Knowing flyers’ rights empowers passengers ‘Full fare’ might not be the final fare

By Monica Steinisch

Airline passenger horror stories don’t deter most travelers from flying on a plane. But the knowledge that your flight could be delayed or cancelled, you might get bumped, or your luggage could end up in a different hemisphere than you means that you should understand your rights.

Buying/changing tickets

The Department of Transportation (DOT) “full fare advertising rule” requires airlines to publish the full cost of a ticket, including any mandatory fees and all taxes. However, that doesn’t prevent airlines from later adding on additional fees for things like seat requests, checked bags, meals, etc., so the “full fare” may not be the final fare.

If you buy your non-refundable ticket directly from the airline at least one week before the flight, the company must let you change or cancel the reservation within 24 hours of booking without a fee. Some airlines, like Southwest, are even more lenient with their change and cancellation policies. If you book through a third-party website, you won’t have to pay carrier cancellation fees within 24 hours, but the booking site might have a cancellation fee—read the fine print.

Understand the consequences of ticket changes before you buy, since most discount fares are non-refundable. However, non-refundable tickets could become refundable if it’s the airline’s fault that you choose to cancel—for example, if a non-refundable "Fliers’ rights" continues on page 2


Airline fees are heavy baggage for flyers: A rundown on some of the fees you might encounter when booking your flight, along with a few tips on how to avoid them.

Other airline passenger rights in limbo: The Department of Transportation (DOT) has been reviewing and stalling airline industry rules to see where it can reduce “onerous regulatory burdens.”

FAA bill forges FAIR fees but offers some consumer protections: Legislation to “ground” airline fees removed from final bill

A rundown on some of the fees you might encounter when booking your flight, along with a few tips on how to avoid them.

Comparing large online third-party booking sites

By Alexa Howard

Third-party travel booking sites are a popular way to quickly compare airlines among many (but not all) airlines. But is it worth using them to search and purchase the best airline deal? We looked at some of the most popular sites—Expedia, Kayak, Orbitz, Priceline and Travelocity—to see if their ease of use and search prowess made them a better option than booking directly through an airline.

Searches/results

When we began our research, we noticed that some of the travel sites looked alike—Expedia Group also owns Orbitz and Travelocity. The other major player in the online travel booking game is Priceline, which owns Booking.com and Kayak. (Since Booking.com’s flight search function is powered by Kayak, we didn’t compare its results.) While we typically found price to be the same or very close in flight search results for the three sites owned by Expedia Group, we saw that airlines varied between Priceline and Kayak. Google Flights, not covered here, also can be used to compare and purchase airlines from airlines. (See page 3 for a chart of sample search results.)

The main benefits of these third-party sites: Their navigation is in—“Comparing” continues on page 3

Flyers’ rights in the EU and Canada

By Lauren Hall

The European Union (EU) offers the strongest and most comprehensive fliers bill of rights in the world. If your flight (with any airline) departs from any of the 28 member countries of the EU (http://bit.ly/2OFQwbe), you’re protected by its rules (http://bit.ly/2NSatib), which govern compensation and assistance if you are denied boarding or your flight is delayed or cancelled.

You’re also covered if your flight arrives in the EU from outside of an EU country, but only if that flight is operated by an EU airline. Here is what you are entitled to:

Delays. Under EU regulation 261/2004, if your flight is more than three hours late in getting to its destination, you’re entitled to receive up to 600 euros (approximately $700) in compensation, depending on the distance of your flight (longer flights and delays mean greater compensation). You’ll receive:

• 250 euros ($291) for a flight of 1,500 km (932 miles) or less;
• 400 euros ($461) for a flight that was more than 1,500 km within the EU (or between 1,500 and 3,500 km outside of it); and
• 600 euros for flights over 3,500 km (2,175 miles).

