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Aviation Consumer Right To Know Act of 2001 (Introduced in the House)

HR 332 IH

107th CONGRESS

1st Session

H. R. 332

To amend title 49, United States Code, to improve consumers' access to airline industry information, to promote competition in the aviation industry, to protect airline passenger rights, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

January 31, 2001

Mr. DEFAZIO (for himself and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to improve consumers' access to airline industry information, to promote competition in the aviation industry, to protect airline passenger rights, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Aviation Consumer Right To Know Act of 2001'.

SEC. 2. AIR CARRIER PASSENGER PROTECTION.

(a) IN GENERAL- Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

`Sec. 41722. Air carrier passenger protection

`(a) ACCESS TO AIRFARE INFORMATION- Upon request of any person (including a governmental entity), an air carrier shall--

`(1) provide the person full access to all fares for air transportation provided by the air carrier, regardless of the technology the person uses to access the fares; and

`(2) permit the person to purchase air transportation provided by the air carrier at any published fare.

`(b) DELAY, CANCELLATION, OR DIVERSION-

`(1) EXPLANATION REQUIRED- An announcement by an air carrier of (A) a delay or cancellation of a flight, (B) a diversion of a flight to an airport other than the airport at which the flight is scheduled to land, or (C) a delay in deplaning following the touchdown of an aircraft at an airport shall include an explanation of the reason or reasons for the delay, cancellation, or diversion and, in the case of a delay, the expected length of the delay.

`(2) PROHIBITION ON FALSE OR MISLEADING EXPLANATIONS- No air carrier shall provide an explanation under paragraph (1) that the air carrier knows or has reason to know is false or misleading.

`(c) AIR CARRIER PRICING POLICIES- An air carrier may not--

`(1) prohibit a person (including a governmental entity) that purchases air transportation from only using a portion of the air transportation purchased (including using the air transportation purchased only for 1-way travel instead of round-trip travel); and

`(2) assess an additional fee on or charge to--

`(A) such a person; or

`(B) any ticket agent that sold the air transportation to such person.

`(d) FREQUENT FLYER AWARDS- Upon request of any person (including a governmental entity), an air carrier shall disclose the number or percentage of seats that the carrier intends to make available on a specific date for use by a person redeeming an award under a frequent flyer program of the carrier on any route in air transportation provided by the carrier.

`(e) USE OF INSECTICIDES- No air carrier, foreign air carrier, or ticket agent may sell air transportation in the United States for a flight on which an insecticide is planned to be used in the aircraft while passengers are on board the aircraft unless the air carrier, foreign air carrier, or ticket agent selling the air transportation first informs the person purchasing the air transportation of the planned use of the insecticide, including the name of the insecticide.'

(b) CONFORMING AMENDMENT- The analysis for such subchapter is amended by adding at the end the following:

`41722. Air carrier passenger protection.'

SEC. 3. CLARIFICATION REGARDING ENFORCEMENT OF STATE LAWS.

Section 41713(b)(1) of title 49, United States Code, is amended by striking `related to a price, route, or service of an air carrier that may provide air transportation under this subpart' and inserting `that directly prescribes a price, route, or level of service for air transportation provided by an air carrier under this subpart'.

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