

118TH CONGRESS
1ST SESSION

H. R. 2617

To amend title 49, United States Code, to require air carriers to provide passengers experiencing a delay or cancellation with alternative transportation on another air carrier.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2023

Ms. PORTER introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to require air carriers to provide passengers experiencing a delay or cancellation with alternative transportation on another air carrier.

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 “Choices for Stranded
5 Passengers Act of 2023”.

1 **SEC. 2. PROVISION OF ALTERNATIVE AIR CARRIER TRANS-**
2 **PORTATION FOR DELAYS OR CANCELLA-**
3 **TIONS.**

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

7 **“§ 41727. Provision of alternative air carrier trans-**
8 **portation for delays or cancellations**

9 “(a) ALTERNATIVE TRANSPORTATION.—An air car-
10 rier or foreign air carrier shall provide a passenger on
11 scheduled air transportation in an aircraft designed for
12 31 passenger seats or greater whose flight experiences a
13 controllable significant delay or cancellation with alternate
14 transportation on another air carrier or foreign air carrier
15 at no additional charge in any case in which the passenger
16 would reach the originally ticketed destination earlier than
17 on—

18 “(1) the ticketed flight; or

19 “(2) another flight provided by the air carrier
20 or foreign air carrier.

21 “(b) EXCLUSIONS.—Subsection (a) shall not apply if
22 the ticketed passenger voluntarily chooses—

23 “(1) alternative ground transportation, provided
24 at no additional charge by the applicable air carrier
25 or foreign air carrier; or

1 “(2) if such passenger chooses not to travel to
2 the originally ticketed destination, a full cash refund
3 for the ticket, including any ancillary fees, paid
4 promptly, as determined by the Secretary.

5 “(c) PASSENGER RIGHTS.—Air carriers, foreign air
6 carriers, and ticket agents shall ensure that the rights of
7 a passenger pursuant to this section are—

8 “(1) clear and conspicuous to the passenger at
9 the time of booking; and

10 “(2) in the case of an air carrier or foreign air
11 carrier, in written communication at the time a
12 flight experiences a controllable significant delay or
13 cancellation.

14 “(d) DEFINITIONS.—In this section:

15 “(1) CONTROLLABLE SIGNIFICANT DELAY OR
16 CANCELLATION.—The term ‘controllable significant
17 delay or cancellation’ means a significant delay or
18 cancellation that is caused by an air carrier or for-
19 eign air carrier.

20 “(2) SIGNIFICANT DELAY.—In this section, the
21 term ‘significant delay’ means, with respect to air
22 transportation, the departure or arrival at the origi-
23 nally ticketed destination associated with such trans-
24 portation has changed—

1 “(A) in the case of air transportation with-
2 in the United States, by 3 or more hours; or

3 “(B) in the case of air transportation to or
4 from a location outside the United States, by 6
5 or more hours.”.

6 (b) CLERICAL AMENDMENT.—The analysis for sub-
7 chapter I of chapter 417 of title 49, United States Code,
8 is amended by adding at the end the following:

“41727. Provision of alternative air carrier transportation for delays or cancellations.”.

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