September 30, 2012

Civil Rights Compliance Branch
Office of the Assistant General Counsel for Aviation Enforcement and Proceedings
Department of Transportation
1200 New Jersey Avenue SE
Room W96-464
Washington, DC 20590


Dear Lisa Swafford-Brooks:

The American Veterinary Medical Association (AVMA) appreciates the opportunity to comment on the Department of Transportation’s (DOT) proposal to update the technical assistance manual (TAM) for airlines and passengers with disabilities concerning their rights and responsibilities under the Air Carrier Access Act (ACAA) and its implementing regulation, 14 CFR Part 382, as outlined in Docket No. DOT-OST-2012-0098. The AVMA recognizes the importance of service animals to their owners and that protecting the welfare of these animals during air travel is critical. Our comments address the sections of the TAM that provide advice regarding the travel of service animals.

Nonhuman Primates as Service Animals—The TAM states (page 39804) that “monkeys are among the types of animals that have been trained to act as service animals.” As per long-established policy, the AVMA does not support the use of nonhuman primates as assistance/service animals. Nonhuman primates can inflict bites and other injuries on humans, as well as transmit infectious diseases. These risks are exacerbated for at-risk populations, such as children, the elderly, and the immunocompromised. Monkeys are natural hosts of herpes B, an agent that can cause a fatal encephalomyelitis in humans. Monkeys develop latent, lifelong infections and infections appear to be common. Transmission from monkeys to humans generally occurs via bites or scratches. Using nonhuman primates as service animals also puts nonhuman primates at risk for injury, acquisition of zoonotic human-borne diseases (including tuberculosis), exposure to inappropriate food, and other animal welfare concerns.

Documentation Regarding Ability of Service Animals to Control Elimination of Urine and Feces—The section titled “Required Documentation” (page 39814, §382.117(a)(2)) states that “If a flight is scheduled for 8 hours or more, you may require documentation that the service animal will not need to relieve itself on the flight or can do so in a way that will not create a health or sanitation issue on the flight.” Steps taken to regulate access and management of service animals with
respect to transportation services should not become a barrier for access to travel services for
disabled individuals. As such, documentation should not be required that would be difficult or
impossible for a reasonable and responsible owner of a service animal to acquire. We do not believe
it is reasonable, nor possible, for veterinarians to unequivocally state (and provide documentation
regarding) whether an animal will or will not need to eliminate urine or feces within a particular
period of time. While, in general, service animals are well-trained, there are multiple factors that
impact an animal’s need to relieve itself including, but not limited to, its hydration status, when it
was last able to urinate and/or defecate (which could vary as a result of interrupted travel schedules
and access to relief areas at airports), and unanticipated illness during travel.

Design of Animal Relief Areas—With respect to Animal Relief Areas (page 39819), we encourage
expanding the list of consultants that might be tapped to provide expert input on design. A well-
designed Animal Relief Area requires that its architects possess a good understanding of the
behavioral needs of the animals using it, as well as background in disease transmission and what
biosecurity precautions should be observed to protect animals and humans. The AVMA would be
happy to assist the Department by providing access to such expertise. Other organizations that may
be able to help include the American Veterinary Society of Animal Behavior
(http://avsabonline.org/) and the Association of Shelter Veterinarians (http://www.sheltervet.org/).
The International Association of Assistance Dog Partners (http://www.iaadp.org/) may be a valuable
addition to the list of service animal organizations from which to solicit input.

The objective of the AVMA is to advance the science and art of veterinary medicine, and the
Association has a long-term concern for, and commitment to, the welfare and humane treatment of
animals. The AVMA represents more than 82,500 veterinarians and is the recognized voice for the
profession in presenting its views to government, academia, agriculture, animal owners, the media,
and other concerned members of the public. We thank you for the opportunity to comment.

Sincerely,

W. Ron DeHaven, DVM, MBA
Executive Vice President and Chief Executive Officer

References:
1. American Veterinary Medical Association. Nonhuman primates as assistance animals. Available at:


4. Ostrowsky SR, Leslie MJ, Parrot T, Abelt S, Piercy PE. B-virus from pet macaque monkeys: an emerging threat in the

5. Hevesi R. Welfare and health implications for primates kept as pets. In: Born to be wild: primates are not pets.