

AVIATION

DOT again proposes rule requiring a wheelchair-accessible airplane lavatory

By Robert Silk  | Mar 18, 2022



The DOT now plans to combine rulemaking procedures on airplane lavatories into one broader final proposal. Photo Credit: Skycolors/Shutterstock

A newly proposed DOT regulation would require airlines to make at least one lavatory on large single-aisle planes big enough for a disabled passenger to move around freely in a wheelchair.

That lavatory would also need to be large enough for an assistant to move around.

The rule would apply to single-aisle aircraft with at least 125 seats. However, the requirement would only go into effect for aircraft that are either ordered at least 18 years after the regulation is finalized or delivered at least 20 years after the regulation becomes law.

The proposal stems from a 2016 agreement negotiated between disability advocates, flight attendants, aircraft manufacturers and airlines. In a Notice of Proposed Rulemaking published March 18, the DOT said the proposal uses those 18-year and 20-year timelines because it is

honoring that agreement. But the department also expressed substantial concern about those lengthy timelines and encouraged stakeholders to weigh in on them prior to the determination of a final rule.

"Over 25 million Americans have mobility issues that may require accommodations when flying," the notice reads. "As the U.S. population ages, it is expected that the need for accommodating passengers with mobility impairments will only increase. As the department moves forward with this rulemaking, including the drafting of any final rule, the department will firmly bear in mind its commitment to equity, including seeking information relating to whether these accessibility improvements can be implemented more quickly than currently proposed."

The proposal is actually the second of a two-part series of rulemakings the DOT has initiated related to lavatory accessibility on single-aisle aircraft. In 2019, pursuant to a mandate from Congress, the department proposed a series of requirements that would make at least one lavatory on each single-aisle plane with 125 seats more accessible to disabled people without being enlarged.

Under the proposal, such lavatories would be required to have assist handles. Call buttons and door locks would need to be accessible from a seated position. And lavatory controls and dispensers, including faucet temperature controls, would have to be discernible via touch.

However, the regulations, which would apply to new aircraft beginning three years after the regulations are finalized, remain pending. After reviewing comments on the proposal, the DOT decided last November that it needs to gather additional design information before issuing a final rule.

The DOT now plans to combine the rulemaking procedures into one broader final proposal on narrowbody lavatory regulations.

The public can comment on the latest proposal at [Regulations.gov](https://www.regulations.gov), docket number DOT-OST-2021-0137.

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