



September 19, 2022

Ms. Jodi I. Baker
Deputy Associate Administrator for Aviation Safety
Docket Operations, M-30
U.S. Department of Transportation
1200 New Jersey Ave. SE, Rm W12-140
West Building Ground Floor
Washington, D.C. 20590-0001

**RE: FAA Request for Comments in Minimum Seat Dimensions
Necessary for Safety of Air Passengers (Emergency Evacuation)
Docket No. FAA-2022-1001**

Dear Associate Administrator Baker:

The National Disability Rights Network (NDRN) thanks the Federal Aviation Administration (FAA) for the opportunity to provide its input on the request for comments in minimum seat dimensions necessary for safety of air passengers.

NDRN is the non-profit membership association of Protection and Advocacy (P&A) agencies that are located in all 50 States, the District of Columbia, Puerto Rico, and the United States Territories. In addition, there is a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo and San Juan Southern Paiute Nations in the Four Corners region of the Southwest. P&A agencies are authorized under various federal statutes to provide legal representation and related advocacy services. The P&A Network comprises the nation's largest provider of legally-based advocacy services for persons with disabilities, including advocacy on accessible transportation to ensure people with disabilities who want to live in the community can do so.

According to a commonly recited statistic from ShareAmerica, there are

approximately 500,000 working service dogs in the United States. Under the Air Carriers Access Act (ACAA) regulations, service dogs are permitted to fly with their handlers. However, the shrinking size of airplane seats and accompanying foot space makes it more and more difficult for such dogs to travel easily and comfortably with their handlers. Comfort is not the only concern; the lack of adequate space can add to the time it would take to exit a row for a service dog handler and service dog in the event of an emergency evacuation.

Service animals are generally trained to curl up at the feet of their handlers. According to the law's regulations, the dog is not supposed to intrude into the foot space of a neighboring passenger. Depending on the size and breed of the dog, the service animal may have to curl up very tightly to fit within the designated foot space of the service animal handler. As a result, little foot space is left for the handler. If a handler is tall, the remaining room becomes even more sparse. Besides discomfort, such circumstances can pose greater problems if an emergency evacuation was necessary.

Because of the lack of space caused by the significantly reduced pitch (the distance between the back of one passenger's seat and the back of the passenger in front's seat) between each row of seats in the years since aviation deregulation and the limited width of the airplane seat, the handler's feet and the service animal often become entangled.

Because of the narrow space between rows, when a service animal and handler enter or exit a row of seats that is not a bulkhead row, they must take turns. The handler will usually enter first and the service dog will follow and will curl up by the feet of the handler. When exiting, if the service animal team is in a middle or window seat they must wait for the other passengers to exit and the handler must either first let the dog out and then follow the dog out or the handler must step over the dog with almost no room to do so and then have the dog follow through the narrow space.

This process is already difficult in a regular situation when vacating a plane. In an emergency situation, when time is limited, this process would become much more difficult.

Additionally, as mentioned earlier, the handler and service dog, have to untangle themselves from each other. This process could become extremely dangerous when they need to evacuate the plane quickly. Consequently, the pitch of each seat and the width of each seat must provide adequate space for service animal users in safely evacuating a plane in an emergency.

In another situation with normal non-emergency boarding and alighting from an aircraft, wheelchair users must be transferred from their own wheelchairs onto a narrow aisle boarding chair to travel down the aisle of a commercial airliner. Depending on the wheelchair user's disability, many individuals will require physical assistance to transfer from the aisle chair onto the aircraft seat. The airline or airport personnel who assist in these transfers need to be able to stand in the narrow space between the rows of seats and at the same time have enough room be able to assist the wheelchair users in the transfers. Many wheelchair using passengers cannot feel when parts of their bodies strike parts of the seats during this transfer process and experience injuries while being transferred.

NDRN does not know what procedures airline personnel are trained to use when assisting passengers with mobility disabilities during an emergency evacuation. But whatever process they use, the limited space between rows along with the narrow seats will undoubtedly make assisting passengers with mobility disabilities more challenging. More space between rows will provide airline personnel more options in assisting passengers with significant mobility disabilities in emergency evacuations.

Thank you again for the opportunity to comment on this important topic. If you have any follow-up questions, please reach out to Claire Stanley, Public Policy Analyst, at Claire.stanley@ndrn.org, or 202 567-3501.

Sincerely,



Eric Buehlmann
Deputy Executive Director for Public Policy
National Disability Rights Network