

112TH CONGRESS
2D SESSION

S. 2235

To prohibit the establishment by air carriers and airport operators of expedited lines at airport screening checkpoints for specific categories of passengers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2012

Mr. NELSON of Nebraska introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit the establishment by air carriers and airport operators of expedited lines at airport screening checkpoints for specific categories of passengers, 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 “Air Passenger Fairness
5 Act of 2012”.

1 **SEC. 2. PROHIBITION ON ESTABLISHMENT BY AIR CAR-**
 2 **RIERS AND AIRPORT OPERATORS OF EXPE-**
 3 **DITED SECURITY LINES FOR SPECIFIC CAT-**
 4 **EGORIES OF PASSENGERS.**

5 Section 44901 of title 49, United States Code, is
 6 amended by adding at the end the following:

7 “(m) PROHIBITION ON ESTABLISHMENT BY AIR
 8 CARRIERS AND AIRPORT OPERATORS OF EXPEDITED SE-
 9 CURITY LINES FOR SPECIFIC CATEGORIES OF PAS-
 10 SENGERS.—

11 “(1) IN GENERAL.—Except as provided in para-
 12 graph (2), no air carrier or operator of an airport
 13 may establish an expedited line for a specific cat-
 14 egory of passengers at an airport screening check-
 15 point at which passengers are screened before enter-
 16 ing the sterile area of the airport.

17 “(2) EXCEPTIONS.—The prohibition in para-
 18 graph (1) does not apply—

19 “(A) to the establishment or operation of
 20 an expedited line at an airport screening check-
 21 point for passengers with a disability (as de-
 22 fined in section 3 of the Americans with Dis-
 23 abilities Act of 1990 (42 U.S.C. 12102)); or

24 “(B) to the establishment or operation of
 25 an expedited security screening program by the
 26 Transportation Security Administration or any

1 other Federal, State, or local government agen-
2 cy.

3 “(3) STERILE AREA DEFINED.—In this sub-
4 section, the term ‘sterile area’ has the meaning given
5 that term in section 1540.5 of title 49, Code of Fed-
6 eral Regulations (or any corresponding similar regu-
7 lation or ruling).”.

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