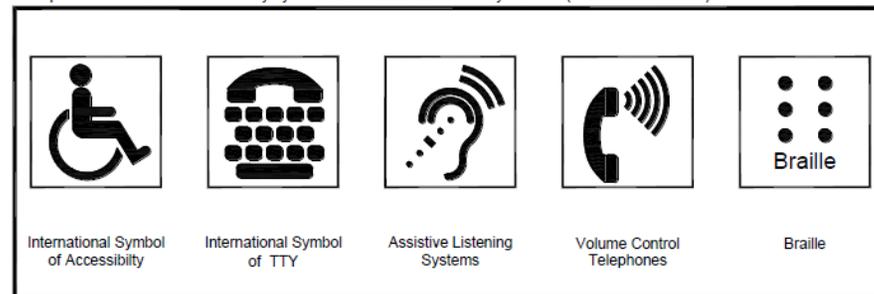


# General Services – Wayfinding

## – Signage Accessibility Issues from the Advisory Circular

- See Sec. 5.8
- Permanent Spaces (ADAAS Requirement)
- Font, Size, Symbols, Placement (ADAAS Requirement)
- Visual Landmarks
- Regular Assurance
- Develop In-house Expertise
- Simplicity, Standards, Maintenance, and Audits

Specific international accessibility symbols are mandated for use by ADAAS (703.7.2.1-703.7.2.4) and include:



# General Services – Wayfinding

## – Information Desk Issues from the Advisory Circular

- Training
- Succinct, Consistent, and Information
- Scripts and Handbooks

## – Automated Information Kiosks

- See. Sec. 4.2.7
- Rehabilitation Act Sec. 508 Requirements Apply



# General Services – Wayfinding

- **Temporary Signage Issues from the Advisory Circular**
  - Consistency with Permanent Signage
  - Conspicuous
  - Plan Carefully to Maintain Wayfinding Chain
- **Temporary Signage Issues from Sec. 504 and ADA**
  - Not Considered Permanent Signage
  - Ensure Accessible Path of Travel
  - Reasonable Modifications / Accommodations



# General Services – Wayfinding

## – Emergency Evacuation

- General Non-Discrimination Requirements
- Foreseeable Needs of People with Disabilities
  - Immediate Needs – Get to Safety
  - Longer Term Needs – Waiting
- Foreseeable Needs of First Responders
- Infrastructure
- Communication
- Training
- Reconciling with other Emergency Planning Requirements



# General Services – Complaints

- Refer to poster
- Assist with filing complaints
- Respond to complaints

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**Unlawful Discrimination**

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator:  
Phone:  
Address:

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**Discriminación Ilegal**

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador:  
Teléfono:  
Dirección:



U.S. Department of Transportation  
Federal Aviation Administration

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# Applications at the Airport – Curbside

- **General non-discrimination requirements**
- **Law enforcement / security**
- **ACAA Requirements (14 CFR 382)**
  - Ensure passengers can readily move through terminal
  - Provide complaint resolution official



# Applications at the Airport – Transportation

- Private and Public Ground Transportation
- General non-discrimination requirements
- Training to proficiency (49 CFR 37.173)
- Use of accessibility features (37.167)
- Stop and Route Identification (37.167)
- Priority Seating (37.167)



# Applications at the Airport – Tenants

- Air carriers and concessionaires
- General non-discrimination requirements
- Likely to receive questions
- Likely to receive requests for assistance
- Coordinate for boarding assistance (28 CFR 27.72)
- Maintain accessibility



# Conclusions

- All service providers at airports should know the expectations for interacting with people with disabilities
- Additional services are required in special circumstances
- All staff should be trained, with special training for those providing additional services



# Scenario 1

**Mark ended up at the wrong airline terminal. He was at the Airline-A terminal, but had an Airline-D ticket. Mark asked Airline-A for wheelchair service so he could get to the Airline-D terminal. Airline-A denied his request because he didn't have an Airline-A boarding pass.**

**There was no electric cart service available at this airport. The moving walkway was out of the way. Mark walked as fast as he could to the Airline-D terminal, but missed his flight by just a few minutes. He complained, "had I had assistance, I would've made it in a timely fashion."**

## Scenario 2

**Mary has low vision and is deaf. While walking to her gate from the restroom, there was an emergency announcement to evacuate to a predetermined muster site. Mary saw people walking quickly, and the atmosphere suddenly seemed tense, but she did not know what was going on or where people were going to.**

**After 20 minutes, emergency responders sweeping the terminal found Mary and guided her to the muster site. Later, she filed a complaint with the FAA Airport Disability Compliance Program alleging discrimination based on disability.**

## Scenario 3

**Amy alleges that she has a disability that prevents her from walking long distances. When travelling through your airport, she says that she frequently has to stop and rest after walking a certain distance.**

**She noticed that the airport does not have seats or benches between the Terminal Z arrivals area and the baggage claim area. Amy contacted the airport operator several times over a two year period, and was told seats would be installed. No seating has been installed yet.**

## Scenario 4

**On January 6, 2014 Connie arrived by car at the Terminal X accessible loading zone. Connie was there to pick up Stan, who is a person with a disability and requires extra time to walk even short distances. When Stan was 50 ft. away from Connie and walking toward Connie, security officer Bob, shouted at Connie to “pull forward!” Connie did not respond. Bob then came up to the window. When they made eye contact, Connie pointed at Stan who was still walking slowly toward the car. Bob wrote a ticket for \$50 fine and, said “you cannot contest this ticket.”**

# Open Mic



Office Of Civil Rights

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# Contact Information

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