

FAIR Fees Act

Legislation would prohibit airlines from charging unreasonably high fees for basic services like checked bags, seat selection, and ticket changes

Introduced by Senator Edward J. Markey (D-Mass.) and Congressman Steve Cohen (TN-09)

Endorsed by: American Economic Liberties Project, National Consumers League, Consumer Federation of America, Consumer Action, Travelers United, and the Business Travel Coalition.

Too often, airlines blindsides travelers with exorbitant charges caused by unexpected fees for basic aviation services. In 2019 — the last full year before the pandemic disrupted air travel — airlines worldwide collected \$109.5 billion in ancillary fee revenue, up nearly fivefold from \$22.6 billion in 2010. Similarly, U.S. passenger airlines earn 72.6% of their operating revenues today from fares, down from 88.5% in 1990. The data are clear: Airlines are increasingly using fees to deceive passengers about the true cost of a flight.

To address this issue, the *FAIR Fees Act* would prohibit airlines from charging fees — including cancellation, change, bag, and seating fees — that are not reasonable and proportional to the costs of the services actually provided. The bill would also direct the Department of Transportation to review any other fees imposed by airlines, as well as ensure that children can sit together with their family members on flights at no additional charge.

The *FAIR Fees Act*:

- Directs the Secretary of Transportation to issue regulations that prohibit air carriers from imposing fees that are unreasonable or disproportional to the costs incurred by the air carrier. These fees include:
 - Any fee for a change or cancellation of airline tickets;
 - Any fee relating to checked or carry-on baggage;
 - Any fee relating to the choice or assignment of seats on a flight;
 - Any other fee imposed by an air carrier relating to a flight in passenger air transportation.
- Directs the Secretary of Transportation to establish standards for assessing whether airline fees are reasonable and proportional to the costs incurred by the air carrier, including:
 - For ticket change and cancellation fees, any net benefit or cost to the air carrier from the change or cancellation;
 - For baggage fees, the costs of processing baggage and any related labor costs;
 - For seating fees, ensuring that passengers traveling with children age 13 or younger are able to be seated with those children at no additional charge.