



Usability Professionals' Association

Date: March 4, 2005

To: The Department of Transportation

From: Whitney Quesenbery, President, Usability Professionals' Association (UPA), the UPA Board of Directors

Comment on: Notice of Proposed Rulemaking: 14 CFR Part 382: Nondiscrimination on the Basis of Disability in Air Travel; Proposed Rule

The Usability Professionals' Association (UPA) is an international organization of practitioners in the field of usability and accessibility. Members work in industry, academic institutions and government on web sites, software applications, and other products.

We write to support the provisions in Subpart C, Paragraph 382.43(b) of this proposed rule, which require that web sites used by the public to make reservations and obtain other information from air carriers be made accessible to and usable by individuals with disabilities, following the provisions of 26 CFR Part 1194 (known as "Section 508"). The federal government already requires itself and all its contractors to make web sites accessible to blind and low-vision users through "Section 508." This rule extends these requirements to a group of web sites important to large numbers of people who are currently disadvantaged by inaccessible and unusable design. Many travel web sites offer their "best prices" only on the web and create other incentives to use this channel to check in for flights, reserve seat assignments, receive notifications of flight delays, request special services, and communicate with the air carrier in other ways.

This rule will benefit some 56 million Americans over the age of 18 with a disability. It will also benefit another large (and growing) segment of the population: the older adult. Many older adults find travel sites difficult to use because of age-related vision impairments and motor limitations. The type size is often too small and not adjustable; buttons aren't always obviously clickable; links and buttons are often too small to notice let alone click on. Some of these problems could cause people to make costly mistakes. It is simply good business for companies to make web sites accessible to a larger fraction of their customer base.

No doubt companies will resist changing their sites, citing a heavy economic burden. While we can expect it will take some time to make changes, we believe that given the rapid cycles of change in web sites and applications, two years is an appropriate period of time to allow for upgrading existing sites to meet these accessibility requirements.

We have one specific comment on the language of the proposed rule. The current wording of Subpart C, Paragraph 382.43(b) says that it applies to "individuals with vision impairments and other disabilities." This language could be made more accurate by changing the wording to "individuals with vision impairments or other disabilities."

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The Department of Transportation also seeks comments on whether there are any other standards - domestic or foreign - that would also be appropriate for this context. We note that other countries, including the UK and Australia have recently adopted rules requiring that public web sites be accessible and usable for people with disabilities. Although there are inevitable differences between these rules and "Section 508," their provisions are similar. This shows the wide-spread acceptance of the need for such rules and will minimize the differences in requirements that global web sites must meet.

One of the difficulties in enforcing accessibility regulations, including "Section 508," has been the lack of clear criteria for assessing conformance to these standards. One solution is to make the results of usability and accessibility testing available for review. ANSI NCITS 354-2001 *Common Industry Format for Usability Test Reports* is a standard for reporting summative usability test results. While a report of a usability test cannot ensure that the site is usable, it does provide a way for interested parties to review these tests in a common format, with the same information reported for each site.

We also believe that the best way to create a highly accessible and usable site is through a user-centered (also called human-centered) design process. This process is described in an international standard, ISO 13407:1999 *Human-Centered Design Process for Interactive Systems* (ISO 13407:1999).

In summary, we support this rule as it appropriately extends requirements for accessibility and usability to travel sites operated by, or on behalf of, air carriers. This is an important step in ensuring that everyone can participate in the growing use of the World Wide Web for normal business. Access to the online world is as important as access in the physical world. We believe that in the future, this rule could be extended to include other travel sites: railways, car rentals, hotels and other holiday bookings.

Thank you for the opportunity to comment on this proposed rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Whitney Quesenbery". The signature is fluid and cursive, with the first name being more prominent.

Whitney Quesenbery
President, Usability Professionals' Association

Contributors to this comment included: Dana Chisnell, Gail Lippincott, Alice Preston, Janice (Ginny) Redish, Paul Sherman, and Josephine Scott.