Department of Transportation

SUPPORTING STATEMENT

REPORTING REQUIREMENTS FOR

TRAVELING BY AIR WITH SERVICE ANIMALS

OMB Control No. 2105-0576; expiration date: 12/31/2023

* DOT is requesting the Office of Management and Budget’s approval of an emergency clearance request related to the provisions in the Department’s Traveling by Air with Service Animals Final Rule that permits airlines to require passengers traveling with a service animal to collect the U.S. Department of Transportation Service Animal Air Transportation Form and, when appliable, the U.S. Department of Transportation Service Animal Relief Attestation Form.

1. Justification
2. **Explain the circumstances that make collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Air Carrier Access Act (ACAA, 49 U.S.C. § 41705) prohibits discriminatory treatment of persons with disabilities in air transportation. On December 2, 2020, the Department issued a final rule to amend its ACAA regulation on the transport of service animals to ensure that our air transportation system is safe for the traveling public and accessible to individuals with disabilities. The information collection requirements in this rule allow airlines to collect from passengers traveling with service animals a U.S. Department of Transportation Service Animal Air Transportation Form and, if applicable, a U.S. Department of Transportation Service Animal Relief Attestation. The Department believes that it is important and appropriate to allow airlines to require passengers to provide documentation to affirm that their service animal is in good health, is well behaved, and has been trained to do work or perform tasks to assist individuals with disabilities as a condition of transport.

This information collection supports the DOT strategic goal of ensuring that service animals do not pose a direct threat to the health or safety of passengers, crew, and other animals on aircraft.

1. **Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The Department allows airlines to require a U.S. Department of Transportation Service Animal Air Transportation Form and, if applicable, a U.S. Department of Transportation Service Animal Relief Attestation from passengers traveling with service animals as a condition of transport. These information collections allow airlines to receive direct assurances from service animal users of their animal’s good health, behavior, training, and ability to hold its relief functions or relieve itself in a sanitary manner on long flights. These form(s) also serve as an instrument to educate passengers traveling with service animals on how service animals in air transportation are expected to behave, and that the airline could charge passengers for damage caused by a service animal, so long as the airline had a policy of charging other passengers for similar kinds of damage. Finally, the forms serve as a deterrent for individuals who might otherwise seek to claim falsely that their pets are service animals, as those individuals may be less likely to falsify a Federal form and thus risk the potential for criminal prosecution.

1. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

Airlines that require a passenger with a disability traveling with a service animal to submit a U.S. Department of Transportation Service Animal Air Transportation Form and, if applicable, a U.S. Department of Transportation Service Animal Relief Attestation, must have copies of these forms available at each airport they serve and, on their website, if they have a website. Airlines may require individuals traveling with a service animal to complete the form up to 48 hours in advance of the date of travel if the passenger’s reservation was made prior to that time. Airlines must provide the passenger the option of submitting the completed form(s) to the airline electronically or by hardcopy if submitted in advance of the passenger’s travel date. Airlines may also require a passenger with a disability traveling with a service animal to provide the forms at the passenger’s departure gate on the date of travel.

Requiring airlines that have a website to provide passengers with the DOT form(s) in an electronic format and requiring airlines to provide passengers with the option to submit their form electronically, will benefit both airlines and consumers by allowing the form(s) to be processed more efficiently, without requiring passengers to wait in line at the airport. This requirement also provides airlines a greater opportunity to assist passengers with service animals, and more time to reach out to the passenger if the documentation is incomplete or deficient (e.g., if the service animal’s rabies vaccination expires before the flight date).

1. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.**

There is no similar information accumulated that could be used or modified for the purpose described in the answer for question 2 detailed above.

1. **If the collection of information impacts small businesses or other small entities describe any methods used to minimize burden.**

The Department certifies that this information collection does not impact a substantial number of small businesses or other small entities.

1. **Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The Department permits airlines to require DOT forms(s) from passengers traveling with service animals on each trip, but not each time a service animal user travels. This requirement ensures that a service animal has not recently (before the departure flight) behaved aggressively or caused injury toward others, and that the animal has current vaccinations.

1. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**

* **requiring respondents to report information to the agency more often than quarterly;**
* **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
* **requiring respondents to submit more than an original and two copies of any document;**
* **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
* **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
* **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
* **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
* **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances requiring information to be collected in any of the manners stated above.

