

AMENDMENT TO RULES COMMITTEE PRINT

118-11

OFFERED BY MS. PORTER OF CALIFORNIA

At the end of title VIII, add the following:

1 **SEC. ____ . PROVISION OF ALTERNATIVE AIR CARRIER**
2 **TRANSPORTATION FOR DELAYS OR CAN-**
3 **CELLATIONS.**

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. Provision of alternative air carrier trans-**
8 **portation for delays or cancellations**

9 “(a) ALTERNATIVE TRANSPORTATION.—An air car-
10 rier or foreign air carrier shall provide a passenger on
11 scheduled air transportation in an aircraft designed for
12 31 passenger seats or greater whose flight experiences a
13 controllable significant delay or cancellation with alternate
14 transportation on another air carrier or foreign air carrier
15 at no additional charge in any case in which the passenger
16 would reach the originally ticketed destination earlier than
17 on—

18 “(1) the ticketed flight; or

1 “(2) another flight provided by the air carrier
2 or foreign air carrier.

3 “(b) EXCLUSIONS.—Subsection (a) shall not apply if
4 the ticketed passenger voluntarily chooses—

5 “(1) alternative ground transportation, provided
6 at no additional charge by the applicable air carrier
7 or foreign air carrier; or

8 “(2) if such passenger chooses not to travel to
9 the originally ticketed destination, a full cash refund
10 for the ticket, including any ancillary fees, paid
11 promptly, as determined by the Secretary.

12 “(c) PASSENGER RIGHTS.—Air carriers, foreign air
13 carriers, and ticket agents shall ensure that the rights of
14 a passenger pursuant to this section are—

15 “(1) clear and conspicuous to the passenger at
16 the time of booking; and

17 “(2) in the case of an air carrier or foreign air
18 carrier, in written communication at the time a
19 flight experiences a controllable significant delay or
20 cancellation.

21 “(d) DEFINITIONS.—In this section:

22 “(1) CONTROLLABLE SIGNIFICANT DELAY OR
23 CANCELLATION.—The term ‘controllable significant
24 delay or cancellation’ means a significant delay or

1 cancellation that is caused by an air carrier or for-
2 eign air carrier.

3 “(2) SIGNIFICANT DELAY.—In this section, the
4 term ‘significant delay’ means, with respect to air
5 transportation, the departure or arrival at the origi-
6 nally ticketed destination associated with such trans-
7 portation has changed—

8 “(A) in the case of air transportation with-
9 in the United States, by 3 or more hours; or

10 “(B) in the case of air transportation to or
11 from a location outside the United States, by 6
12 or more hours.”.

13 (b) CLERICAL AMENDMENT.—The analysis for sub-
14 chapter I of chapter 417 of title 49, United States Code,
15 is further amended by adding at the end the following:

“41730. Provision of alternative air carrier transportation for delays or cancellations.”.

