

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.

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 2001".

1 **SEC. 2. AIR CARRIER PASSENGER PROTECTION.**

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

5 **“§ 41722. Air carrier passenger protection**

6 “(a) ACCESS TO AIRFARE INFORMATION.—Upon re-  
7 quest of any person (including a governmental entity), an  
8 air carrier shall—

9 “(1) provide the person full access to all fares  
10 for air transportation provided by the air carrier, re-  
11 gardless of the technology the person uses to access  
12 the fares; and

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

16 “(b) 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           “(c) AIR CARRIER PRICING POLICIES.—An air car-  
6           rier may not—

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

13           “(2) assess an additional fee on or charge to—  
14           “(A) such a person; or  
15           “(B) any ticket agent that sold the air  
16           transportation to such person.

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

24           “(e) USE OF INSECTICIDES.—No air carrier, foreign  
25           air carrier, or ticket agent may sell air transportation in

1 the United States for a flight on which an insecticide is  
2 planned to be used in the aircraft while passengers are  
3 on board the aircraft unless the air carrier, foreign air  
4 carrier, or ticket agent selling the air transportation first  
5 informs the person purchasing the air transportation of  
6 the planned use of the insecticide, including the name of  
7 the insecticide.”.

8 (b) CONFORMING AMENDMENT.—The analysis for  
9 such subchapter is amended by adding at the end the fol-  
10 lowing:

“41722. Air carrier passenger protection.”.

11 **SEC. 3. CLARIFICATION REGARDING ENFORCEMENT OF**  
12 **STATE LAWS.**

13 Section 41713(b)(1) of title 49, United States Code,  
14 is amended by striking “related to a price, route, or service  
15 of an air carrier that may provide air transportation under  
16 this subpart” and inserting “that directly prescribes a  
17 price, route, or level of service for air transportation pro-  
18 vided by an air carrier under this subpart”.