1. **If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

OACP meets quarterly with disability advocate groups to discuss disability-related matters in air transportation, including the service animal forms that airlines are permitted to required pursuant to the final service animal rule. OACP also meets regularly with airlines to discuss aviation civil rights and consumer protection matters. OACP has received feedback about the lack of clarity and instructions on the U.S. Department of Transportation Service Animal Air Transportation Form. OACP has amended its U.S. Department of Transportation Service Animal Air Transportation Form to address these concerns.

Specifically, OACP has amended its U.S. Department of Transportation Service Animal Air Transportation Form to make clear that the form is intended for use by individuals with a disability traveling by air with a service animal. The form also provides clarity about the different types of training a service animal is required to receive and puts passengers on notice that an airline or its contractor may independently verify the training-related information submitted by the passenger on the form. The form also includes the two questions that airlines are permitted to ask service animal users pursuant to the service animal rule, which are related to the passenger’s need for the service animal and the task or work the service animal performs for the passenger; this particular revision is intended to increase efficiency for passengers to get their forms approved from those airlines that require the forms. Finally, the form makes clear that passengers can seek assistance from the airline to complete the form if needed.

A Federal Register notice will be published for the request to OMB for this emergency clearance request. However, after the emergency approval for 180 days, DOT plans to follow this emergency request with a submission for a 3-year approval through OMB’s normal PRA clearance process, at which time both a 60-day and 30-day Federal Register notice for public comment will be published.

1. **Explain any decision to provide a payment or gift to respondents, other than enumeration of contractors or grantees.**

No payment or gift of any kind has been or will be provided to any respondents in the public sector or to carriers that must file reports pursuant to this rule.

1. **Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.**
3. Violating the privacy of airline passengers is an unfair and deceptive practice if the airline violates the terms of its stated privacy policy or gathers or discloses private information in a way that violates public policy, is immoral, or causes substantial consumer injury not offset by any countervailing benefits.
4. **Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The sensitive information being collected is about a passenger’s service animal. The form does not contain any questions about a passenger’s disability. The information about the passenger’s service animal is necessary to ensure a safe and accessible air transportation system.

1. **Provide estimates of the hour burden of the collection of information. The statement should:**

* **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 12 of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
* **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
* **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.**

**Table 1: Data for Collection of Information, U.S. Department of Transportation**

**Service Animal Air Transportation Form**

**Respondents**: Passengers with disabilities traveling on aircraft with service animals.

**Number of Respondents:** The Department estimates that 310,145 respondents would complete the Service Animal Health and Attestation form.

**Estimated Annual Burden on Respondents:**  We estimate that completing the form would require 15 minutes (.25 hours) per response, including the time it takes to retrieve an electronic or paper version of the form from the carrier’s or DOT’s website, reviewing the instructions, and completing the questions. Passengers would spend a total of 77,536 hours annually (0.25 hours x 310,145 passengers) to retrieve and complete an accessible version of the form. Passengers would fill out the forms on their own time without pay. To estimate the value of this uncompensated activity, we use median wage data from the Bureau of Labor Statistics. We use a post-tax wage estimate of $18.48 ($22.26 median for all occupations minus a 17 percent estimated tax rate). The estimated annual value of this time is $1,432,865 ($18.48 x 77,536 hours).

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|  | **Submissions using Electronic or Hardcopy Version of the Form** |
| Total # of Respondents | 310,145[[1]](#footnote-2) |
| Frequency per Respondent | 1 submission per trip |
| Burden per Respondent (in minutes) | 15 |
| Total Annual Burden (in hours) | 77,536 (0.25 hours x 310,145 passengers) |
| Total Burden Costs | $1,432,865[[2]](#footnote-3) |
| **Grand Total: (annual burden)** | **(77,536 hours)**  **(4,652,160 minutes)** |

**Table 2: Data for Collection of Information, U.S. Department of Transportation**

**Service Animal Relief Attestation Form**

**Respondents:**  Passengers with disabilities traveling on aircraft with service animals on flight segments scheduled to take 8 hours or more.

**Number of Respondents:**The Department estimates that 5 percent of service animal users would be on flight segments scheduled to take 8 hours or more and would also have to complete the Relief Attestation Form, for a total of 15,507 respondents (310,145 ÷ 0.05).

