

AMENDMENT TO H.R. 4441
OFFERED BY MR. CURBELO OF FLORIDA

At the end of title VI, add the following:

1 **SEC. 617. ADVERTISEMENTS AND SOLICITATIONS FOR PAS-**
2 **SENGER AIR TRANSPORTATION.**

3 (a) FULL FARE ADVERTISING.—Section 41712 of
4 title 49, United States Code, as amended by this Act, is
5 further amended by adding at the end the following:

6 “(e) FULL FARE ADVERTISING.—

7 “(1) IN GENERAL.—It shall not be an unfair or
8 deceptive practice under subsection (a) for a covered
9 entity to state in an advertisement or solicitation for
10 passenger air transportation the base airfare for the
11 air transportation if the covered entity clearly and
12 separately discloses—

13 “(A) the government-imposed taxes and
14 fees associated with the air transportation; and

15 “(B) the total cost of the air transpor-
16 tation.

17 “(2) FORM OF DISCLOSURE.—

18 “(A) IN GENERAL.—For purposes of para-
19 graph (1), the information described in para-
20 graphs (1)(A) and (1)(B) shall be disclosed in

1 the advertisement or solicitation in a manner
2 that clearly presents the information to the con-
3 sumer.

4 “(B) INTERNET ADVERTISEMENTS AND
5 SOLICITATIONS.—For purposes of paragraph
6 (1), with respect to an advertisement or solicita-
7 tion for passenger air transportation that ap-
8 pears on an Internet Web site, the information
9 described in paragraphs (1)(A) and (1)(B) may
10 be disclosed through a link or pop-up, as such
11 terms may be defined by the Secretary, that
12 displays the information in a manner that is
13 easily accessible and viewable by the consumer.

14 “(3) DEFINITIONS.—In this subsection, the fol-
15 lowing definitions apply:

16 “(A) BASE AIRFARE.—The term ‘base air-
17 fare’ means the cost of passenger air transpor-
18 tation, excluding government-imposed taxes and
19 fees.

20 “(B) COVERED ENTITY.—The term ‘cov-
21 ered entity’ means an air carrier, including an
22 indirect air carrier, foreign carrier, ticket agent,
23 or other person offering to sell tickets for pas-
24 senger air transportation or a tour or tour com-

1 ponent that must be purchased with air trans-
2 portation.”.

3 (b) LIMITATION ON STATUTORY CONSTRUCTION.—

4 Nothing in the amendment made by subsection (a) may
5 be construed to affect any obligation of a person that sells
6 air transportation to disclose the total cost of the air
7 transportation, including government-imposed taxes and
8 fees, prior to purchase of the air transportation.

9 (c) REGULATIONS.—Not later than 120 days after
10 the date of enactment of this Act, the Secretary shall issue
11 final regulations to carry out the amendment made by sub-
12 section (a).

13 (d) EFFECTIVE DATE.—This Act, and the amend-
14 ments made by this Act, shall take effect on the earlier
15 of—

16 (1) the effective date of regulations issued
17 under subsection (c); and

18 (2) the date that is 180 days after the date of
19 enactment of this Act.

