
Airline Passenger Bill of Rights Act of 2009

Purpose: To amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

Summary: The Airline Passenger Bill of Rights Act of 2009 was re-introduced in the Senate (S.213) on January 12, 2009, by Sen. Barbara Boxer (D-CA), and in the House of Representatives (H.R.624) on January 21, 2009, by Rep. Mike Thompson (D-CA). **The legislation aims to improve airline customer service commitment** by enacting minimum standards for long on-board tarmac delays, as well as to improve the health and safety of passengers and crew under such circumstances.

The legislation would require the airlines to provide essential services to its passengers when a flight is substantially delayed, including:

- **adequate food and potable water;**
- **adequate restroom facilities;**
- **cabin ventilation and comfortable cabin temperatures; and**
- **access to necessary medical treatment.**

Equally important, however, it would require airline contingency plans providing passengers with the opportunity to safely deplane from long on-board tarmac delays after three (3) hours; such an option shall be made available at minimum once every three (3) hours so long that the plane is delayed on the ground with its doors closed. The legislation does grant the pilot some flexibility, if determined that allowing passengers to deplane would jeopardize the safety or security of the passengers, or if notified that the flight will depart or unload within thirty (30) minutes after the three (3) hour delay.

To address safety and security issues, both the airline industry and airports are required to submit proposed contingency plans to the Secretary of the U.S. Department of Transportation. The Secretary is called upon to periodically review the plans and make updates as necessary; initial contingency plans must be approved by the Secretary within six (6) months, and all updates within 60 days.

The airlines and airports shall be required to make accessible their contingency plans on their respective websites, or other means.

Finally, the legislation would establish an “**Air Passengers Complaint Hotline**” for air passengers to register their complaints. The number shall be made public by the Secretary of Transportation

Analysis: The Airline Passenger Bill of Rights Act of 2009 (H.R.624/S.213) aims to accomplish one important objective – to improve customer service for airline passengers. This objective would be accomplished by implementing contingency plans for long on-board tarmac delays, and establishing an air passenger complaint hotline and information.

The legislation takes a balanced approach to enabling the airlines to safely execute air carrier take-offs and landings, while protecting the rights of air passengers during excessive delays on the ground. It recognizes the unique circumstances surrounding the safety, security and accommodations of air travel – but attempts to remedy the growing dissatisfaction among air travelers nationwide. It ensures that airlines maintain minimum comfort standards for their passengers. The contingency plans in the legislation represent a positive solution to the systemic problems associated with long on-board tarmac delays, providing for the deplanement of passengers.