**Estimated Annual Burden on Respondents:**  We estimate that completing the form will require 15 minutes (.25 hours) per response, including the time it takes to retrieve an electronic or paper version of the form from the carrier’s or DOT’s website, reviewing the instructions, and completing the questions. Passengers would spend a total of 3,877 hours annually (0.25 hours x 15,507 passengers) to retrieve an accessible version of the form and complete the form. Passengers would fill out the forms on their own time without pay, as they would with the Animal Behavior and Health Attestation Form. The estimated annual value of this time is $71,647.

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|  | **Submissions using Electronic or Hardcopy Version of the Form** |
| Total # of Respondents | 15,507[[3]](#footnote-4) |
| Frequency per Respondent | 1 submission per trip |
| Burden per Respondent (in minutes) | 15 |
| Total Annual Burden (in hours) | 3,877 (0.25 hours x 15,507 passengers) |
| Total Burden Costs | $71,647 |
| **Grand Total: (annual burden)** | **(3,877** **hours)**  **(232,620 minutes)** |

**Total Burden Hours:**

Service Animal Air Transportation Form: 77,536 hours

Service Animal Relief Attestation Form: 3,877

**Total Burden Hours: 77,536 + 3,877 = 81,413**

1. **Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the costs of any hour burden shown in items 12 and 14).**

There are no other estimated costs to respondents outside of the post-tax wage estimate identified in the tables in question 12. Consumer respondents accessing the DOT form(s) from airline websites will already have access to a computer and a web provider by which to submit the form(s) to airlines electronically. We assume the costs of electronic submissions are less than those associated with hardcopy submission (e.g. costs of printing forms). Further, the forms are short and can be completed by passengers without needing to obtain signature from a third party such as a veterinarian about the health of their service animal.

1. **Provide estimates of annualized cost to the federal government. Also, provide a description of the method used to estimate costs, which should include quantification of hours, operational expenses such as equipment, overhead, printing, and support staff, and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from items 12, 13, and 14 in a single table.**

Costs to the Department are negligible, as these forms would be submitted directly to the airlines from passengers and not the Department. The Department would review these forms if airlines assert that passengers have fraudulently completed the forms to determine if the matter should be referred to the Department’s Office of Inspector General. The Department would also review these forms if it receives complaints from passengers alleging airlines’ documentation requirements for travel with a service animal was not consistent with these forms. The Department estimates that the costs to it would be minimal as these actions are within the scope of duties of its Office of Aviation Consumer Protection.

1. **Explain the reasons for any program changes or adjustments reported in items 12, 13 or 14.**

Based on feedback received from stakeholders, DOT has made amendments to the U.S. Department of Transportation Service Animal Air Transportation Form to clarify instructions and make the forms more efficient for passengers. These changes will not impact the estimated burden hours for respondents. DOT still estimates that it will take respondents approximately 15 minutes to complete each forms.

1. **For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The Department does not intend to publish the results of information collected from respondents.

1. **If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

Not applicable.

1. **Explain each exception to the certification statement "Certification for Paperwork Reduction Act Submissions."**

Not Applicable.

1. For the purposes of this renewal, the Department relied on 2022 enplanement data to estimate the number of respondents that would complete the service animal forms. In 2022, U.S. passenger enplanements increased by .5 percent and foreign carrier enplanements decreased by 27 percent. “2022 Traffic Data for U.S. Airlines and Foreign Airlines U.S. Flights.” <https://www.transtats.bts.gov/Data_Elements.aspx?Data=4>. DOT estimates that 282,405 service animals were transported by U.S. carriers to, from, or within the U.S. in 2022 and, if foreign carriers had a similar proportion of passengers traveling with service animals, foreign carriers transported 27,740 service animals to or from the U.S. in 2022. Assuming that only one passenger with a disability travels with a service animal, 310,145 respondents (282,405 + 27,740) would complete the service animal behavior and health attestation form. [↑](#footnote-ref-2)
2. We use a post-tax wage estimate of $18.48 ($22.26 median for all occupations minus a 17 percent estimated tax rate). Bureau of Labor Statistics (2022). “May 2022 National Occupational Employment and Wage Estimates: United States.” [May 2022 National Occupational Employment and Wage Estimates (bls.gov)](https://www.bls.gov/oes/current/oes_nat.htm#00-0000). [↑](#footnote-ref-3)
3. The Department estimates that 5 percent of service animal users would be on flight segments scheduled to take 8 hours or more and would also have to complete the Relief Attestation Form, for a total of 15,507 respondents. [↑](#footnote-ref-4)