



# Aviation Group Client Update

Date: July 5, 2012

Contact: Lisa A. Harig, Partner  
Washington DC Office  
[lhari@mklawdc.com](mailto:lhari@mklawdc.com)  
+1 703 247 5487

## **DOT PROPOSES UPDATES TO GUIDANCE REGARDING NONDISCRIMINATION ON THE BASIS OF DISABILITY IN AIR TRAVEL**

Today, the Department of Transportation (DOT) published draft revisions for its technical assistance manual (TAM) concerning the rights and responsibilities of airlines and passengers with disabilities under the Air Carrier Access Act (ACAA) and DOT regulations. According to DOT, the revised TAM does not expand U.S. or foreign air carriers' legal obligations or establish new requirements under the law. DOT published the new draft guidance to allow the public an opportunity to comment before the final guidance is published.

The revised TAM incorporates guidance regarding the extension of 14 CFR Part 382 to foreign carriers, use of medical oxygen and portable respiratory assistive devices, and accommodations for passengers who are deaf or hard-of-hearing. For example, the revised TAM offers guidance with respect to whether Part 382 applies to foreign carriers operating between two foreign points under codeshare arrangement with a U.S. Carrier and conflicts of law waivers.

In addition, the revised TAM includes a new chapter on personnel training for both U.S. and Foreign Carriers and information regarding the maintenance of training records for carriers that operate aircraft with 19 or more passenger seats.

Comments are due on or before **October 3, 2012**. If you have any questions regarding the revised TAM or would like assistance in preparation or submission of comments, please contact our office.

\* \* \* \* \*

McBreen & Kopko's Aviation Group represents air carriers, fixed base operators (FBOs), airport managers, aviation service providers, and business aircraft owners and operators on a wide range of aviation issues including regulatory matters, commercial transactions, aircraft finance matters, and bankruptcy and creditors' rights.