

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MS. JAYAPAL OF WASHINGTON

At the end of title VIII of the bill, add the following:

1 **SEC. ____ . RIGHTS OF PASSENGERS AFFECTED BY**
2 **LENGTHY CONTROLLABLE FLIGHT DISRUP-**
3 **TION.**

4 (a) **IN GENERAL.**—Subchapter I of chapter 417 of
5 title 49, United States Code, is further amended by adding
6 at the end the following:

7 **“§ 41730. Rights of passengers affected by lengthy**
8 **controllable flight disruption**

9 “(a) **GENERAL REQUIREMENTS.**—With regard to
10 scheduled air transportation, an air carrier or foreign air
11 carrier for flights to, within, and from the United States
12 shall promptly provide without charge:

13 “(1) Rebooking to an individual whose depar-
14 ture is delayed 3 hours or more due to a controllable
15 flight disruption. In rebooking under this paragraph,
16 the carrier shall offer the next available flight, at a
17 minimum, using that carrier or its partner carrier.

18 “(2) A meal, meal voucher, or reimbursement
19 for a meal (including a beverage) to an individual

1 waiting at the airport for a flight whose departure
2 is delayed 3 hours or more due to a controllable
3 flight disruption.

4 “(3) A hotel room and transportation to and
5 from the hotel, or reasonable reimbursement for a
6 hotel room and such transportation, to an individual
7 whose departure is delayed due to a controllable
8 flight disruption such that the disruption will result
9 in an overnight stay away from home.

10 “(4) Cash compensation in an amount commensurate
11 with the inconvenience experienced to an individual
12 whose arrival at the final destination of the
13 inbound, outbound, or one-way itinerary is delayed 3
14 hours or more due to a controllable flight disruption
15 that the individual learns of on the date of travel.

16 “(b) CONTROLLABLE FLIGHT DISRUPTION DEFINED.—In this section, the term ‘controllable flight
17 disruption’ means a cancellation or flight delay that is due
18 in part or in whole to a reason within the control the carrier.
19 rier.

21 “(c) UNFAIR AND DECEPTIVE PRACTICES.—It shall
22 be an unfair or deceptive practice in violation of section
23 41712 for an air carrier or foreign air carrier to fail to
24 satisfy a requirement of this section.

1 “(d) EXCEPTIONS.—A requirement in subsection (a)
2 does not apply in the event—

3 “(1) the individual refuses the benefit of the re-
4 quirement; or

5 “(2) accepts a similar benefit under the law
6 applicable to a foreign country.

7 “(e) REGULATIONS.—The Secretary may issue regu-
8 lations to implement this section.

9 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion may be construed to limit the authority or require-
11 ments of the Secretary under any other law.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date that is 120 days
14 after the date of enactment of this Act.

15 (c) CLERICAL AMENDMENT.—The analysis for chap-
16 ter 417 of title 49, United States Code, is further amend-
17 ed by inserting after the item relating to section 41729
18 the following:

“41730. Rights of passengers affected by lengthy controllable flight disruption.”.