You’re also entitled to receive compensation for a “reasonably priced meal and up to two telephone calls” if your flight was delayed for up to five hours. Flights delayed for more than five hours qualify for reimbursement for the full price of that leg of the flight. Flyers can also opt to take a flight the next day and get reimbursement for a meal, two phone calls, a hotel stay and transportation to and from the hotel. If your international flight delay results in “damage” (interpreted as “financial loss”) to you or your baggage, the EU (and nearly 100 other countries) have signed on to an international agreement known as the Montreal Convention, which mandates that airlines be responsible for up to approximately $5,500 in damages unless they can prove they took all “reasonably required” measures to avoid them. For example, you may be compensated if you can prove (to the airline) that you had to pay for a hotel room or replace an item that did not arrive on time. So, keep receipts.

Cancellations. If your flight is cancelled, you have the option to take another flight (with the same airline), or cancel the flight and receive a full refund. EU rules also dictate that the airlines must pay or reimburse you for meals, a reasonably priced hotel (if necessary) while you wait for a new flight, and transportation between your lodging and the airport. The same compensation mandates that airlines be responsible for up to approximately $5,500 in damages unless they can prove they took all “reasonably required” measures to avoid them. For example, you may be compensated if you can prove (to the airline) that you had to pay for a hotel room or replace an item that did not arrive on time. So, keep receipts.

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Consumer Action

www.consumer-action.org

Consumer Action has been a champion of underrepresented consumers nationally since 1971. A non-profit 501(c)(3) organization, Consumer Action focuses on financial education that empowers low- and moderate-income and limited-English-speaking consumers to financially prosper. By providing financial education materials in multiple languages, a free hotline, and ongoing financial services research, Consumer Action helps consumers protect their rights in the marketplace and make financially savvy choices.

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Fliers’ rights

Continued from page 1

stop flight is converted to one with a connection. In many cases, the ticket for a cancelled reservation can be used for another flight, but the change fee can be steep. For fee details, see “Airline fees”: http://bit.ly/32DgLMw.

Delayed flights

Airlines have to let you know promptly if your flight is going to be delayed more than 30 minutes. Be- yond that, every airline sets its own policy on when it is required to do so for pas- sengers at the airport; there are no federal requirements. You can find an airline’s policies listed in its “contract of carriage”.

An airline might provide things like meal vouchers and, for over- night delays, free hotel accommodations, but the law doesn’t mandate compensation for delayed domestic flights. On certain international flights, however, airlines are liable for damages for the delay if you prove it did everything possible to prevent the repercussions of the delay or damage; if you were flying first-class or a business-class ticket, even if you were traveling in a group, could be required to do so (for example, a delay due to bad weather or a worker’s strike). See “Flight rights in the United States and Canada,” beginning on page 1.

If you foresee a lengthy delay, you can try to arrange another flight with the same airline. This is typically easier done by phone than at the service desk in the airport. Confirm that you won’t have to charge a cancellation or change fee or have to pay a higher fare.

If you find a flight on another airline, you might want to switch from the same airline as the ticket, ask the airline where you hold a ticket if it can arrange to transfer your ticket to another carrier. The low deals you paid for the flight you want to do this, but it might make it possible to keep you happy.

Delays don’t always happen before you get on board. Sometimes you’re stuck on the tarmac (runway) and you’re on a domestic flight, the DOT requires airlines to let passengers get off in no more than three hours (domestic) or four hours (international), if there was a fire, security or “airport operations” reason, why the plane can’t taxi to the gate and unload. Airlines also have to provide meals and air conditioning. Food and water no later than two hours after the tarmac delay begins, and bathrooms must remain available. If you get lost on the plane during a tarmac delay, the airline isn’t required to let you off, and it may not release you to a hotel, check baggage, or food or beverages.

If you face a significant delay to your desti- nation, ask if the airline will transfer your ticket to another carrier if you can find a flight with another airline. You can also ask for a full refund and use that money to book a flight with a different airline. (If a cancelled flight means an over- night stay, airlines sometimes put non-local passengers up in a hotel and/or pay for meals, but, again, this isn’t required by law.)

Tip: If a delayed or cancelled flight is going to have serious consequences for you, fly in the morning (when delays are less likely) and choose an airline that has multiple daily flights to your destination and that has a better chance of getting on another one.

