

105TH CONGRESS  
2D SESSION

# H. R. 3337

To amend title 49, United States Code, to require air carrier baggage liability to be not less than \$2,000 per passenger.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1998

Mr. MENENDEZ (for himself, Mr. SHAYS, Mr. PALLONE, Mr. HINCHEY, and Mr. FRANK of Massachusetts) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to require air carrier baggage liability to be not less than \$2,000 per passenger.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. MINIMUM BAGGAGE LIABILITY.**

4       Subchapter I of chapter 417 of title 49, United States  
5       Code, is amended by adding at the end the following:

6       **“§ 41716. Minimum baggage liability**

7       “(a) IN GENERAL.—The liability for provable direct  
8       or consequential damages resulting from the disappear-  
9       ance of, damage to, or delay in delivery of a passenger’s  
10      personal property, including baggage, that was in the cus-

1 today or control of an air carrier immediately prior to such  
2 disappearance, damage, or delay shall be not less than  
3 \$2,000 for each passenger.

4 “(b) APPLICABILITY.—Subsection (a) shall apply  
5 only to—

6 “(1) an air carrier that provides charter or  
7 scheduled passenger service in interstate or overseas  
8 air transportation; and

9 “(2) a flight that—

10 “(A) uses an aircraft designed to have a  
11 maximum passenger capacity of more than 60;  
12 or

13 “(B) uses an aircraft that is designed to  
14 have a maximum passenger capacity of 60 or  
15 less but has on the ticket for that flight a flight  
16 segment that uses an aircraft designed to have  
17 a maximum passenger capacity of more than 60  
18 seats.

19 “(c) NOTICE REQUIREMENT.—An air carrier de-  
20 scribed in subsection (b)(1) shall include on or with any  
21 ticket for a flight described in subsection (b)(2) at least  
22 one of the following:

23 “(1) Notice of any monetary limitation on its  
24 baggage liability to passengers.

1           “(2) The following notice: ‘Federal law requires  
2           any limitation on an air carriers’s baggage liability  
3           on this flight to be at least \$2,000 per passenger.’.”

4   **SEC. 2. AMENDMENT TO TABLE OF SECTIONS.**

5           The table of sections for subchapter I of chapter 417  
6   of title 49, United States Code, is amended by adding at  
7   the end the following:

          “41716. Minimum baggage liability.”.

