CNIB Brief: Bill C-49 Transportation Modernization Act

Background:

CNIB passionately provides community-based support, knowledge and a national voice to ensure Canadians who are blind or partially sighted have the confidence, skills and opportunities to fully participate in life. Founded in 1918, we’re entering our 100th year of operation – and celebrating a century of changing individual lives and society as a whole.

Our work – and our impact – takes many forms. Through Vision Loss Rehabilitation Canada, a new health services organization operated by CNIB, we provide personalized rehabilitation services designed to enhance independence, safety and mobility after a loss of sight. Meanwhile, CNIB’s other community-based services empower Canadians who are blind or partially sighted to lead rich, full lives, and move us toward a more inclusive world.

Traveling in Canada as a Person with Sight Loss:

Accommodating Guide Dogs on Planes

Canadians with sight loss who use a guide dog continuously have issues when flying both domestically and internationally. The Canada Transportation Agency (CTA) guidelines, "Implementation Guide Regarding Space for Service Dogs Onboard Large Aircraft" are overly onerous on those who are travelling with a guide dog. Seats in aircrafts are increasingly becoming smaller, which means inadequate space for guide dogs.

Current Air Transportation Regulations state:

1. Domestic aircraft with 30 or more passenger seats, the carrier must accept a service animal (such as a service dog) for carriage without charge, provided that the animal is required by a person
for assistance and is certified, in writing, as having been trained to assist a person by a professional service animal institution.

2. International flights operated by Canadian air carriers with aircraft having 30 or more passenger seats, the Air Code sets out the expectation that enough floor space will be provided. This space should be sufficient to allow the dog to lie down and to ensure that the passenger and their dog can share the space safely and without discomfort.

These guidelines are often not adhered to resulting in Canadians with sight loss and their guide dogs often being squeezed into uncomfortable seating situations. This is especially the case on international flights.

Canadians travelling with the assistance of a guide dog should be provided with a choice based on their unique needs, as to the nature of their accommodations. While some may require an additional seat given health concerns or the size of their guide dog, others may be adequately accommodated with one seat. The overarching objectives in providing suitable and reasonable accommodations for travelers with guide dogs should be the safety of both the traveler and their guide dog, dignity, independence and comfort.

**Onboard Entertainment and Assistance Buttons**

Recently, some Canadian airlines have completely removed the physical, tactile call buttons or personal lighting controls often overhead of travelers. Instead, these buttons are part of the onboard entertainment system, facilitated by a touchscreen device. The ability to request discrete assistance should not be inaccessible. Travellers with sight loss regularly travel independently and if they require assistance, should be able to do so in a format that is accessible.

**Travel Websites**

Websites have completely transformed how travel information is conveyed to the public. However, completing an online reservation using either screen magnification or text-to-speech software is often difficult to impossible.

Travel booking websites should adhere to better accessibility standards. Canadians with sight loss should be able to independently book any travel and provide accommodation needs without having to
spend additional time on the phone. Current websites do not allow for this independence and are indeed cumbersome and laborious.

Access to Information in Alternate Formats

The travelling public relies on accurate and abundant information when completing journeys. When changes are made to flight or rail schedules or departure points, this information is always visual which poses issues for Canadians with sight loss. Rarely is this information conveyed in an alternate format.

Travellers with sights loss are not always accompanied by a companion or ground assist personnel. Many travellers with sight loss regularly travel independently. A lack of appropriate information in formats other than print reduces independence. Free software installed at airport kiosks or simple one or two-page braille files within email updates can be generated to provide travelers with sight loss updated information about their travel schedule.

In addition, facility operators, regardless of mode of travel should be expected to adopt the best way-finding practices, available. These include various indoor navigation systems which can provide travellers with sight loss additional information such as the location of commercial venues within facilities, the location of relieving areas for guide dogs, boarding points and other public amenities. We do not recommend that emerging technology replace existing accessibility guidelines but rather that these technologies are adopted in such a manner as to complement existing accommodations.

Rail and Ferry Travel within Canada

Public facilities, such as rail and ferry terminals, should be fully accessible to all travelers, regardless of disability. For travelers with sight loss, this includes enhanced wayfinding strategies such as directional tactile warning strips, colour contrast, lighting, accessible signage and adoption of emerging technologies. CNIB’s “Clearing our Path” contains significant guidelines on how to enhance the accessibility of public spaces, both indoors and outdoors.

In Canada’s largest rail terminals navigating these facilities while working a guide dog and managing luggage can be extremely difficult. As with established practices within the airline industry, passengers who self-identify when making reservations should receive appropriate assistance from trained railway personnel from arrival through to
departing a station, if needed. This assistance should be provided regardless of when travel arrives or the size of the station.

All customers should be able to access onboard amenities including dining and entertainment. Where self-serve kiosks are deployed, regardless of their purpose, CNIB would like to encourage operators to ensure that every reasonable effort is undertaken to ensure that these kiosks are deployed with accessibility features built in.

**Recommendations:**

CNIB supports the Federal Government's Passengers Bill of Right's legislation and recommends that the rights of Canadians who are blind or partially sighted be included by strengthening current enforcement regulations, so that current regulations are adhered to as they are intended.

Specifically, Bill C-49 should be amended in the following ways:

19. The Act is amended by adding the following after section 86.1:

Regulations — carrier’s obligations towards passengers

86.11 (1) The Agency shall, after consulting with the Minister, make regulations in relation to flights to, from and within Canada, including connecting flights,

(a) respecting the carrier’s obligation to make terms and conditions of carriage and information regarding any recourse available against the carrier, as specified in the regulations, readily available to passengers in language that is simple, clear and concise, including in alternate formats;

(g) requiring the carrier to provide accommodations to persons with disabilities, not limited to, accommodations for guide dogs for individuals with sight loss, access to information in an accessible format for individuals with sight loss and increased accessibility standards for online reservations; and

(h) respecting any of the carrier’s other obligations that the Minister may issue directions on under subsection (2).