

Introduced by Senators Leno and Simitian
(Principal coauthor: Assembly Member Lieu)

February 19, 2010

An act to add Article 2 (commencing with Section 5515) to Chapter 9 of Division 2 of the Public Utilities Code, relating to commercial airlines.

LEGISLATIVE COUNSEL'S DIGEST

SB 1264, as introduced, Leno. Commercial airlines: passenger rights.

Existing law requires the Public Utilities Commission to require every commercial air operator, as defined, to procure, and continue in effect, adequate protection against liability for personal bodily injuries and property damage as a result of an accident, that may be imposed by law upon the operator and upon any person using, operating, or renting an aircraft, as defined, with the permission of the operator.

This bill would require, whenever passengers have boarded an aircraft, as defined, and departure of the aircraft from the airport, as defined, is delayed by more than 3 hours, or more than 3 hours have passed following landing of the aircraft and passengers have not disembarked from the aircraft, that the air carrier, as defined, provide passengers, as needed, with (1) electrical service that is sufficient to provide the passengers with fresh air and light, (2) waste removal service in order to service the holding tanks for onboard restrooms, and (3) adequate food and drinking water and other refreshment.

This bill would require an air carrier to provide clear and conspicuous notice regarding passenger or consumer complaint contact information.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 2 (commencing with Section 5515) is
2 added to Chapter 9 of Division 2 of the Public Utilities Code, to
3 read:

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Article 2. Airline Passenger Rights

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7 5515. As used in this article, the following terms have the
8 following meanings:

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10 (a) "Air carrier" means an air carrier providing transportation
11 of passengers by aircraft as a common carrier certificated by the
12 Secretary of Transportation under Section 41102 of, or operating
13 under an exemption granted by the Secretary of Transportation
14 pursuant to Section 41101 of, Title 49 of the United States Code.

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16 (b) "Aircraft" means an aircraft as defined in Section 40102 of
17 Title 49 of the United States Code.

18

19 (c) "Airport" means an air carrier airport as defined in Section
20 47102 of Title 49 of the United States Code.

21

22 5516. Whenever passengers have boarded an aircraft and
23 departure of the aircraft from the airport is delayed by more than
24 three hours, or whenever more than three hours have passed
25 following landing of the aircraft, and passengers have not
26 disembarked from the aircraft, an air carrier shall provide
27 passengers, as needed, with all of the following:

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29 (a) Electrical service that is sufficient to provide the passengers
30 with fresh air and light.

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32 (b) Waste removal service in order to service the holding tanks
33 for onboard restrooms.

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35 (c) Adequate food and drinking water and other refreshment.

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37 5517. (a) An air carrier shall provide clear and conspicuous
notice regarding passenger or consumer complaint contact
information by providing forms and placing signs at all airport
service desks and other appropriate areas in the airport as necessary.

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39 (b) The notice shall include, but need not be limited to, both of
40 the following:

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42 (1) The telephone number and mailing address of the employee
43 or officer of the air carrier in charge of consumer complaints and
44 the telephone number and mailing address of the Office of Aviation

- 1 Enforcement and Proceedings of the United States Department of
- 2 Transportation.
- 3 (2) An explanation of the rights of airline passengers.

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