

113TH CONGRESS
2D SESSION

H. R. 4156

IN THE SENATE OF THE UNITED STATES

JULY 29, 2014

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To amend title 49, United States Code, to allow advertisements and solicitations for passenger air transportation to state the base airfare of the transportation, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Transparent Airfares
3 Act of 2014”.

4 **SEC. 2. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**
5 **SENGER AIR TRANSPORTATION.**

6 (a) **FULL FARE ADVERTISING.**—Section 41712 of
7 title 49, United States Code, is amended by adding at the
8 end the following:

9 “(d) **FULL FARE ADVERTISING.**—

10 “(1) **IN GENERAL.**—It shall not be an unfair or
11 deceptive practice under subsection (a) for a covered
12 entity to state in an advertisement or solicitation for
13 passenger air transportation the base airfare for the
14 air transportation if the covered entity clearly and
15 separately discloses—

16 “(A) the government-imposed taxes and
17 fees associated with the air transportation; and

18 “(B) the total cost of the air transpor-
19 tation.

20 “(2) **FORM OF DISCLOSURE.**—

21 “(A) **IN GENERAL.**—For purposes of para-
22 graph (1), the information described in para-
23 graphs (1)(A) and (1)(B) shall be disclosed in
24 the advertisement or solicitation in a manner
25 that clearly presents the information to the con-
26 sumer.

1 “(B) INTERNET ADVERTISEMENTS AND
 2 SOLICITATIONS.—For purposes of paragraph
 3 (1), with respect to an advertisement or solicita-
 4 tion for passenger air transportation that ap-
 5 pears on an Internet Web site, the information
 6 described in paragraphs (1)(A) and (1)(B) may
 7 be disclosed through a link or pop-up, as such
 8 terms may be defined by the Secretary, that
 9 displays the information in a manner that is
 10 easily accessible and viewable by the consumer.

11 “(3) DEFINITIONS.—In this subsection, the fol-
 12 lowing definitions apply:

13 “(A) BASE AIRFARE.—The term ‘base air-
 14 fare’ means the cost of passenger air transpor-
 15 tation, excluding government-imposed taxes and
 16 fees.

17 “(B) COVERED ENTITY.—The term ‘cov-
 18 ered entity’ means an air carrier, including an
 19 indirect air carrier, foreign carrier, ticket agent,
 20 or other person offering to sell tickets for pas-
 21 senger air transportation or a tour or tour com-
 22 ponent that must be purchased with air trans-
 23 portation.”.

24 (b) LIMITATION ON STATUTORY CONSTRUCTION.—
 25 Nothing in the amendment made by subsection (a) may

1 be construed to affect any obligation of a person that sells
2 air transportation to disclose the total cost of the air
3 transportation, including government-imposed taxes and
4 fees, prior to purchase of the air transportation.

5 (c) REGULATIONS.—Not later than 120 days after
6 the date of enactment of this Act, the Secretary shall issue
7 final regulations to carry out the amendment made by sub-
8 section (a).

9 (d) EFFECTIVE DATE.—This Act, and the amend-
10 ments made by this Act, shall take effect on the earlier
11 of—

12 (1) the effective date of regulations issued
13 under subsection (c); and

14 (2) the date that is 180 days after the date of
15 enactment of this Act.

Passed the House of Representatives July 28, 2014.

Attest:

KAREN L. HAAS,

Clerk.