Getting ‘bumped’

Overbooking is not illegal. As a result, passengers are sometimes “bumped” (left without a seat on the flight). When this happens, the airline will try to entice passengers to give up their seats voluntarily to exchange for compensation—usu- ally travel vouchers, since airlines aren’t required to pay cash to volun- teers. If you are involuntarily bumped, the DOT requires the airline to get you to your destination within one hour of the original scheduled arrival or pay you in cash or check immediately for a longer delay. The amount of compensation is based on the length of the delay and the price of the ticket.

According to FlyersRights.org, arriving on a domestic flight (one to four hours late on an international flight) entitles you to 200 percent of your one-way fare, up to $675. If the delay is longer, the airline owes you 400 percent of the one-way fare, up to $1,850. If you don’t receive the compensation, you have to check in for your flight by the “deadline.”

The DOT requires airlines to give involuntarily bumped passengers their rights in writing, along with an explanation of how the carrier decides who gets bumped (often based on the fare paid and frequent flyer status). But getting to the airport early, switching airlines, or booking in advance are oftentimes good protection against losing your seat.

If you choose to make your own flight arrangements after being bumped, you can request an “involuntary refund” for your ticket and use that money to book another flight. (If you paid for optional services on your original flight (for example, seat selection or checked baggage) and you did not receive those services on your substitute flight or were required to pay a second time, the airline that bumped you must refund those fees.

If you’ve accepted compensation, you have 30 days to try to get more money from the airline. But once you deposit the airline’s check, you’ve agreed to accept what they paid you.

Baggage issues

The odds of your baggage being lost are, statistically, very low. But, if you’re the last traveler standing at the empty luggage carousel, you’ll be glad you planned for the worst. The liability under DOT regulations is up to $3,500 per passenger for domestic trips and up to $10,000 for international trips. But compensation varies from airline to airline, and varies on how long the bags were lost and what accommodations must be provided to passengers with disabilities) at the Department of Transportation Consumer Protection” webpage (http://bit.ly/2QDNsDG or 202-366-2220 (TTY: 202-366-0511).

If you can’t get a satisfactory resolution by complaining to the airline, your other options include alerting the media, posting on social media, going to small claims court, or, if there have been a string of missteps, filing a lawsuit.

Learn more about your rights (like flying with a service animal and unaccommodated passengers) that are dis- cussed with a program you belong to, you should complain to the company.

Complaints

The DOT requires U.S. airlines to provide information on how to file complaints with the company on its websites, on all e-ticket confirmations and upon request at ticket counters and gates. Written complaints must be acknowledged within 30 days and receive a substantiation of the response. Complaints about airline service (not frequent flyer programs) can be submitted to the DOT’s Aviation Consumer Protection Division at http://bit.ly/2QDNsDG or 202-366- 2220 (TTY: 202-366-0511).

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Top flyer complaints

According to DOT data, these are the top airline traveler complaints:

1. Cancellations, delays, missed connections
2. Baggage—lost, damaged or delayed baggage, charges for excess baggage, carry-on issues
3. Reservations, ticketing and billing problems
4. Customer service—rude or unhelpful employees
5. Refunds for unused or lost tickets
6. Disability accommodations
7. Overbooking
8. Fares
9. Other, including security, injury and frequent flier miles problems
10. Discrimination

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San Francisco (SFO) to Los Cabos, Mexico (SJD)

Expedia $512 using Alaska $521 using multiple carriers $521 using Delta $506
Orbitz $461 using Aeromexico $466.27 using United $486 using Alaska not offered
Travelocity $512 using Alaska $521 using multiple carriers $521 using Aeromexico $506
Kayak $504 using multiple carriers $529 using Alaska $584 using United and Alaska $506
Priceline $457 using Alaska and United $457 using American $461 using American $445
Seattle (SEA) to Atlanta (ATL)

Expedia $400 using jetBlue $413 using American $413 using American N/A
Orbitz $399.38 using jetBlue $412.61 using American $412.61 using American N/A
Travelocity $400 using jetBlue $413 using American $413 using American N/A
Kayak $344 using multiple carriers $475 using Alaska $480 using Delta N/A
Priceline $405 using jetBlue and American $406 using jetBlue and Alaska $411 using jetBlue and Delta $352

