

117TH CONGRESS
2D SESSION

H. R. 9636

To amend title 49, United States Code, to ensure prompt refunds for cancelled flights, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2022

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 ensure prompt
refunds for cancelled flights, and for other purposes.

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 “Prompt Refunds for
5 Cancelled Flights Act”.

6 **SEC. 2. PROMPT REFUNDS FOR CANCELLED FLIGHTS.**

7 (a) UNFAIR AND DECEPTIVE PRACTICES AND UN-
8 FAIR METHODS OF COMPETITION.—Section 41712 of title
9 49, United States Code, is amended by adding at the end
10 the following:

1 “(d) PROMPT REFUNDS FOR CANCELLED
2 FLIGHTS.—

3 “(1) IN GENERAL.—It shall be an unfair or de-
4 ceptive practice under subsection (a) for any air car-
5 rier, foreign air carrier, or ticket agent that sells a
6 ticket for air transportation to fail to provide a cov-
7 ered refund with respect to such ticket if the air
8 transportation is cancelled or significantly changed.

9 “(2) EXCLUSION.—Paragraph (1) does not
10 apply if a ticket holder voluntarily accepts alter-
11 native transportation or other compensation offered
12 in lieu of a covered refund.

13 “(3) DEFINITIONS.—In this subsection:

14 “(A) COVERED REFUND.—The term ‘cov-
15 ered refund’ means a refund of the amount
16 paid for a ticket for air transportation that is
17 provided—

18 “(i) to the holder of the ticket;

19 “(ii) in the same format in which the
20 amount was paid; and

21 “(iii) not later than—

22 “(I) in the case of payment by
23 credit card, debit card, or other elec-
24 tronic format, 48 hours after the rel-

1 event cancellation or significant
2 change; or

3 “(II) in the case of payment by
4 cash or check, 14 days after the rel-
5 evant cancellation or significant
6 change.

7 “(B) SIGNIFICANTLY CHANGED.—The
8 term ‘significantly changed’ means, with respect
9 to air transportation, that—

10 “(i) the departure or arrival time as-
11 sociated with such transportation has
12 changed—

13 “(I) in the case of air transpor-
14 tation within the United States, by 3
15 or more hours; or

16 “(II) in the case of air transpor-
17 tation to or from a location outside
18 the United States, by 6 or more
19 hours;

20 “(ii) the departure or arrival airport
21 associated with such transportation has
22 changed;

23 “(iii) the number of intermediate
24 stops associated with such transportation
25 has increased; or

1 “(iv) the type of aircraft associated
2 with such transportation has changed and,
3 as determined by the Secretary, the change
4 will result in a significant downgrade of
5 the air transportation experience.”.

6 (b) CIVIL PENALTIES.—Section 46301(a) of title 49,
7 United States Code, is amended by adding at the end the
8 following:

9 “(8) PENALTY FOR FAILURE TO PROVIDE COVERED
10 REFUND.—Notwithstanding paragraphs (1) and (5)(D),
11 the amount of a civil penalty for a violation of section
12 41712(d) shall be the amount that is 10 times the amount
13 paid for the relevant cancelled or significantly changed air
14 transportation.”.

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