

**DEPARTMENT OF TRANSPORTATION**

**OFFICE OF THE SECRETARY**

**14 CFR Parts 256 and 257**

**Docket No. DOT-OST-2014-0056**

**RIN No. 2105-AE11**

**Enhancing Airline Passenger Protections III: Extension of Compliance Date for Certain Provisions**

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Final Rule; extension of compliance date of certain provisions.

**SUMMARY:** The Department of Transportation is extending the compliance date from February 15, 2017, to March 17, 2017, for the provisions concerning codeshare disclosure requirements and prohibition of undisclosed flight display bias in the Department's final rule on enhancing airline passenger protections. This extension is in response to a request by Airlines for America (A4A) and Delta Air Lines.

**DATES:** The effective date of the final rule on enhancing airline passenger protections, which was published at 81 FR 76800 on November 3, 2016, continues to be December 5, 2016. The compliance date for the new 14 CFR Part 256 and the revisions to 14 CFR Part 257.5 is now March 17, 2017. This notice does not change the compliance dates for any other provisions of the November 3, 2016, final rule.

**FOR FURTHER INFORMATION CONTACT:** Blane A. Workie, Office of Aviation Enforcement and Proceedings, U.S. Department of Transportation, 1200 New Jersey Ave. SE, Washington, DC, 20590, 202-366-9342, 202-366-7152 (fax), [blane.workie@dot.gov](mailto:blane.workie@dot.gov) (e-mail).

## **SUPPLEMENTAL INFORMATION:**

On November 3, 2016, the Department of Transportation published a final rule in the Federal Register (81 FR 76800), titled “Enhancing Airline Passenger Protections III.” This rule, among other things, amends the Department’s code-share disclosure regulation and prohibits undisclosed biasing based on carrier identity by carriers and ticket agents in any electronic displays that provide the fare, schedule or availability information of multiple carriers. The compliance date for these two requirements was originally December 5, 2016, but was extended to February 15, 2017, in response to petitions for extension by Airlines for America (A4A) and Carson Wagonlit Travel.

On January 27, 2017, the Department received another request from A4A to extend the compliance date of the provisions in the Enhancing Airline Passenger Protections III final rule concerning code-share disclosure requirements and prohibition of undisclosed flight display bias. In that request, the A4A cites the January 20, 2017, memorandum to department heads directing a “Regulatory Freeze Pending Review” as a reason to extend the compliance date, if different from the effective date, to 60 days from January 20, 2017. On February 10, 2017, Delta Air Lines, Inc. (Delta), also submitted a request to the Department expressing support for extending the compliance date. Delta asserts that an extension of the compliance period would be consistent with the memorandum directing a “Regulatory Freeze Pending Review.” After carefully considering the requests, we have decided to grant an extension of the compliance date of the codeshare disclosure and undisclosed display bias requirements until March 17, 2017. We are continuing to review the A4A and Delta requests.

ISSUED THIS 14<sup>th</sup> DAY OF FEBRUARY, 2017, IN WASHINGTON, D.C. under authority delegated in 49 CFR 1.27(n):

**-Original Signed-**  
Judith S. Kaleta  
Deputy General Counsel