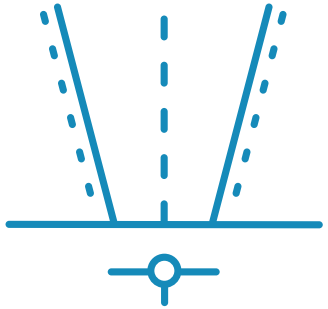
SMARTERTRAVEL
AIR PASSENGER RIGHTS



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Instructions: Fold along dotted line lengthwise, then fold accordian style to create booklet.

RIGHTS YOU DO NOT HAVE

- Airlines do not guarantee schedules.
- Airlines do not guarantee your seat assignment, even when reserved and assigned in advance.
- Airlines do not promise to seat family groups together.
- Almost all airlines do not refund baggage fees if your bags are not delivered immediately from your flight. Alaska, however, offers a $25 discount on a future flight or 2,500 miles if you don't get your checked baggage within 20 minutes of arrival at the gate.
- Airlines are not liable for consequent damages, e.g., if a late flight causes you to miss a cruise departure or you miss an important meeting.
- You do not actually own your frequent flyer miles; the airlines own them. Airlines can change frequent flyer rules without notice, and you have no recourse.
- You cannot sue an airline in state court; you must use much less consumer-friendly federal court.

RIGHTS IN AIRLINE CONTRACTS

Airlines belonging to Airlines for America (formerly the Air Transport Association) developed a consistent set of Customer Service Plans, promises to travelers that are incorporated into official contracts.

Individual airlines vary the language a bit, but the basic formula includes government-mandated rights and also adds:

- Offering the lowest fare available at any time
- Handling of delays, cancellations, and diversions
- Baggage acceptance and delivery
- Handling refunds
- Accommodating passengers with special needs
- Frequent flyer program details
- Handling of complaints

RIGHTS ENFORCED BY GOVERNMENT

The Department of Transportation enforces many regulations that apply to airlines.

Beyond safety and corporate behavior, four are specific to passenger rights:

1. To deplane if your flight is delayed on the tarmac for more than three hours, with a few minor exceptions, and the right to water and a working toilet during a long tarmac delay.
2. To see honest, fully inclusive airfares in advertising and online postings on airline and third-party websites including all mandatory charges.
3. To cancel and receive a full refund on a ticket booked a week or more before departure, even if nonrefundable, if you can find a better deal within 24 hours of your first purchase.
4. To full and accessible disclosure of the terms and conditions of each airline's contract of carriage.

RIGHTS IN DELAYS, CANCELLATIONS, AND DIVERSIONS:

TRANSFER TO ANOTHER AIRLINE

Airlines vary in what they promise.

If you decide not to proceed, all airlines must refund the remaining value of your ticket, even if it's a non-refundable ticket.

If you want to keep going, all airlines promise you the next available seat to your destination on their own next flight.

If the next available seat is a day or more later, Air Canada says you can change your return dates to provide your original length of stay; other lines may offer this option but they don't cover it in their documentation. American, Delta, Sun Country, United, Virgin America, and WestJet may transfer you to another line, but at their sole discretion only. Air Canada, Alaska, Hawaiian, and WestJet say they will transfer you at your request.

If your connecting flight on the outbound portion of a round-trip is cancelled at the connecting point and you no longer want/need to travel onward, Air Canada, Alaska, Porter, and WestJet will, at your option, return you to your origin point at no cost and refund the full value of your ticket.

RIGHTS IN DELAYS, CANCELLATIONS, AND DIVERSIONS:

AMENITIES

In a long delay, your rights depend on the cause of the delay. If it is caused by something within an airline's control, some airlines promise to provide or pay for your needs. But if the delay is due to force majeure, including weather, the airlines promise nothing.

In a long delay, typically four hours or more, Alaska, Hawaiian, United, and WestJet provide meal expenses; Spirit says it "may" provide such help, and JetBlue offers vouchers for future travel based on delay length.

In an overnight delay, typically between the hours of 10 p.m. and 6 a.m., Alaska, American, Delta, Hawaiian, Sun Country, United, and WestJet provide for overnight accommodations; Spirit "may" offer accommodations.

Although the other airlines do not mention amenities specifically in their contracts, they actually may offer assistance. But it isn't guaranteed by contract.

3 LEVELS OF AIR PASSENGER **RIGHTS**

Rights With Compensation

When an airline fails to perform as required or promised, it has to pay you something.

Rights Enforced By Government

When an airline violates government rules, the government can impose a fine.

Rights in Airline Contracts

When an airline fails to perform as promised, its official contract with you requires that it either accommodate you or refund your money.

RIGHTS WITH COMPENSATION

Bumping

Cash penalty - If an airline bumps you from a flight, it owes you 200% of the one-way fare, with a $675 maximum, if it can't get you to your destination within two hours; or 400%, with a maximum of $1,350, if the delay is more than four hours. Those time limits double for international flights.

Overbooking - This rule applies only when you're bumped due to overbooking: It does not cover "denied boarding" for other reasons.

Cash requirement - An airline may offer vouchers or some other non-monetary compensation, but you can demand a check or a credit to your credit card.

Baggage

If an airline loses or damages your checked baggage, it owes you up to $3,500 (domestic) or $1,675 (international).

Loss compensation applies only if an airline can't locate and deliver your baggage within 30 days, and it does not apply at all to delayed baggage.