

118TH CONGRESS
1ST SESSION

H. R. 4446

To require air carriers and foreign air carriers to provide on a publicly available website of the carrier information on requirements for on-board wheelchairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2023

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

A BILL

To require air carriers and foreign air carriers to provide on a publicly available website of the carrier information on requirements for on-board wheelchairs, and for other purposes.

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 “Store On-Board
5 Wheelchairs in Cabin Act of 2023”.

6 **SEC. 2. ON-BOARD WHEELCHAIRS.**

7 (a) REQUIREMENTS.—

1 (1) IN GENERAL.—In the case an aircraft that
2 is required to be equipped with an on-board wheel-
3 chair in accordance with section 382.65 of title 14,
4 Code of Federal Regulations, an air carrier and a
5 foreign air carrier shall provide in a prominent place
6 on a publicly available internet website of the car-
7 rier, and in any place where a passenger can make
8 a reservation, information regarding the rights and
9 responsibilities of both passengers on such aircraft
10 and the air carrier or foreign air carrier, including—

11 (A) that an air carrier or foreign air car-
12 rier is required to equip aircraft that have more
13 than 60 passenger seats and that have an ac-
14 cessible lavatory (whether or not having such a
15 lavatory is required by section 382.63 of such
16 title 14) with an on-board wheelchair unless an
17 exception described in such section 382.65 ap-
18 plies;

19 (B) that a qualified individual with a dis-
20 ability may request an on-board wheelchair on
21 aircraft with more than 60 passenger seats even
22 if the lavatory is not accessible and that the
23 basis of such request must be that the indi-
24 vidual can use an inaccessible lavatory but can-

1 not reach it from a seat without using an on-
2 board wheelchair;

3 (C) that the air carrier or foreign air car-
4 rier may require the qualified individual with a
5 disability to provide the advance notice specified
6 in section 382.27 of such title 14 in order for
7 the individual to be provided with the on-board
8 wheelchair; and

9 (D) if the air carrier or foreign air carrier
10 requires the advance notice described in sub-
11 paragraph (C), information on how a qualified
12 individual with a disability can make such a re-
13 quest.

14 (2) ANNUAL TRAINING.—An air carrier and a
15 foreign air carriers shall require that all personnel
16 who regularly interact with the traveling public, in-
17 cluding contractors, complete annual training re-
18 garding assisting qualified individual with a dis-
19 ability, including regarding the availability of acces-
20 sible lavatories and on-board wheelchairs and such
21 individual's right to request an on-board wheelchair.

22 (3) PUBLIC AWARENESS CAMPAIGN.—The Sec-
23 retary shall conduct a public awareness campaign on
24 the rights of qualified individuals with a disability,
25 including with respect to accessible lavatories and

1 such individual’s right to request an on-board wheel-
2 chair in accordance with section 382.65 of title 14,
3 Code of Federal Regulations.

4 (4) QUALIFIED INDIVIDUAL WITH A DISABILITY
5 DEFINED.—In this subsection, the term “qualified
6 individual with a disability” has the meaning given
7 such term in section 382.3 of title 14, Code of Fed-
8 eral Regulations.

9 (5) PENALTIES.—The Secretary may assess a
10 civil penalty in accordance with section 46301 of
11 title 49, United States Code, to any air carrier or
12 foreign air carrier who fails to meet the require-
13 ments under paragraph (1) or (2).

14 (b) INCREASED CIVIL PENALTIES.—

15 (1) IN GENERAL.—Section 46301(a)(7) of title
16 49, United States Code, is amended—

17 (A) in the paragraph heading, by striking
18 “TO HARM”; and

19 (B) in subparagraph (A)—

20 (i) in the heading, by striking “BOD-
21 ILY HARM OR DAMAGE TO WHEELCHAIR OR
22 OTHER MOBILITY AID” and inserting
23 “DAMAGE TO WHEELCHAIR OR OTHER MO-
24 BILITY AID, BODILY HARM, OR FAILURE TO

1 EQUIP AIRCRAFT WITH A WHEELCHAIR”;

2 and

3 (ii) by striking “or injury to a pas-
4 senger with a disability” and inserting “,
5 injury to a passenger with a disability, or
6 a failure to equip an aircraft with an on-
7 board wheelchair pursuant to section
8 382.65 of title 14, Code of Federal Regula-
9 tions (or a successor regulation)”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by paragraph (1) shall apply to flights occurring on
12 or after the effective date of the revision described
13 in subsection (a).

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