

SENATE BILL No. 912

November 8, 2007, Introduced by Senators THOMAS, GLEASON, CHERRY, PRUSI, ANDERSON, BRATER, PAPPAGEORGE, BARCIA, PATTERSON, BASHAM, SWITALSKI and OLSHOVE and referred to the Committee on Transportation.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding sections 165, 166, and 167.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 165. (1) A CARRIER THAT VIOLATES SECTION 162 IS
2 RESPONSIBLE FOR A STATE CIVIL INFRACTION AND MAY BE ORDERED TO PAY
3 A CIVIL FINE OF NOT MORE THAN \$1,000.00 FOR EACH PASSENGER
4 AFFECTED.

5 (2) THE ATTORNEY GENERAL SHALL ENFORCE THIS ACT UPON REFERRAL
6 OF A COMPLAINT FROM THE AIRLINE CONSUMER ADVOCATE. IF THE ATTORNEY
7 GENERAL PREVAILS IN A CIVIL ACTION TO ENFORCE THE ACT, THE COURT
8 MAY AWARD THE ATTORNEY GENERAL REASONABLE ATTORNEY FEES AND
9 REASONABLE COSTS AND EXPENSES OF THE AIRLINE CONSUMER ADVOCATE
10 INVESTIGATION.

1 SEC. 166. THE AIRLINE CONSUMER ADVOCATE SHALL FILE AN ANNUAL
2 SUMMARY REPORT OF ITS ACTIVITIES WITH THE SECRETARY OF THE SENATE
3 AND THE CLERK OF THE HOUSE OF REPRESENTATIVES THAT CONTAINS ALL OF
4 THE FOLLOWING:

5 (A) THE INITIATIVES THAT THE AIRLINE CONSUMER ADVOCATE HAS
6 TAKEN TO IMPROVE AIRLINE SERVICES.

7 (B) A SUMMARY OF THE MOST SERIOUS PROBLEMS ENCOUNTERED BY
8 CUSTOMERS, INCLUDING A DESCRIPTION OF THE NATURE OF THOSE PROBLEMS.

9 (C) AN INVENTORY OF ACTIONS TAKEN AND THE STATUS AND RESULTS
10 FOR THE INITIATIVES AND PROBLEMS IDENTIFIED IN SUBDIVISIONS (A) AND
11 (B); OR AN EXPLANATION, IF NO ACTION WAS TAKEN.

12 (D) RECOMMENDATIONS FOR LEGISLATIVE OR ADMINISTRATIVE ACTION,
13 AS APPROPRIATE, TO RESOLVE PROBLEMS CUSTOMERS ENCOUNTER.

14 (E) OTHER INFORMATION THE AIRLINE CONSUMER ADVOCATE CONSIDERS
15 APPROPRIATE.

16 SEC. 167. NOTHING IN THIS ACT REQUIRES A CARRIER, AIRPORT, OR
17 OTHER ENTITY TO TAKE ANY ACTION IN CONTRAVENTION OF A WRITTEN
18 DIRECTIVE OF THE FEDERAL AVIATION ADMINISTRATION OR OTHER FEDERAL
19 AGENCY HAVING JURISDICTION OVER THE ENTITY.

20 Enacting section 1. This amendatory act takes effect May 8,
21 2008.

22 Enacting section 2. This amendatory act does not take effect
23 unless Senate Bill No. 911

24 of the 94th Legislature is enacted into law.