New York City (JFK) to Las Vegas (LAS)

Expedia $479 using Alaska $488 using jetBlue $491 using American N/A
Orbitz $479 using Alaska $487 using jetBlue $490.70 using American N/A
Travelocity $479 using Alaska $488 using jetBlue $491 using American N/A
Kayak $431 using jetBlue and American $496 using Alaska and Delta $540 using Alaska and jetBlue N/A
Priceline $371 using American $433 using American and Alaska $434 using American N/A

Notes: All searches had the following parameters: Round-trip, one adult, flight only, all available airlines, economy fare, departure date 9/20/2018, return date 9/30/2018. Multiple carriers means that the fare is available on three or more airlines. Searches done on 8/31/18, within 10 minutes of each other per itinerary. Consumer Action's findings may not be used for commercial purposes.

## Comparison of three sample trips using online travel booking sites

<table>
<thead>
<tr>
<th>Airline</th>
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### Features

Expedia, Orbitz, and Travelocity are credible user-friendly sites that offer airfare predictions based on destinations and the time of year you want to travel. If you're looking for the cheapest flight, these sites are helpful. The search functions on all of the sites reviewed were easy to use and very similar. An advanced search lets you select a preferred airline, non-stop flights or a refundable ticket. Trying to plan a trip with multiple stops was easy on all five websites. The flights on the results page show the best deals at the top, but you can sort your search by departure or return date, number of transfer stops and flight duration. Also, you can still earn miles if you select a preferred flyer number during booking.

### Price guarantees

We've heard repeatedly that if travelers incur any issues, such as a flight cancellation, overbooking or delay, dealing directly with the airline can solve the problem easier if you booked the flight with them directly.

### Flight modifications

### Seat selection

A downside of using these sites is the passenger seat selection capability. While we could view a seating chart and choose a seat on some routes we searched, this option wasn’t always available.

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**Comparing**

Continued from page 1

credibly user-friendly, they populate search results quickly by scanning hundreds of airfares and other third-party travel sites directly, and they offer airfare predictions based on

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The search functions on all of the sites reviewed were easy to use and very similar. An advanced search lets you select a preferred airline, non-stop flights or a refundable ticket. Trying to plan a trip with multiple stops was easy on all five websites. The flights on the results page show the best deals at the top, but you can sort your search by departure or return date, number of transfer stops and flight duration. Also, you can still earn miles if you select a preferred flyer number during booking.

**Features**

We liked that Expedia, Orbitz and Travelocity gave a score to each flight it populates (1 to 10) based on amenities and overall flyer sentiment. Kayak provides advice at the initial flight search function on its and then populates a map of prices and flight duration. Also, you can still earn miles if you select a preferred flyer number during booking.

**Price guarantees**

Say you found a great fare but are hesitant to purchase the flight in case you miss out on a better deal elsewhere. Orbitz (http://bit.ly/29pHqz5), Travelocity (http://travelzoo.co.uk/5j19w6e) and Priceline (http://bit.ly/2xBPAHd) offer “best price” guarantees, meaning the sites will refund you the difference if you book a flight with them and find it for less within 24 hours of booking. If you book an Express Deal on Priceline (a discounted but restricted trip that doesn’t disclose the airlines or if you are on a direct flight prior to purchase and typically can’t be changed), Priceline will refund you 200 percent of the difference up to midnight before you travel. The catch: The deals you find have to be available to the general public, be listed on an English-language booking website, and match exactly the itinerary you initially booked.

**Seat selection**

A downside of using these sites is the passenger seat selection capability. While we could view a seating chart and choose a seat on some routes we searched, this option wasn’t always available.

On flights where seat selection was not available, we could choose a seat preference (“window,” “aisle” or “any seat”), though your seat preference is not guaranteed and a follow-up call to the airline is needed to confirm whether you will be allowed to select a seat before check-in. Chances are that when you call you’ll be told that you have to pay an extra fee to reserve a specific seat in advance.

