

# STATE OF NEW YORK

5832

2017-2018 Regular Sessions

## IN SENATE

May 2, 2017

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to rights of certain airline passengers

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general obligations law is amended by adding a new  
2 article 14 to read as follows:

### ARTICLE 14

#### RIGHTS OF CERTAIN AIRLINE PASSENGERS

3 Section 14-101. Rights of certain airline passengers.

4 § 14-101. Rights of certain airline passengers. Any airline that  
5 provides departures from airports located within this state shall offer  
6 compensation in accordance with this section to ticketed passengers who  
7 voluntarily relinquish their seats on flights that are overbooked, upon  
8 the request of airline personnel. Such compensation shall be in addition  
9 to rebooking such passenger on another flight to the same final destina-  
10 tion. Any ticketed passenger who has voluntarily relinquished his or her  
11 seat as provided in this section shall be entitled to minimum monetary  
12 compensation from the airline as follows:

13 (a) Such minimum monetary compensation shall initially be made at a  
14 rate of fifty percent of the average value of a comparable ticket for  
15 the overbooked flight;

16 (b) The airline shall increase the amount of monetary compensation  
17 offered by twenty percent of the original offer rounded to the nearest  
18 whole number until an adequate number of passengers have voluntarily  
19 relinquished their seats for that flight;

20 (c) Any ticketed passenger who has voluntarily relinquished his or her  
21 seat shall be entitled to the same compensation, which shall be set at  
22 the highest amount offered to any passenger for that flight;

23 EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
24 [-] is old law to be omitted.

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1     (d) Such monetary compensation may be set at a maximum of six hundred  
2     percent of the average value of a comparable ticket for that flight.  
3     § 2. This act shall take effect on the one hundred eightieth day after  
4     it shall have become a law.