

**Denied Boarding Compensation for Airline
Passengers; 14 CFR 250.5; 14 CFR 250.9**

If you have been denied a reserved seat, you are probably entitled to monetary compensation. This notice explains the airline's obligation and the passenger's rights in the case of an oversold flight, in accordance with regulations [see above] of the **U.S. Department of Transportation.**

VOLUNTEERS AND BOARDING PRIORITIES

- If a flight is oversold (more passengers hold confirmed reservations than there are seats available), **no one may be denied boarding** against his or her will **until airline personnel first ask for volunteers** who will give up their reservation willingly, in exchange for compensation of the airline's choosing. If there are not enough volunteers, other passengers may be denied boarding involuntarily [under the airline's rules].

COMPENSATION FOR INVOLUNTARY DENIED BOARDING

- If you are denied boarding involuntarily, you are entitled to a payment for "denied boarding" . . . unless:

- (1) you have not fully complied with the airline's ticketing, check-in and reconfirmation requirements, or you are not acceptable for transportation under the airline's usual rules; or
- (2) you are denied boarding because the flight is canceled; or
- (3) you are denied boarding because a smaller capacity aircraft was substituted for safety or operational reasons; or
- (4) on a flight operated with an aircraft having 60 or fewer seats, you are denied boarding due to safety-related weight/balance restrictions . . . ; or
- (5) you are offered accommodations in a section of the aircraft other than specified in your ticket, at no extra charge (a passenger seated in a section for which a lower fare is charged must be given an appropriate refund); or

(6) the airline is able to place you on another flight or flights that are planned to reach your next stopover or final destination within one hour of the planned arrival time of your original flight.

AMOUNT OF DENIED BOARDING COMPENSATION, DOMESTIC TRANSPORTATION - Passengers traveling between points within the United States (including the territories and possessions) who are denied boarding involuntarily from an oversold flight are entitled to: **(1)** No compensation if the carrier offers alternate transportation that is planned to arrive at the passenger's destination or first stopover not later than one hour after the planned arrival time of the passenger's original flight; **(2)** 200% of the fare to the passenger's destination or first stopover, with a maximum of \$675, if the carrier offers alternate transportation that is planned to arrive at the passenger's destination or first stopover more than one hour but less than two hours after the planned arrival time of the passenger's original flight; and **(3)** 400% of the fare to the passenger's destination or first stopover, with a maximum of \$1,350, if the carrier does not offer alternate transportation that is planned to arrive at the airport of the passenger's destination or first stopover less than two hours after the planned arrival time of the passenger's original flight.

0-1 hour arrival delay = No compensation; **1-2 hour** arrival delay = 200% of one-way fare (but no more than \$675); **Over 2 hours** arrival delay = 400% of one-way fare (but no more than \$1,350). "Alternate transportation" is air transportation with a confirmed reservation at no additional charge (by any scheduled airline licensed by DOT), or other transportation accepted and used by the passenger in the case of denied boarding.

*Provided by Law Professor John Banzhaf,
George Washington University Law School*