



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3369

Introduced 2/18/2025, by Rep. Yolonda Morris

SYNOPSIS AS INTRODUCED:

620 ILCS 5/78.1 new

Amends the Illinois Aeronautics Act. Requires a carrier or an indirect carrier to provide assistance to an individual with a disability in a safe, dignified, and prompt manner. Provides that whether assistance is prompt shall depend on the totality of the circumstances. Provides that carriers shall provide or ensure the provision of timely assistance requested by or on behalf of an individual with a disability, or offered by carrier or airport operator personnel and accepted by an individual with a disability, in enplaning and deplaning. Provides requirements for deplaning an individual with a disability who is in an aisle chair. Provides that carriers must timely notify an individual with a disability regarding the status of the storage of the individual's assistive device in the cargo compartment. Provides that, if an individual's wheelchair or scooter is mishandled, the carrier must immediately notify the individual of his or her rights to take certain actions. Provides that a carrier shall presume liability for the mishandling of an individual's assistive device unless the carrier can demonstrate that the circumstances that led to the mishandling of the assistive device were outside of the carrier's control. Requires carriers to take certain actions if an individual's checked wheelchair or scooter has been delayed or lost, damaged, or pilfered. Provides that, if an individual with a disability is waiting for his or her mishandled personal wheelchair or scooter to be returned, repaired, or replaced, a carrier must use its best efforts to provide an adequate loaner wheelchair or scooter. Provides that, when conducting training for personnel, a carrier that operates aircraft with 19 or more passenger seats must ensure that the training meets certain requirements for all personnel who interact with the traveling public or who handle individuals' assistive devices as appropriate to the duties of each employee or contractor. Provides training requirements for employees designated as Complaints Resolution Officials.

LRB104 06397 LNS 16433 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Aeronautics Act is amended by
5 adding Section 78.1 as follows:

6 (620 ILCS 5/78.1 new)

7 Sec. 78.1. Assistance for individuals with disabilities.

8 (a) As used in this Section:

9 "Assistive device" means any piece of equipment that
10 assists an individual with a disability to cope with the
11 effects of his or her disability.

12 "Carrier" means a person who undertakes, directly or
13 indirectly, or by a lease or any other arrangement, to engage
14 in air transportation in this State.

15 "Dignified" means conduct that respects passenger
16 independence, autonomy, and privacy.

17 "Hands-on training" means in-person training that provides
18 an employee or contractor the opportunity to learn and
19 practice real-life scenarios in a safe and controlled
20 environment without the possibility of real-life consequences
21 to individuals with disabilities and with the use of a
22 suitable life-sized model or equipment, as appropriate.

23 "Indirect carrier" means a person not directly involved in

1 the operation of an aircraft who sells air transportation
2 services to the general public other than as an authorized
3 agent of a carrier in this State.

4 "Individual with a disability" or "Individual" means any
5 individual who (i) has a physical or mental impairment that,
6 on a permanent or temporary basis, substantially limits one or
7 more major life activities, and (ii) has a record of such an
8 impairment or is regarded as having such an impairment.

9 "Mishandled" means lost, delayed, damaged, or pilfered.

10 "Safe" means conduct that avoids the risk of bodily injury
11 and ensures the proper handling of assistive devices.

12 (b) A carrier or an indirect carrier shall provide
13 assistance to an individual with a disability in a safe,
14 dignified, and prompt manner. Whether assistance is prompt
15 shall depend on the totality of the circumstances, except as
16 provided in subsection (c).

17 (c) Carriers shall provide or ensure the provision of
18 timely assistance requested by or on behalf of an individual
19 with a disability, or offered by carrier or airport operator
20 personnel and accepted by an individual with a disability, in
21 enplaning and deplaning. This assistance shall include, as
22 needed, the services of personnel and the use of ground
23 wheelchairs, accessible motorized carts, boarding wheelchairs,
24 on-board wheelchairs, ramps, and mechanical lifts. When
25 deplaning, prompt assistance must be provided to an individual
26 with a disability who uses an aisle chair, including the

1 following:

2 (1) Personnel and a boarding chair to aid in deplaning
3 the individual shall be available when the last passenger
4 who did not request deplaning assistance departs the
5 aircraft.

6 (2) The individual's personal wheelchair shall be
7 available as close as possible to the door of the
8 aircraft, except where this practice would be inconsistent
9 with federal regulations governing transportation security
10 or the transportation of hazardous materials or when the
11 individual requests the wheelchair be returned at a
12 location other than the door of the aircraft. If the
13 individual requests the wheelchair be returned at a
14 location other than the door of the aircraft, an airport
15 wheelchair shall be available as close as possible to the
16 door of the aircraft for the individual's use.

17 (d) Carriers shall provide timely notification to an
18 individual with a disability when the individual's wheelchair
19 or scooter has been loaded and stowed in the cargo compartment
20 and unloaded and retrieved from the cargo compartment. If an
21 individual's wheelchair or scooter does not fit into the cargo
22 compartment, the carrier shall immediately notify the
23 individual.

24 (e) If an individual's wheelchair or scooter is
25 mishandled, the carrier shall immediately notify the
26 individual of his or her rights to the following:

- 1 (1) to file a claim with the carrier;
2 (2) to receive a loaner wheelchair or scooter from the
3 carrier;
4 (3) to choose a preferred vendor for repairs or
5 replacement of the wheelchair or scooter;
6 (4) to have a Complaints Resolution Official
7 available; and
8 (5) to be provided information on how to contact the
9 Complaints Resolution Official.

