



April 23, 2008

Docket Management Facility
U.S. Department of Transportation
400 Seventh Street, S.W.
Nassif Building, PL-401
Washington, DC 20590-0001

RE: Public comments, Passenger Vessel Operational Requirements under the Americans with Disabilities Act (ADA)

Dear Docket Clerk:

West Travel, Inc., dba, Cruise West would like to offer the following comments regarding the docket item "Transportation for Individuals with Disabilities: Passenger Vessels."

Preliminary Information:

Cruise West is a US family-owned company with over 50 years of operation in the travel industry. We own and operate a fleet of eight small ships between 143 and 295 feet in length, accommodating 78 to 138 overnight passengers, tonnages ranging from 94-1263 RT, and manned by 21-64 crewmembers. Our itineraries focus on the destination – the wildlife, scenery, wilderness, and Native cultures, and includes very few, if any, port calls at state-of-the-art facilities.

This proposed rule deals with passenger vessel policies and operational procedures to enhance service to disabled customers. It is related to, but different than, another rulemaking effort by the U.S. Access Board to develop guidelines for construction of new and altered vessels to enhance accessibility. It is a concern to have two separate rulemakings by two different federal bodies dealing with the ADA. There is a potential for confusion and policies in conflict with each other, to say nothing of the duplication of efforts by all involved.

Should vessel personnel be required to have training in ADA and accessibility matters?

Ships' officers attend formal maritime courses as required by their USCG licenses. Other than ships' officers, nearly all crewmembers are seasonal (April-September) and we experience typical in-season turnover. General training for the crew is provided at appropriate intervals, usually during each ship's yearly reactivation period. This includes Basic Medical Instruction – CPR and Basic First aid; Basic Safety Instruction – Firefighting & Water Survival; and Vessel Employee Orientation. It requires a substantial investment in time, money, and manpower to achieve

In addition to safety and position-specific training, nearly all of the crew interacts with passengers, so are instructed in customer service including basic ADA guidelines. A formal "ADA training course" with certification is not in keeping with customary industry practice. All courses are completed by in-house staff and conducted on board the ships when practical. Record keeping is extensive and a challenge to maintain by a small company.

TTY and other Information Services.

Cruise West conducts reservations through our website, travel agents, or our in-house reservations staff. We provide TTY and Hotel Hearing Impaired Kits on our ships when requested for hearing-impaired passengers. We urge DOT not to address this question in the passenger vessel rulemaking but to have it addressed in a future rulemaking applicable to web sites of all types of businesses.

Possible Limitations on Number of Disabled Passengers/Advance Notice Requirements.

We understand that the DOT had large cruise ships with hundreds or thousands of passengers in mind when it developed the 10-person group exception. A smaller group of passengers with disabilities might be extremely challenging for a vessel with limited passenger capacity. For example, a group of three persons with disabilities could be extremely challenging for our ship with a 74-person capacity and 21 crewmembers.

Vessels Calling at Undeveloped Locations.

As mentioned previously Cruise West ships and itineraries focus on remote areas. Some cruises utilize small inflatable boats for shoreside excursions. Changes to these itineraries for accessibility would most definitely alter the nature of our operations. We specifically support retention of the “fundamentally alter/undue burden” clause in proposed Section 39.21(b).

Should Company ADA Compliant Resolution Officials and Vessel ADA Compliant Resolution Officials be mandatory?

Cruise West has developed a Special Needs information process for people with disabilities who are considering one of our cruises. It involves all levels of company personnel, from reservation agents through executives and crewmembers. We use this process not for the purpose of screening or excluding potential passengers, but rather to fully inform them of the nature of the ships’ and itineraries’ possible limitations, including steep gangways due to tides, etc. Every reasonable attempt is made to accommodate travel interests, with information as to safety and accurate passenger expectations as our goal.

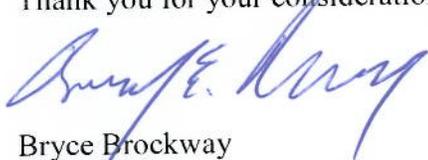
Our Guest Relations Department handles all passenger compliments and any dissatisfaction in the same manner—with accurate research into the situation and timely response. We believe accessibility complaints should be handled in exactly the same way.

Propriety of Crew Assistance in Boarding/Deboarding.

Cruise West supports the position that the rule must allow for crew assistance, where appropriate. This is a safety issue and safety is paramount. Slips, trips, and falls are among the most common causes of injuries for all passengers, those with disabilities or not. Many individuals without disabilities frequently need crew assistance in boarding and disembarking, so this is not a matter of discrimination against persons with disabilities. Conditions exist that may lead to the need for crew assistance. The safety of crew members is also important, so that there can be some situations (crew members attempting to lift passengers in heavy motorized chairs or scooters, for example) in which crew assistance is neither possible nor safe.

Cruise West's prime consideration is, first and foremost, the safety of all passengers and crew. We have been proactive in providing accommodations for passengers with special needs as much as safely and reasonably possible. The nature of a small ship and these remote itineraries cannot be overcome by unrealistic expectations or legislation.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Bryce Brockway".

Bryce Brockway
Vice President, Marine Operations

CC: Passenger Vessel Association