

**Musicians'
Union**



Flying with a U.S. Airline

On the 30th December 2014 the U.S. Department of Transport issued a ruling which marks a major step forward for musicians wanting to fly with their instruments.

To view the ruling follow this link:

<http://www.dot.gov/airconsumer/final-rule-musical-instruments>.

In summary this final ruling implements fully Section 403 of the Federal Aviation Administration (FAA) Reauthorisation Act of 2012.

Small musical instruments as carry-on baggage

Each covered air carrier shall permit a passenger to carry in the aircraft cabin, without charging the passenger a fee in addition to any standard fee that carrier may require for comparable carry-on baggage, if

- a) The instrument can be stowed safely in a suitable baggage compartment in the aircraft cabin or under a passenger seat, in accordance with the requirements for carriage of carry-on baggage or cargo established by the FAA; and
- b) There is space for such stowage at the time the passenger boards the aircraft.

Large Musical Instruments as carry-on baggage

Each covered carrier shall permit a passenger to carry a musical instrument that is too large to meet the requirement above in the aircraft cabin, without charging the passenger a fee in addition to the cost of an additional ticket described in paragraph e) below, if

- a) The instrument is contained in a case or covered so as to avoid injury to other passengers;
- b) The weight of the instrument, including the case or covering does not exceed 165 pounds (75Kg) or the applicable weight restrictions for the aircraft;
- c) The instrument can be stowed in accordance with the requirements for carriage of carry-on baggage established by the FAA;

- d) Neither the instrument nor the case contains any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation in the United States; and
- e) The passenger wishing to carry the instrument in the aircraft has purchased an additional seat to accommodate the instrument.

Large musical instruments as checked baggage

Each covered carrier shall transport as baggage a musical instrument that is the property of a passenger travelling in air transportation that may not be carried in the aircraft cabin, if

- a) The sum of the length, width and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150" or the applicable size restrictions for the aircraft;
- b) The weight of the instrument does not exceed 165 pounds or the applicable weight for the aircraft; and
- c) The instrument can be stowed in accordance with the requirements for carriage of carry-on baggage or cargo established by the FAA.

To elaborate on some of the summary above;

Small Instruments

The rule provides that airlines are required to allow passengers to stow their musical instruments in an approved stowage area in the cabin only if at the time the passenger boards that stowage space is available. It is custom and practice that all passengers and crew make use of available cabin stowage on a first come- first served basis. Therefore, once stowed any passengers belongings cannot be moved to make way for either an instrument or more baggage. Similarly your instrument, once installed in the stowage area cannot be moved to make way for baggage belonging to a passenger who boarded after you. The rule does not give priority to musical instruments over other baggage but it does encourage passengers to take advantage of any early or priority boarding opportunities made available to them by the airline, usually for a fee. The rule also prohibits the charging of any additional fees other than the standard ones imposed for carry-on baggage.

Should an airline state two items of carry-on baggage the instrument is as part of that quota not in addition to it. Therefore, if it is a third item - that may attract an additional fee in the same way an additional case or bag would.

Larger Instruments

For larger items that do not fit into the stowage areas an additional seat must be purchased or the instrument travels as cargo. The ruling does not require airlines to introduce new programs for seat stowage where no previous program existed , however it does encourage airlines to consider modifying existing programs to allow for the stowage of large instruments on a seat provided all safety requirements are

met. It is however important that the instrument be appropriately cased and secured to avoid movement under normal flying and ground conditions e.g. turbulence etc.

Airlines must not assign an instrument to a seat if, in doing so, the safety signs become obscured from other passengers view. Should this occur the ruling allows for airline and passenger to work together to find a suitable solution i.e another seat. It is advised that passengers make it clear at the time of booking that they wish to travel with a large instrument. Similarly airlines should ensure their reservation and airport agents are trained to provide appropriate seat assignments and that crews are trained and have the appropriate restraining device for securing the instrument to the seat.

Large Instruments

If you wish to make use of the checked baggage facility again the ruling requires airlines to accept musical instruments but is silent of the charges imposed by airlines because costs are related to size and weight however the rule recognises that airlines may impose the same checked baggage charges that apply to any other checked baggage of that size and weight. Again fair and transparent – oversize charges may be applied if the instrument is 'over size'.

This is extremely good news and we congratulate our colleagues at the AFM for their part in the achievement of this ruling. We will take this to the European Union in the hope that the European airline industry will, follow suit and provide some certainties and reassurances for musicians travelling with instruments and the horror stories of guitars etc being smashed in transit will become a thing of the past.

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