



# Flying with a Service Animal: the Air Carrier Access Act

## Disability Rights Center - NH Protection and Advocacy System for New Hampshire

Disability Rights Center - NH is dedicated to eliminating barriers existing in New Hampshire to the full and equal enjoyment of civil and other legal rights by people with disabilities.

If you have questions about service animals and your rights, contact DRC.

Disability Rights Center - NH  
64 N Main Street, Suite 2  
3rd Floor  
Concord, NH 03301  
Phone: 603-228-0432 or  
1-800-834-1721 (v/TTY)  
Fax: 603-225-2077  
Email: [advocacy@drcnh.org](mailto:advocacy@drcnh.org)  
[www.drcnh.org](http://www.drcnh.org)

This brochure is not meant to be legal advice. For specific legal advice, talk to an attorney.

The Air Carrier Access Act (ACAA) guarantees your right to air travel without discrimination and with reasonable accommodations. Rules for the ACAA were updated in 2015.

### What is a service animal?

The ACAA defines a service animal as an animal individually trained or able to provide assistance to a person with a disability. Service animals are not limited to dogs, and include emotional support animals, but airlines have the right to make their own policies for other species.

### What Are My Rights When I Travel With a Service Animal?

- You may travel with your service animal or emotional support animal in the cabin of the aircraft without any additional costs.
- You may request specific seating accommodations, though advance notice may be required.
- You may preboard the aircraft.
- You may request and receive assistance from airline officials in boarding, deplaning, and traveling through all parts of the airport.
- All airports are required to have service animal relief areas. Usually they are outside, but you are allowed to skip to the front of the security line when you return.

You do not have to give the airline advance notice that you are traveling with a service dog. For other service animals and emotional support animals, you may have to give advance notice. Check your individual airline's website for more information.





# Flying with a Service Animal: the Air Carrier Access Act

## How Do I Go Through Security With a Service Animal?

TSA agents may not separate you from your service animal. They cannot ask you to remove your service animal's equipment, because in many cases this will tell the animal it is no longer on duty. TSA agents may search the animal by sight and touch only.

## Can a Gate Agent Ask Me Questions to Prove My Service Animal Isn't a Pet?

Yes. The gate agent can:

- Ask you questions like, "Is this animal a service animal or a pet?" or "Has this animal been trained to perform specific tasks to help with a disability?"
- Check for identifying tags or equipment on your service animal.
- Request documentation for service animals that are not emotional support animals. Documentation can include identification cards or a letter from a physician or vocational rehabilitation counselor. Lack of documentation is not conclusive evidence that an animal is a pet rather than a service animal.
- Require documentation to prove that an



emotional support animal is not a pet. Documentation should be a letter from a mental health professional, on letterhead and no more than one year old. It should state that you have a mental health related disability, that the animal is necessary for your

mental health or treatment, and that the letter writer is a licensed mental health professional currently treating you. You don't need to disclose any specifics about your disability. Airlines may also require that you submit this documentation forty-eight hours before your flight.

## Where Do I Sit With My Service Animal on the Airplane?

Your service animal is expected to sit or lie quietly at your feet. You may request accommodations to sit in a bulkhead row, or you may sit in any other seat and slide your service animal under the seat in front of you. You may not sit in an emergency exit row, and your service animal may not obstruct an aisle or take up more than the room directly in front of your feet. If the flight is not full, you may request the seat beside you remain empty to give your service animal extra room, but the airline is not required to grant this accommodation.

## What If I'm Traveling to Hawaii or a Foreign Country with My Service Animal?

Check with your veterinarian, the U.S. Department of Agriculture, and your airline for specific restrictions and procedures for bringing a service animal to your destination. Airlines can require advance notice that you are traveling with a service animal to another country. They can also require documentation from a veterinarian that your service animal will not need to relieve itself on flights longer than eight hours.

## What If The Airline Won't Allow Me To Travel With My Service Animal?

The airline's Complaint Resolution Official is required to provide you with a written explanation of why they will not allow you to travel with your service animal within ten days of the incident. You can also file a complaint with the Department of Transportation's Aviation Consumer Protection Division. If you have any questions about your rights, call the Disability Rights Center – N.H at 1-800-834-1721.