PHILADELPHIA 2026

AIRPORTS COUNCIL INTERNATIONAL – NORTH AMERICA
ANNUAL CONFERENCE AND EXHIBITION
SEPTEMBER 14 – 17, 2026

Accessibility: Legal Considerations

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Airport Lawyers Learning New Things

Overview

- Area of focus for FAA; compliance and audits
- Multiple, overlapping legal authorities
- Different obligations for different user groups
- Prohibit discrimination + accommodate passengers
- Appropriate provisions must be incorporated in airport contracts
- Strive to go beyond compliance
  - Accommodate *all* passengers, aging population, hidden disabilities
- Need champions within our organizations – including lawyers!

Americans with Disabilities Act

- 42 U.S.C. Chap. 126 (Equal Opportunity for Individuals with Disabilities)
  - Title II (Public Services)
  - Title III (Public Accommodations and Services by Private Entities)
- 28 C.F.R. Part 35 (Nondiscrimination on the Basis of Disability in State and Local Government Services)
- 28 C.F.R. Part 36 (Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities)

Rehabilitation Act Section 504

- 29 U.S.C. Sec. 794
  - *"No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service."*
- 49 C.F.R. Part 27 (Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance)
  - Implementing regulations under Section 504

Air Carrier Access Act

- 49 U.S.C. Sec. 41705(a)
  - *”In providing air transportation, an air carrier, including (subject to section 40105(b)) any foreign air carrier, may not discriminate against an otherwise qualified individual on the following grounds: (1) the individual has a physical or mental impairment that substantially limits one or more major life activities. (2) the individual has a record of such impairment. (3) the individual is regarded as having such an impairment.”*
- 14 C.F.R. Part 382 (Nondiscrimination on the Basis of Disability in Air Travel)

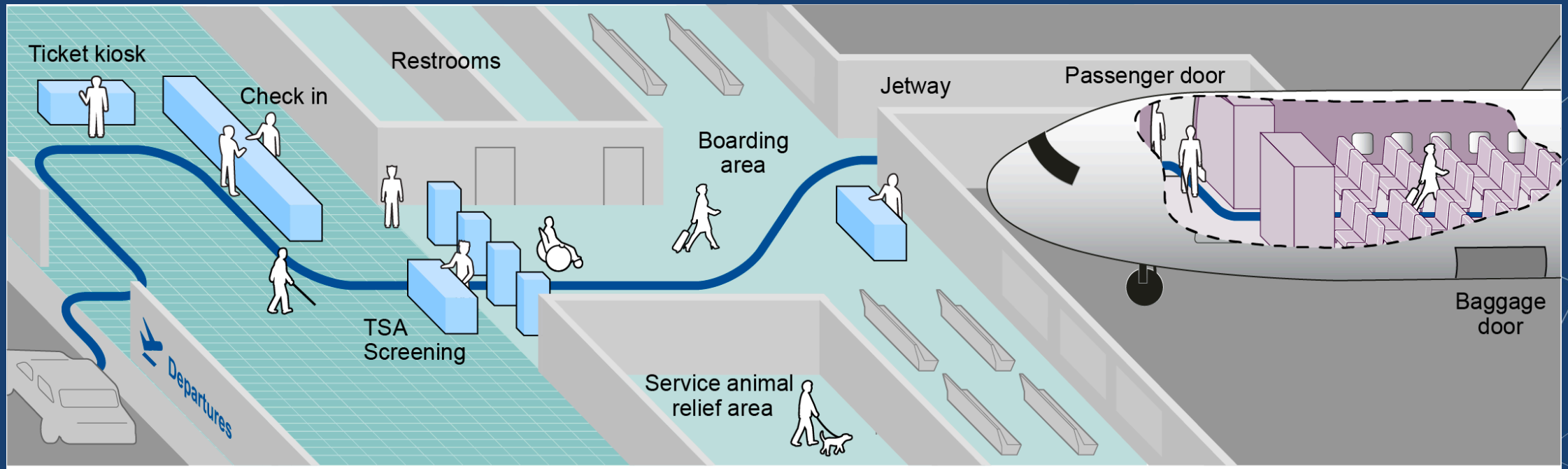
Helpful Resources

- FAA Advisory Circular 150/5360-14A, *Access to Airports by Individuals with Disabilities* (2017)
- FAA Order 1400.9B, *Standards and Procedures Essential for Ensuring Access to Airport Facilities by Persons with Disabilities* (2021)
- TRB ACRP Synthesis 144, *Exceeding Legislated Accessibility Requirements in Airports* (2026)
- GAO-21-354, *Passengers with Disabilities: Airport Accessibility Barriers and Practices and DOT's Oversight of Airlines' Disability-Related Training* (April 14, 2021)
- GAO-23-106358 (Testimony on Nov. 17, 2022)

Canada

- Key authorities
  - Accessible Canada Act
  - Canadian Human Rights Act
  - Accessible Transportation for Persons with Disabilities Regulations
  - Accessible Transportation Planning and Reporting Regulations
  - Personnel Training for the Assistance of Persons with Disabilities Regulation
  - Air Passenger Protection Regulations

Addressing Barriers in the Airport Journey



Source: GAO. | GAO-23-106358