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THE MIDDLE SEAT

Emotional-Support Animals Are Banned on Airplanes, but Service Dogs Can Still Fly Free

New rules allow trained service dogs, and only dogs, to fly free uncaged. For many people, flying with a pet just got more expensive.



A new federal rule allows airlines to ban emotional-support animals, mostly because of misbehavior and pet owners skirting airline rules and fees.

PHOTO: JEFFREY GREENBERG/GETTY IMAGES



By

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The free ride for Fido is over.

Given a green light from the Transportation Department, airlines have banned so-called emotional-support animals from cabins, making it more complicated—and more expensive—for pets to fly with their owners.

Say goodbye to Great Danes with red “ESA” vests—or cats, ferrets, spiders and pigs, for that matter. Trained service dogs, and only dogs, are allowed to fly free uncaged, and that

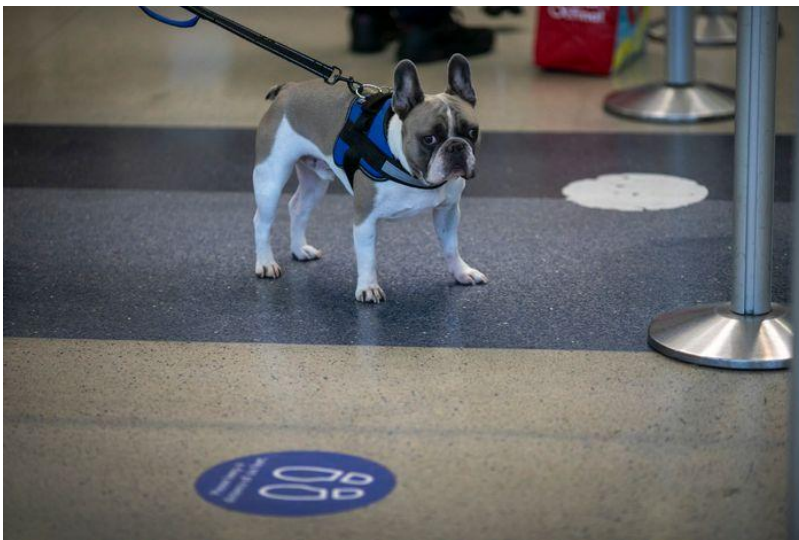
includes dogs trained to help with physical limitations as well as psychiatric service dogs.

Service-dog owners have to sign statements on federal forms verifying their dog's training, health and behavior and potentially face fines for false statements. They also have to name the service-dog trainer or training organization and acknowledge the rule that if the dog barks, jumps or otherwise misbehaves it will be treated as a pet, sent to cargo and fees will be collected. Officials think the federal form will discourage cheaters.

For most air travelers, what's left is taking a small animal in a carrier that fits under the seat in front of you, or shipping your pet in a crate in the belly of the plane. The DOT estimates the change will cost travelers up to \$60 million a year. A carry-on pet costs \$125 each way on American, Delta and United.

Shipping pet kennels can be more expensive and very restrictive. Some airlines aren't accepting pet shipments now because of Covid-19 schedule disruptions. Even with pandemics, pets may need veterinary documentation and often need to be dropped off at cargo facilities three hours before a flight. Weather and breed restrictions also can be a hassle. There are pet shipping services that handle arrangements. Shipping the pet can easily cost as much as your ticket, if not more.

Airlines, flight attendants, many passengers and some disability-rights organizations had been pushing for the change because of a proliferation of pets in cabins and a big increase in misbehavior problems and injuries to passengers and crew.



Other than trained service dogs, pets are now required to fly in carriers that fit under the seat in the cabin or in a crate checked as cargo when airlines are providing that service.

PHOTO: DAVID MCNEW/GETTY IMAGES

Delta says it saw an 85% increase in incidents—bites, urination, defecation and disruptive behavior—involving ESAs on flights from 2016 to 2019. “We had flight attendants who were bit, customers who were bit,” says Delta spokesman Morgan Durrant. “That’s something we can’t tolerate.”

Problems started in 2008 when the DOT broadened rules to allow emotional-support animals as well as service animals to help passengers. For many, an ESA can be a calming influence that helps people overcome anxiety when flying.

But when airlines pushed pet-transport fees higher in 2009, lots of travelers realized they could declare their pet an ESA that could fly free, without having to put them in a carrier or crate. ESA vests for animals and certificates asserting the traveler’s emotional need for the animal could easily be bought online.

In 2016, U.S. airlines carried 540,000 passengers with ESAs, according to the industry’s trade association, Airlines for America. By 2019, that number more than doubled to 1.1 million.

Over the same period, the number of passengers who paid to fly with their pets increased 39% to 1.4 million—the number of passengers with ESAs almost equaled the number of passengers with regular pets.

The pandemic saw high numbers of ESAs, too, and that could pose a particular problem for people who relocated when the rules allowed ESAs and will find them prohibited when they return. Southwest Airlines says it carried about 224,000 ESAs in 2019 and 174,000 in 2020, a decline of 22%. Southwest’s overall passenger count last year fell 58%.

In 2018, Congress ordered the DOT to take action on the pet explosion in airplane cabins. Transportation officials found that ESAs were responsible for a significant percentage of incidents of animal misbehavior on planes, adding that many of the ESAs were “fraudulent.” The DOT also cited increasing complaints from passengers with disabilities whose highly trained dogs—it can cost \$200,000 or more and take two years to train a service dog—responded to aggressive untrained dogs and sometimes had to be retired from service.

Last month, the department enacted a new rule that puts air travel closer to definitions spelled out in the Americans with Disabilities Act. Almost immediately, airlines changed

their rules. American, Delta and United already have bans in place; Southwest said it would no longer transport emotional-support animals starting March 1.

The DOT's new rule has itself been controversial. About half of disability-rights groups opposed it, with many saying that ESAs are necessary for people with autism, depression, anxiety and post-traumatic stress disorder. The Humane Society of the United States argued for a separate category of "assistance animal" in addition to service dogs, but the DOT said that would be too confusing.

"No perfect solution is likely to satisfy all stakeholders," the agency said in its order.

Brad Morris, director of government relations for Psychiatric Service Dog Partners and a member of the DOT's advisory committee on accessibility, says the new rule is a mixed bag. His group is pleased that psychiatric service dogs, which typically get specialized service training as well as training for behavior in stressful public settings, were included in the definition of service dogs. But the group is upset there's no access for legitimate emotional-support animals.

"That's not something that we celebrate, but we do hope that will lead to a safer environment," he says.

Some in the disability community are upset they have to fill out paperwork not required previously; others say the paperwork is less onerous than getting approval from a doctor or veterinarian before flying.

Mr. Morris's group and others wanted miniature horses included as service animals, but the DOT decided on dogs-only for simplicity. Miniature horses, used by only a small number of disabled people, typically live longer than dogs and may be the only option for people with dog allergies. The ADA gives miniature horses special access, but DOT said that wasn't practical on airplanes.

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