

106TH CONGRESS
1ST SESSION

H. R. 908

To improve consumers' access to airline industry information, to promote competition in the aviation industry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 1999

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

A BILL

To improve consumers' access to airline industry information, to promote competition in the aviation industry, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Aviation Consumer
5 Right To Know Act of 1999”.

6 **SEC. 2. AIRLINE PASSENGER PROTECTION.**

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

1 **“§ 41716. Air carrier passenger protection**

2 “(a) CODE SHARING.—No air carrier, foreign air car-
3 rier, or ticket agent may sell air transportation in the
4 United States for a flight that bears a designator code
5 of a carrier other than the carrier that will provide the
6 air transportation unless the air carrier, foreign air car-
7 rier, or ticket agent selling the air transportation first in-
8 forms the person purchasing the air transportation that
9 the carrier providing the air transportation will be a car-
10 rier other than the carrier whose designator code is used
11 to identify the flight and informs the person of the cor-
12 porate name of the other carrier.

13 “(b) FREQUENT FLYER AWARDS.—Upon request of
14 any person (including a governmental entity), an air car-
15 rier shall disclose the number or percentage of seats that
16 the carrier intends to make available on a specific date
17 for use by a person redeeming an award under a frequent
18 flyer program of the carrier on any route in air transpor-
19 tation provided by the carrier.

20 “(c) ACCESS TO AIRFARE INFORMATION.—Upon re-
21 quest of any person (including a governmental entity), an
22 air carrier shall—

23 “(1) provide the person full access to all fares
24 for air transportation provided by the air carrier, re-
25 gardless of the technology the person uses to access
26 the fares; and

1 “(2) permit the person to purchase air trans-
2 portation provided by the air carrier at any pub-
3 lished fare.

4 “(d) AIR CARRIER PRICING POLICIES.—An air car-
5 rier may not—

6 “(1) prohibit a person (including a govern-
7 mental entity) that purchases air transportation
8 from only using a portion of the air transportation
9 purchased (including using the air transportation
10 purchased only for 1-way travel instead of round-trip
11 travel); and

12 “(2) assess an additional fee on or charge to—

13 “(A) such a person; or

14 “(B) any ticket agent that sold the air
15 transportation to such person.

16 “(e) DELAY, CANCELLATION, OR DIVERSION.—

17 “(1) EXPLANATION REQUIRED.—An announce-
18 ment by an air carrier of (A) a delay or cancellation
19 of a flight, (B) a diversion of a flight to an airport
20 other than the airport at which the flight is sched-
21 uled to land, or (C) a delay in deplaning following
22 the touchdown of an aircraft at an airport shall in-
23 clude an explanation of the reason or reasons for the
24 delay, cancellation, or diversion and, in the case of
25 a delay, the expected length of the delay.

1 “(2) PROHIBITION ON FALSE OR MISLEADING
2 EXPLANATIONS.—No air carrier shall provide an ex-
3 planation under paragraph (1) that the air carrier
4 knows or has reason to know is false or misleading.

5 “(f) USE OF INSECTICIDES.—No air carrier, foreign
6 air carrier, or ticket agent may sell air transportation in
7 the United States for a flight on which an insecticide is
8 planned to be used in the aircraft while passengers are
9 on board the aircraft unless the air carrier, foreign air
10 carrier, or ticket agent selling the air transportation first
11 informs the person purchasing the air transportation of
12 the planned use of the insecticide, including the name of
13 the insecticide.”.

14 (b) CONFORMING AMENDMENT.—The table of sec-
15 tions for such title is amended by inserting after the item
16 relating to section 41715 the following:

“41716. Air carrier passenger protection.”.

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