

# Knowing rights if flight's canceled may get you a seat

By [Barbara De Lollis](#), USA TODAY

If there was ever a time when airline passengers wished they had a secret weapon in case the carrier leaves them stranded, it's now.

Fliers could see more disruptions, similar to those experienced by more than 300,000 people on American Airlines two weeks ago, as the Federal Aviation Administration finishes a second phase of maintenance records audits through June 30. United, Delta and Southwest have also grounded planes within the past month.

Rule 240 supposedly offers fliers a remedy. When invoked, the rule is believed to make ticket agents automatically rebook a stranded passenger on another flight — even on another airline.

But it's more complicated than that, say travel agents, travel law experts, frequent fliers and airline officials.

While veteran airline agents usually know the term, mentioning Rule 240 by itself won't "produce any effect whatsoever," says Tim Wagner, spokesman for American Airlines. "That's an urban legend."

But it's one grounded in fact: Before 1978, when airlines were government-regulated, there really was a Rule 240 that required airlines to put a passenger on another flight or another airline if they were to blame for a delayed or canceled flight.

After deregulation in 1978, each airline was responsible for coming up with its own policies for customers affected by delays and cancellations. These are spelled out within their contract of carriage, which some airlines still refer to as Rule 240, says Al Anolik, San Francisco-based travel lawyer.

It's good to know an airline's policy, as carriers are not always eager to lose revenue by putting passengers on other airlines, Anolik says. The provisions also tell passengers what they're entitled to if they're stranded overnight, such as a hotel stay, ground transportation and food.

When American faced thousands of stranded passengers, agents turned to the fine print in its ticket contract, Wagner says.

The cancellations cost American around \$75 million, with much of the cost coming from giving stranded travelers vouchers for hotels, meals and ground transportation or forgoing revenue to put them on other airlines — all provisions of its ticket contract.

Anolik advises travelers to read their ticket contract, which can usually be found on the airline's website by searching for its contract of carriage. He also urges them to travel with the document, either by printing it or storing it on their BlackBerry or PalmPilot.

"When the carrier specifically puts it into the contract of carriage, you have those rights," Anolik says.

The ticket contracts have a few other quirks worth knowing:

- Promises vary by airline.** Language in Delta's ticket contract, for instance, says that it may arrange to fly a traveler on another airline "at our sole discretion." Continental's ticket contract says that it will do so "at the passenger's request." The major airlines usually note that they won't fly passengers on airlines they don't have inter-line agreements with, such as Southwest.

- Provisions can change at any time.** United and Delta, for instance, updated their contracts of carriage since March 27. Continental's document is dated March 10.

- Know when you're not protected.** Airlines promise to put you on another flight or refund your money only under certain circumstances, such as the safety reinspections. The list of exceptions has grown beyond the typical weather, war and riots to include strikes, work slowdowns, labor shortages and fuel shortages.

Most frequent fliers say they know Rule 240 is no great fix.

"It's a waste of time," says Sammy Tawil of Allenhurst, N.J., who invoked Rule 240 last fall with American. "They gave me a bunch of stories and kept passing the buck to other agents and supervisors."

Twice in the last two years, frequent flier Jay Hibbard of Portland, Maine, says he invoked it but "got a blank look from the agent." His advice to get the best service: "Be an elite-level member, and get on the phone or go into the club where the agents are still schooled in customer service."

Frequent flier Jonathan Blue of Louisville, however, says he uses the concept frequently. If facing a canceled flight and some resistance from the agent to switch him to another airline's flight, he politely brings up the airline's contract and asks specifically for what he wants. He says he usually doesn't have trouble at that point.

Airline ticket contracts generally allow for a transfer to another airline that they have an agreement with if that airline can get you to your destination before they can.

"You have to assert your right; otherwise, it's never volunteered, because airlines don't want to fly you on other carriers," Blue says. "They'd rather have you fly out on their later flight."

Will Lockwood of Redding, Calif., says he always travels with his airline's ticket contract in case he talks to an agent who seems to not know the rules. What also helps is knowing what your alternate flights are when talking to the agent, he says.

"There have been times where I have been told there aren't any options, and then I have pulled out some flights," he says. "The attendant ended up giving me those flights."

The best advice of all?

Be nice, Lockwood says. "The ticket agents are getting blasted by everyone when there are delays, so when you walk up and are really nice to them, they seem more willing to make sure you get to where you need to go."

### **Stuck in the airport because the airline canceled your flight?**

Here's what some airlines say they'll do for you in their contract:

#### **American**

says it will put you on its next flight with available seats. If it doesn't get you to your destination the same day, it will provide lodging "subject to availability."

#### **Delta**

says it will fly you on the next flight that has a same-class seat available; flights on other carriers are booked at its discretion. If you paid for business class but only a coach seat is available, you can get a partial refund. If the next seat available is in business class, and you paid for coach, Delta can put you in coach and upgrade a frequent flier.

If your flight is delayed for more than four hours, Delta will give you vouchers for meals. If you're stuck between 10 p.m. and 6 a.m., Delta will give you vouchers for a hotel —if there's room at ones they work with — and ground transportation.

#### **Continental**

says it will fly you in premium class, if that's all that's available on the next flight out and it gets you there earlier than the next flight with a coach seat. If you're delayed more than two hours, it will switch you to another airline — if you request it.

If you're stuck for more than four hours between 10 p.m. and 6 a.m., Continental will provide a hotel and a second meal. It will provide food if the delay "will extend beyond normal meal hours."

#### **United**

says it will fly you on the next flight in the same class of service. If it can't arrange transportation "that's acceptable to the passenger," it will fly you out on another airline in the same class of service.

If you paid for premium class and the only seat available is in coach, United will refund you the difference.

If you're stuck more than four hours between 10 p.m. and 6 a.m., United says, it will provide lodging.

#### **Northwest**

says it will fly you on the next flight in the same class of service or higher if that's all that's available; if it can't, it will put you on another airline in the same class. If you paid for a premium seat and there's room only in economy, you're entitled to a partial refund.

If you're stranded overnight, Northwest "will make every effort" to provide lodging and a voucher for meals.

#### **US Airways**

says it will fly you out on another of its flights; if it can't, it may fly you out on another airline.

If you're stranded overnight, US Airways says it will put you up in a hotel, provide ground transportation and give you breakfast. If you're delayed for four hours or more during meal times, you can get food vouchers.