**Flight modifications**

Priceline was the only site we reviewed that charged a modification fee ($30) in addition to any airline change fee that may apply. Expedia, Orbitz and Travelocity do not charge fees for changing reservations. However, you will be subject to airline change fees.

As mentioned, passengers can cancel their flight within 24 hours of booking and receive a full refund, as long as it’s one week before the trip, regardless of what site is used. If you book through Expedia, Orbitz, Priceline or Travelocity, you’ll be able to change or cancel your trip by calling their customer service lines or by clicking on your saved itinerary (Orbitz: 844-803-5577; Expedia: 866-316-0357; Travelocity: 855-857-9089; Priceline: 877-477-5807).

You’ll be shown any applicable cancellation fees that may be applied by the airlines before you cancel. You can find an article that breaks down these fees on our website (http://bit.ly/2z2A74g).

Some tickets cannot be modified online—you may have to contact the airline directly (as is the case with all Frontier and Spirit flights). Kayak is the only site that does not handle flight modifications and requires you to call the airline or company you booked with directly to revise your reservation.

While third-party travel sites are helpful in the hunt for cheap flights, the sites’ customer service capabilities might feel like a second-best alternative to booking with the airline directly when travel plans get hectic.

We’ve heard repeatedly that if travelers incur any issues, such as a flight cancellation, overbooking or delay, dealing directly with the air-

line can solve the problem easier if you booked the flight with them directly.

When you book through a third-party site, you’re more likely to get the runaround from both the airline (“deal with Expedia!”) and the booking site (“deal directly with your airline!”). However, if you are an easy-going traveler who isn’t intent on choosing your exact seat, and you are unfazed about the inconveniences associated with flight interruptions or delays, using a third-party travel site can help you book your next trip for less.
EU & Canada

Continued from page 1

rates based on the distance of travel apply.

Airlines can only reject your delay or cancellation claim in the event of “extraordinary circumstances,” such as strikes or security risks, so chances are good that if you file a claim with an airline operated in the EU, you’ll receive full compensation under EU law. If an airline argues “extraordinary circumstances,” know that you can challenge its assertion (except for weather issues) since the onus is on the carrier to prove that it could not have reasonably avoided a delay or cancellation.

Baggage claims. The European Union follows the Montreal Conven-
tion to compensate travelers for lost or destroyed baggage. This international set of worldwide stan-
dards (http://tinyurl.com/68jyhjn) sets minimum liability limits for passengers and luggage. If you can prove that you suffered financial losses due to the delay in delivering your baggage or due to its loss or destruction, you are eligible for up to the equivalent of approximately $1,600 U.S. dollars.

Who is responsible?

Under EU rules, departures and returns are considered two separate flights—even if those thoughts were booked in one reservation. What’s more, only the airline that operates the flight will be held responsible for any issues that arise. That airline may not be the same as the one from which you bought your ticket.

Canada

Countries outside of the EU, like Canada, currently lack laws specifically addressing most airline passenger rights. Sometimes airlines will provide meal, taxi or hotel vouchers. As one of the 120 coun-
tries that participate in the Montreal Convention, Canada expects airlines to abide by government guidelines to determine an airline’s liability level on international flights (http://bit.ly/2NXGWU1).

As for delayed or cancelled flights, airlines in Canada are not required to provide compensation to pas-
sengers, although some have agreed to do so by government guidelines proposed in a voluntary code of conduct called “Flight Rights Canada.”

Specifically, Canada’s largest car-
tiers—Air Canada, WestJet and Air Transat—agreed to address flight and tarmac delays, cancellations, overbooking, and lost or damaged luggage through the guidelines. If you find yourself facing delays or cancellations on individual pieces, and require airlines to pay travelers for expenses due to misplaced luggage. You will, of course, need to save your receipts to claim reimbursement.

Important! Your passenger rights are dictated by the rules of the country you’re departing from first and foremost (not where you bought your ticket), and then by the airline you are using.

Contracts of carriage

If you’re flying out of a country that doesn’t specifically mandate strong flyer’s rights, you may still have some established rights if that country is a member of the Mon-
treal Convention.

