

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
CAPUANO, MICHAEL OF MASSACHUSETTS OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 658
OFFERED BY MR. CAPUANO OF MASSACHUSETTS**

Page 189, after line 13, insert the following (and conform the table of contents accordingly):

1 **SEC. 434. BAGGAGE FEE REFUNDS.**

2 An air carrier that collects a fee from a passenger
3 for checked baggage on a flight operated by the carrier
4 in scheduled passenger air transportation or intrastate air
5 transportation shall refund the fee, not later than 60 days
6 after the date of the flight, if the baggage is lost, delayed,
7 or damaged. A refund required under this section shall
8 be in addition to compensation required under any other
9 provision of law.

10 **SEC. 435. NOTIFICATION REQUIREMENTS REGARDING THE**
11 **SALE OF AIRLINE TICKETS.**

12 (a) NOTICE OF FEES.—Section 41712 is amended by
13 adding at the end the following:

14 “(d) NOTICE OF FEES.—

15 “(1) IN GENERAL.—It shall be an unfair or de-
16 ceptive practice under subsection (a) for any ticket
17 agent, air carrier, foreign air carrier, or other person
18 offering to sell tickets for air transportation on a

1 flight of an air carrier or foreign air carrier to fail
2 to disclose, whether verbally in oral communication
3 or in writing in written or electronic communication,
4 prior to the purchase of a ticket, the cost of check-
5 ing one or more pieces of baggage on the flight.

6 “(2) INTERNET OFFERS.—In the case of an
7 offer to sell tickets described in paragraph (1) on an
8 Internet Web site, disclosure of the information re-
9 quired by paragraph (1) shall be provided by—

10 “(A) requesting the individual purchasing
11 the ticket to indicate the number of bags the in-
12 dividual intends to check on the flight, when the
13 individual is providing other flight and airport
14 information; and

15 “(B) informing the individual of the cost
16 associated with checking such baggage when a
17 fare quote is first provided.”

18 (b) SHARING OF INFORMATION.—To carry out the
19 amendment made by subsection (a), the Secretary of
20 Transportation shall prescribe any requirements necessary
21 to ensure that consumers are provided with information
22 about baggage fees prior to the sale of a ticket, including
23 requiring that pertinent information is adequately shared
24 between carriers and ticket agents with which carriers
25 have an agency appointment or other contract.

1 (c) CONTRACTUAL RELATIONSHIPS.—Nothing in this
2 section, including the amendments by this section, shall
3 be construed to require—

4 (1) an air carrier or foreign air carrier to enter
5 into an agency appointment or other contract with
6 a ticket agent; or

7 (2) an air carrier or foreign air carrier to pro-
8 vide information to a ticket agent with which the
9 carrier does not have an agency appointment or
10 other contract.

