

**UNITED STATES OF AMERICA**  
**DEPARTMENT OF TRANSPORTATION**  
**OFFICE OF THE SECRETARY**  
**WASHINGTON, DC**

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**REPORTS BY AIR CARRIERS ON**  
**INCIDENTS INVOLVING ANIMALS DURING AIR TRANSPORT**

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**NOTICE**

On July 3, 2014, the Department of Transportation (Department or DOT) published an amendment to its rule requiring carriers to file reports with DOT on the loss, injury or death of animals during air transport.<sup>1</sup> This document reminds carriers about: (1) what airlines are covered by the new requirements; (2) the effective date of the new requirements; and (3) the scope of the new definition of “animal” with regard to commercially-shipped dogs and cats. It also provides information to covered carriers on how to submit the required information.

Covered Carriers

Prior to this amendment, the animal reporting requirement applied to air carriers that are required to file reports with the Department concerning on-time performance, mishandled baggage, and oversales pursuant to 14 CFR Part 234. These are certificated U.S. air carriers that account for at least 1 percent of domestic scheduled passenger revenues.<sup>2</sup> The new rule applies to any U.S. air carrier that operates scheduled domestic or international passenger service with at least one aircraft having a designed seating

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<sup>1</sup> Reports by Air Carriers on Incidents Involving Animals During Air Transport, 79 Fed. Reg. 37,938 (July 3, 2014) (to be codified at 14 CFR Part 235).

<sup>2</sup> 14 CFR 234.3.

capacity of more than 60 passenger seats.<sup>3</sup> The reporting requirements apply to all domestic and international scheduled-service passenger flights of such carriers, including flights that are operated with aircraft having 60 or fewer seats. The requirements do not apply to all-cargo flights.

#### Effective Date of the New Requirement

The effective date of the final rule is January 1, 2015.<sup>4</sup> This means that any incidents involving the loss, injury, or death of an animal during air transport (“reportable incident”) that occur on or after January 1, 2015, will be covered by the newly enacted Part 235. Covered carriers<sup>5</sup> must have the appropriate mechanisms and systems in place to collect the required data for incidents that occur on or after January 1, 2015.

Pursuant to 14 CFR 235.3(a), each covered carrier must submit to the Department’s Aviation Consumer Protection Division (“ACPD”) a report of any reportable incidents within 15 days after the end of the month to which the information applies.<sup>6</sup> Thus, for example, if a covered carrier experiences a reportable incident between January 1, 2015, and January 31, 2015, it must submit a report in the format specified in section 235.3(a) to the ACPD by February 15, 2015. Further, 14 CFR 235.3(b) states that within 15 days after the end of December of each year, each covered carrier shall also submit to the ACPD the total number of reportable incidents for the entire calendar year and the total number of animals transported in the calendar year.<sup>7</sup> Therefore, by January 15, 2016, each covered carrier must submit to the ACPD the total number of reportable incidents,

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<sup>3</sup> Reports by Air Carriers on Incidents Involving Animals During Air Transport, 79 Fed. Reg. at 37,946.

<sup>4</sup> *Id.*, 79 Fed. Reg. at 37,938.

<sup>5</sup> A covered carrier is any U.S. air carrier that operates scheduled passenger service with at least one aircraft having a designed seating capacity of more than 60 passenger seats. 14 CFR 235.2.

<sup>6</sup> Reports by Air Carriers on Incidents Involving Animals During Air Transport, 79 Fed. Reg. at 37,946.

<sup>7</sup> *Id.*

by category, for the period January 1 through December 31, 2015 and the total number of animals that were transported during that period.<sup>8</sup>

We also remind carriers that account for at least 1 percent of domestic scheduled passenger revenue (“reporting carriers”) that the old animal incident reporting rule, 14 CFR 234.13, remains in effect through December 31, 2014. Therefore, if a “reporting carrier” experiences an incident involving the loss, injury, or death of a pet during air transportation in December 2014, that incident must be reported to the Department in the format specified in section 234.13 by January 15, 2015. This will be the last animal incident report under 14 CFR 234.13.

#### Scope of “Animal” with Regard to Commercially-Shipped Dogs and Cats

The new rule states that “animal” shall be defined as “any warm- or cold-blooded animal which, at the time of transportation, is being kept as a pet in a family household in the United States and any dog or cat which, at the time of transportation, is shipped as part of a commercial shipment on a scheduled passenger flight.”<sup>9</sup> This portion of the rule should be read to include all dogs and cats that are commercially shipped, without regard to the purpose of the shipment (e.g. part of a shipment to pet stores, part of a shipment to scientific research facilities, shipped to a family to become a pet, etc.).

#### Method to Submit the Required Reports

Currently, animal incident reports are submitted to the Department via e-mail to [animalreports@dot.gov](mailto:animalreports@dot.gov). Under limited circumstances, we have permitted carriers to submit the data by regular postal mail if they can demonstrate hardship if required to submit report via e-mail. The Department will continue to accept animal incident reports via email to [animalreports@dot.gov](mailto:animalreports@dot.gov). The Department will also continue to permit

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<sup>8</sup> This information may be included in any report that the carrier may file for the loss, injury, or death of animals that took place during the month of December.

<sup>9</sup> Reports by Air Carriers on Incidents Involving Animals During Air Transport, 79 Fed. Reg. at 37,946.

carriers to submit data by postal mail if they can demonstrate undue hardship if required to submit report via e-mail.

Questions regarding this notice may be addressed to the Office of Aviation Enforcement and Proceedings (C-70), 1200 New Jersey Avenue, S.E., Washington, D.C. 20590.

By:

Judith S. Kaleta

*Deputy General Counsel*

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*An electronic version of this document is available at [www.dot.gov/airconsumer](http://www.dot.gov/airconsumer).*