Signed in 2003 by countries rang-
ing from the USA to the U.S., EU and Canada, it’s used to beef up or fill the gaps in countries’ exist-
ing laws. The Montreal Convention covers passengers on international flights between the nations that honor it, i.e., with minimal compensation for “flight disruptions.”

Most countries (http://bit.
ly/2MOrchL) with major airlines are members, with a few exceptions (e.g., U.S. and Canada). The website AirHelp.com explains how you can get reimbursed for unfore-
seen expenses. AirHelp outlines the compensation for international flight disruptions in general (http://bit.ly/2D5HVtV) and for flight de-

The Montreal Convention also provides protection for damaged or delayed bags and lost luggage.

Specifically, the Montreal Conven-
tion declares the airline “liable for damage occasioned by delay” unless the airline “used its best efforts,” i.e., takes all measures that could reasonably be required to avoid” damages.

The Convention also sets damages for lost or destroyed luggage based on individual pieces, and requires airlines to pay travelers for expenses due to misplaced luggage. You will, of course, need to save your receipts to claim reimbursement.

Important! Your passenger rights are dictated by the rules of the country you’re departing from first and foremost (not where you bought your ticket), and then by the airline you are using.

Contracts of carriage

If you’re flying out of a country that’s not recognized by the Montreal Convention or EU regulations, the Montreal Convention or airline passenger rights created by that country’s government, and you’re unsure what (if any) rights you have, look to the airline that you’re flying with.

Airlines are required to list pas-
enger rights in what they call “con-
tracts of carriage” or “tariffs.” These documents contain the airline’s terms and conditions related to de-
nied boarding, delays, cancellations, etc. The policies vary by airline.

If passengers fly out of the U.S., for instance, and connect to an airline operating only in the country they’ve arrived in, flyer rights on that airline will be based on that country’s laws, and the airline’s contract. In some cases, disrupted flights outside of the EU may still be covered under EU regulations. AirHelp offers an easy online tool that assists you in determining if your connect-
ing flights are covered (http://bit.
ly/2eC9Hbf).

The amount of time that fly-
er’s have to claim compensation for flight delays or cancellations depends on the country where the event took place.

For more info on where your journeys will take you, the United States and Wales accept claims for six years, and Scotland, for five years. You can check your travel eligibility through AirHelp.com.

Be aware: When we tested their service, AirHelp helped access to your email account in order to provide you with specific refund information. Be sure you are willing to provide this much access before consulting.

Whether your travel is interna-
tional or domestic, do some research to find out what regional laws govern your rights, ask questions and check the airline’s website for its carrier rules.

If your flight is delayed...

• Stay alert for delay updates and gate changes. Setting up flight alerts on your mobile phone might mean you get notified ahead of the crowd and improve your chances of switching to another flight.

• If the delay continues for more than three hours, ask the airline to rebook you.

• While not required, airlines may rebook you at no charge. This often depends on how delayed the flight is and the reason for the delay (i.e., weather vs. mechanical problems). Airlines may also take into consideration that you had a connecting flight that you will miss.

• Contact the airline by mobile app or phone to rebook rather than at the airline’s service desk, which can get overwhelmed quickly.

• You should not be detained in the plane (“on the tarmac”) for more than four hours, or four hours for international flights.

• Check your credit card for trip delay benefits. For details, visit http://bit.ly/2D5HWtV. If you used the card to book the flight and the delay is extensive (12 hours), some cards still offer this benefit. Keep your original boarding pass and travel documents as proof.

• Ask for meal and hotel vouchers if the flight is delayed significantly for non-weather-related problems.

If your flight is cancelled...

• Calmly ask for immediate rebooking or a refund. You are entitled to be booked on the next available flight or receive a refund, even for non-refundable tickets. This policy is based on the airline’s contract with you. It can’t rebook you on one of its own planes, ask if the airline might rebook you on another airline’s next flight.

• Use the airline’s mobile app or call the customer service line to rebook most efficiently—customer service desks become quickly over-
whelmed when flights are cancelled.

• For better service, if you’re a frequent flier with the airline, let them know.

• You may be eligible for meal or hotel vouchers. Some airlines will apply these accommodations to missed connections, but it varies by airline.