

**Public Utilities Commission of the
State of California**

**RULES GOVERNING DENIED BOARDING COMPENSATION FOR PASSENGERS
HOLDING CONFIRMED RESERVATIONS AND MEETING CARRIERS' CHECK-IN
REQUIREMENTS BUT WHO ARE DENIED A SEAT ON THE FLIGHT RESERVED**

Adopted October 31, 1978. Effective November 30, 1978.
(Resolution No. PE-363)

When a passenger air carrier, certificated pursuant to Division 1, Part 2, Chapter 4, of the Public Utilities Code, denies boarding to a passenger holding a confirmed reservation and who has complied with the carrier's check-in requirements, the carrier shall:

1. Transport or arrange for the transportation of the passenger which, at the time of such arrangement, is planned to arrive at the passenger's destination on the denied boarding carrier, not later than two hours after the passenger would have arrived had there been no denied boarding; or
2. If the carrier cannot provide service pursuant to Paragraph 1, the carrier shall refund to the passenger the amount of the fare paid for the remaining portion of the trip on the denied boarding carrier, and shall transport the passenger at no charge on the next flight on which space is available to the destination on the denied boarding carrier but in no case to a point off the denied boarding carrier's system; or
3. Should the passenger who is eligible for transportation under Paragraph 2 not choose to take the free transportation, the carrier shall reimburse such passenger, in addition to the unused ticket refund for the remaining portion of the trip on the denied boarding carrier, an amount equal to the refund as described in Paragraph 2. Such reimbursement shall be awarded as full compensation for all actual or anticipatory damages incurred or to be incurred by the passenger.

Denied boarding compensation does not apply to flights delayed or cancelled due to weather conditions, mechanical failures, or other reasons beyond the carrier's control.

The effective date of this resolution shall be thirty days after the date hereof.

Approved and dated at San Francisco, California, this 31st day of October, 1978.

**PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

By **FREDERICK E. JOHN**
Executive Director

