

106TH CONGRESS  
1ST SESSION

# H. R. 1151

To amend title 49, United States Code, to require air carrier baggage liability to be not less than \$2,500 per passenger.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1999

Mr. MENENDEZ 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 \$2,500 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       (a) IN GENERAL.—Subchapter I of chapter 417 of  
5       title 49, United States Code, is amended by adding at the  
6       end the following:

7       **“§ 41717. Minimum baggage liability**

8       “(a) IN GENERAL.—The liability of an air carrier for  
9       provable direct or consequential damages resulting from  
10      the disappearance of, damage to, or delay in delivery of

1 a passenger's personal property, including baggage, that  
2 was in the custody or control of the air carrier immediately  
3 prior to the disappearance, damage, or delay shall be not  
4 less than \$2,500 for each passenger.

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

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

10 “(2) a flight that—

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

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

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

24 “(1) Notice of any monetary limitation on its  
25 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 \$2,500 per passenger.’.”

4           (b) CONFORMING AMENDMENT.—The table of sec-  
5           tions for subchapter I of chapter 471 of such title is  
6           amended by adding at the end the following:

“41717. Minimum baggage liability.”.

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