September --, 2024

Secretary Pete Buttigieg

U.S. Department of Transportation

1200 New Jersey Avenue SE

Washington D.C. 20590

Dear Secretary Buttigieg:

The American Council of the Blind (ACB) thanks the Department of Transportation (DOT) for the opportunity to provide comments on this notice of proposed rule making (NPRM) regarding family seating. We applaud DOT for addressing this real need; children should be safe when traveling with their families by air. However, we hope to discover any potential unintended consequences for air travelers who are blind or have low vision before they come to fruition. We believe by pointing out the potential consequences now, the issues will be addressed in the rule making process and never transpire moving forward with the new regulations.

The American Council of the Blind is the nation’s leading member-driven non-profit organization of and for people who are blind or have low vision. Founded in 1961 and comprised of more than 65 state and special-interest affiliate organizations, ACB strives to increase the independence, security, equality of opportunity, and to improve the quality of life for all people who are blind or experiencing vision loss. Integral to our mission is ensuring people who are blind or low vision have equitable access to all modes of transportation to be active members of their communities.

When traveling by air, blind or low vision passengers may request a specific seat on the plane as an accommodation for their disability. For instance, they may choose to be close to the lavatory so they can easily find it without much difficulty. Another common preference is made by blind or low vision passengers who travel with a guide dog. Flying on a plane with a guide dog, or any service dog, is a bit more complicated. Guide dog users often prefer to sit in the bulkhead seating so there is more room for their dog, or they may choose to sit in a window seat to tuck their dog away from everything. Each guide dog handler may have a different way of handling their dog on a flight. Additionally, because many individuals are and will be aging into blindness and disability, older blind adults may need to request seats that are closer to the front exit due to having additional mobility disabilities that affect balance or energy levels and may need to minimize the amount of time spent on their feet.

Overall, we have no problems with the new proposed rules; we support better access for parents and their children. We simply want to make sure that any changes do not inadvertently impact blind or low vision passengers who select a specific seat as an accommodation for their disability. For instance, one of the proposed ideas is that if an airline uses an open seating model, the flight would establish a block of seats available for families. If this is the case, it would be prudent to make sure that helpful seating, like the bulkhead, is not included in that block of seats.

Furthermore, we want to clarify that ensuring that parents have adjacent seats to their children will not force blind or low vision passengers to relocate seats if they do not choose to do so. We read through the proposal; the change does not appear to claim that travelers will be reseated without consent if a parent needs the seat. It appears that if adjacent seats are unavailable, a parent can receive a refund or be moved to a new flight. However, a level of uncertainty remains with the implementation of this rule. As a result, we wanted to simply highlight that any unknown or unforeseen implementation of this new policy will not force blind travelers to relocate seats, specifically if that seat was selected as an accommodation for their disability.

One final variable to consider relates to the kind of seating model the airline utilizes. If the airline uses open seating, DOT should consider how new policies might impact seating choice for people with disabilities. Generally, persons with disabilities have the opportunity to preboard. If the airline has an open seating policy, the blind passenger can preboard and select the seat that best accommodates their disability. As a result, there should be no consequence to family seating policies. However, if new policies allow families to board first, or even earlier, this may impact our community.

Again, as we read the new regulation possibilities, it appears that the blind community should not be impacted; the changes should not in theory cause such travelers to be pushed out of needed seating. However, as previously stated, because the concept is so new and the exact shape is still unknown, we simply wanted to emphasize that people with disabilities often select specific seats as an accommodation and we want to be preemptive in causing any unintended problems with this new practice.

Thank you for the opportunity for us to provide our input. If you have any questions on our comments, please reach out to Claire Stanley, Director of Advocacy and Governmental Affairs, at [cstanley@acb.org](mailto:cstanley@acb.org), or at 202 559-2041.

Sincerely:

Claire Stanley

Director of Advocacy and Governmental Affairs

American Council of the Blind