

106TH CONGRESS
2D SESSION

H. R. 5270

To amend title 49, United States Code, to clarify that State attorney generals may enforce State consumer protection laws with respect to air transportation and the advertisement and sale of air transportation services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2000

Mr. TANCREDO (for himself, Mr. SCHAFFER, and Mr. UDALL of Colorado) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to clarify that State attorney generals may enforce State consumer protection laws with respect to air transportation and the advertisement and sale of air transportation services, 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,*

1 **SECTION 1. CLARIFICATION OF STATE AUTHORITY TO EN-**
2 **FORCE CONSUMER PROTECTION LAWS WITH**
3 **RESPECT TO AIR TRANSPORTATION.**

4 (a) STATE ATTORNEY GENERAL DEFINED.—Section
5 41713(a) of title 49, United States Code, is amended to
6 read as follows:

7 “(a) DEFINITIONS.—In this section, the following
8 definitions apply:

9 “(1) STATE.—The term ‘State’ means a State,
10 the District of Columbia, and a territory or posses-
11 sion of the United States.

12 “(2) STATE ATTORNEY GENERAL.—The term
13 ‘State attorney general’ means the chief legal officer
14 of a State.”.

15 (b) ENFORCEMENT OF STATE CONSUMER PROTEC-
16 TION LAWS.—Section 41713 of such title is amended by
17 adding at the end the following:

18 “(c) ENFORCEMENT OF STATE CONSUMER PROTEC-
19 TION LAWS.—Nothing in this section shall be construed
20 to prevent a State attorney general or other duly author-
21 ized State or local official from enforcing any State law
22 prohibiting unfair or deceptive business practices or unfair
23 methods of competition with respect to air transportation
24 or the advertisement or sale of air transportation serv-
25 ices.”.