10 (f) The mishandling of an individual's checked wheelchair
11 or other assistive device is a violation of the Air Carrier
12 Access Act and this Section. A carrier shall assume liability
13 for the mishandling of an individual's assistive device unless
14 the carrier can demonstrate that the circumstances that led to
15 the mishandling of the assistive device were outside of the
16 carrier's control.

17 (g) If an individual's checked wheelchair or scooter has
18 been delayed, a carrier shall:

19 (1) ensure that the wheelchair or scooter is
20 transported to the individual's final destination within
21 24 hours of the individual's arrival by whatever means
22 possible; and

23 (2) provide the individual with a choice between
24 picking up the wheelchair or scooter at the individual's
25 final destination airport or having the wheelchair or
26 scooter delivered to another location upon a reasonable

1 request by the individual. The wheelchair or scooter shall
2 be considered to be provided to the individual when either
3 (i) the wheelchair or scooter is transported to a location
4 requested by the individual, regardless of whether the
5 individual is present to take possession of the wheelchair
6 or scooter, or (ii) when the wheelchair or scooter has
7 arrived at the final destination airport, is available for
8 pickup, and the carrier has provided notice to the
9 individual of the location and availability of the
10 wheelchair or scooter for pickup.

11 (h) If an individual's checked wheelchair or scooter has
12 been lost, damaged, or pilfered, a carrier shall give the
13 individual the following options:

14 (1) The individual may file a claim with the carrier
15 and elect for the carrier to handle the repair or
16 replacement of the wheelchair or scooter. The carrier
17 shall then repair or replace the wheelchair or scooter
18 with a device of equivalent or greater function and safety
19 within a reasonable time frame and pay the cost of repairs
20 or replacement; or

21 (2) The individual may file a claim with the carrier
22 and elect to use the individual's preferred vendor to
23 repair or replace the wheelchair or scooter. The carrier
24 shall then be responsible for promptly transporting the
25 damaged wheelchair or scooter to the individual's
26 preferred vendor, unless the individual has indicated that

1 he or she will arrange for the transport himself or
2 herself, and for paying the cost of transport and repairs
3 or replacement with a device of equivalent or greater
4 function and safety within a reasonable time period.

5 (i) If an individual is waiting for his or her mishandled
6 personal wheelchair or scooter to be returned, repaired, or
7 replaced, a carrier shall use its best efforts to work with the
8 individual to provide an adequate loaner wheelchair or scooter
9 that meets the individual's functional and safety-related
10 needs. The carrier shall pay for the cost of the loaner
11 wheelchair or scooter.

12 (j) When conducting training for personnel, a carrier that
13 operates aircraft with 19 or more passenger seats shall ensure
14 that the training meets the requirements of this subsection
15 (j) for all personnel who interact with the traveling public
16 or who handle individuals' assistive devices, as appropriate
17 to the duties of each employee or contractor. The training
18 shall include:

19 (1) Instruction that provides proficiency in the
20 requirements of applicable federal regulations affecting
21 the provision of air travel to an individual with a
22 disability;

23 (2) Instruction that provides proficiency in
24 procedures concerning the provision of air travel to an
25 individual with a disability, including the proper and
26 safe operation of any equipment used to accommodate the

1 individual with a disability;

2 (3) Instruction that provides proficiency in
3 procedures that safeguard the safety and dignity of an
4 individual with a disability during the performance of the
5 services required under this Section;

6 (4) Instruction that ensures that employees and
7 contractors who interact with the traveling public are
8 trained in different types of disabilities, including how
9 to distinguish among the differing abilities of
10 individuals with disabilities. This instruction shall
11 include the following topics:

12 (A) the appropriate ways to communicate and
13 interact with individuals with disabilities, including
14 individuals with physical, sensory, mental, or
15 emotional disabilities; and

16 (B) how to recognize requests for communication
17 accommodations from deaf-blind passengers and
18 individuals whose hearing or vision is impaired and
19 how to use the most common methods for communicating
20 with such individuals.

21 (5) Instruction that ensures that employees and
22 contractors who provide physical assistance to an
23 individual with a disability who uses a wheelchair or
24 other assistive device are provided the following:

25 (A) Hands-on training concerning safe and
26 dignified physical assistance, including:

1 (i) transfers to and from personal or airport
2 wheelchairs, aisle chairs, and aircraft seats;

3 (ii) proper lifting techniques to safeguard
4 passengers;

5 (iii) how to troubleshoot common challenges in
6 providing physical assistance; and

7 (iv) the proper use of equipment in physically
8 assisting an individual with a disability; and

9 (B) Training concerning the collecting and sharing
10 of passenger information, such as Special Service
11 Request codes, that is needed to ensure safe,
12 dignified, and prompt physical assistance to the
13 individual.

14 (6) Instruction that ensures that employees and
15 contractors who handle an individual's wheelchair or other
16 assistive device are provided with the following:

17 (A) Hands-on training concerning the following:

18 (i) common types of wheelchairs and other
19 assistive devices and features of each device;

20 (ii) airport and airline equipment used to
21 load and unload wheelchairs and other assistive
22 devices; and

23 (iii) methods for safely moving and stowing
24 wheelchairs, including lifting techniques and
25 methods for disassembly, reconfiguration,
26 reassembly, and securement in the cargo

1 compartment of the aircraft; and
2 (B) Training concerning the collecting and sharing
3 of information regarding an individual's wheelchair or
4 other assistive device, including the use of any
5 airline wheelchair handling forms that may exist, to
6 ensure the safe and proper handling of such assistive
7 devices.

8 (k) The employees designated as Complaints Resolution
9 Officials must receive training concerning the requirements of
10 this Section and the duties of a Complaints Resolution
11 Official prior to assuming his or her duties and at least once
12 every 12 months thereafter.