

01/18/04

DOCKET #OST-2004-19626-1

I am writing in concern to the rule the Division of Transportation is in the process of changing for individuals with disabilities who have a service dog for assistance while traveling on a plane. The rule change of requiring passengers with service dogs that are too large and do not fit directly under the front of their seat, to purchase an additional ticket for their dog is outrageous!

There are many reasons why this rule should not take place along with laws that will back up some of the reasoning. First and foremost forcing an individual with a service dog to purchase an additional ticket is going to make traveling costs out of reach for them. Most individuals with disabilities live on a fixed income and making them pay for a whole other ticket would make traveling a very expensive trip. Also, if they do purchase another "seat" on the plane for their service dog, will the dog get to sit on the seat??

According to the Americans With Disabilities Act you are required to meet the minimum standard set and provide a reasonable accommodation. The DOT's reasonable accommodation is to put this person's service dog in cargo or force them to buy another ticket. This is a direct violation of the ADA Laws by separating the individual from their service dog. This also is not a reasonable accommodation. The service dog is with this individual for a reason, either to provide balance and stability, guide them, carry objects the individual may not be able to carry and most importantly to provide that person with a disability their independence. A reasonable accommodation in a situation where the service dog is larger, would be finding either a row where there is an open seat, issue their seat in front of the plane where families with small children are put, or if the plane is full ask someone to volunteer to "share leg room". By providing an individual with a disability a reasonable accommodation it shows you are willing to go above and beyond the minimum set standards the ADA Laws have set, and going beyond these standards is not illegal, but encouraged.

On behalf of people who have service dogs, I ask the DOT to please reconsider the rule change. I do not have a service dog myself, but it still outrages me to think the DOT is okay with charging an additional cost to an individual with a disability that has a service dog. There are many different options in working out a reasonable accommodation for someone in this situation. I believe this is not going to be an issue that has to be dealt with during every flight, because only a small number of individuals with disabilities travel. I encourage the DOT to be the better and bigger people in this matter.....Ask yourself how you would feel if you were on a fixed income, had a disability and relied on your service dog to assist you in walking, balancing and carrying your medication and personal belongings around? What would you want the DOT to do? How would it affect your lifestyle and ways of traveling? Would you still feel independent?

I know what my answer would be and I hope the DOT takes this issue very seriously and understands this isn't about making profit off of someone who can't afford an extra ticket. This is about someone who is traveling for business or vacation. The DOT provides this means of travel and it's the DOT who should provide the BEST TRAVEL to everyone who boards that plane!

Thank you for your time and considerations:

Julie Buderus, CTRS
President of the Colorado Therapeutic Recreation Society (a branch of the Colorado Parks and Recreation Association) AND
Therapeutic Recreation Coordinator for
North Jeffco Park and Recreation District
12120 W. 64th Ave.
Arvada, CO 80004
303-403-2581