

Part 234 – ASQP Mishandled Baggage, Wheelchairs, Scooters Data

The ***ASQP – Mishandled Baggage Data Files*** must be created as an electronic “comma separated value” file, using ASCII text character encoding, for uploading via the “eSubmit” application.

Required Sample Data File Record Format (Form 1): ZZ,2010,03,2023,35000,918,2485

Required Sample Data File Record Format (Form 2): XX,2010,03,2023,35000,918,2485

The comma separated value file **MUST BE** indicated when naming the file, by using the letters [CSV] or [csv] following the file name, as the file name extension.

Required file name format for Data File (Form 1): ZZ201003-234mbr.csv

The file name for reports of codeshare flights filed by a marketing carrier must contain the word “codeshare” to indicate the nature of the file.

Required file name format for Data File (Form 2): XX201003-234mbr-codeshare.csv

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2138-0041. Public reporting for mishandled baggage is estimated to be approximately 10 hours per response for an air carrier to report for its operations and an additional 16 hours per response if the air carrier reports for covered codeshare operations, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory, as authorized by 14 CFR, Part 234. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, OAI/BTS/OST-R, RTS-42, 1200 New Jersey Avenue, SE, Washington, D.C. 20590

Baggage Data File Form 1

Field Description	Data Type	Length	Comments	Sample Data
Operating Carrier code	Character	2	Two letter IATA code	ZZ
Year of Data	Numeric	4	Year (CCYY)	2010
Month of Data	Numeric	2	Month (MM)	03
Number of Mishandled Bags	Numeric	Varies		2023
Number of Bags Enplaned	Numeric	Varies		35000
Number of Mishandled Wheelchairs and Scooters	Numeric	Varies		918
Number of Wheelchairs and Scooters Enplaned	Numeric	Varies		2485

Baggage Data File Form 2 (Codeshare)

Field Description	Data Type	Length	Comments	Sample Data
Marketing Carrier code	Character	2	Two letter IATA code	XX
Year of Data	Numeric	4	Year (CCYY)	2010
Month of Data	Numeric	2	Month (MM)	03
Number of Mishandled Bags	Numeric	Varies		2023
Number of Bags Enplaned	Numeric	Varies		35000
Number of Mishandled Wheelchairs and Scooters	Numeric	Varies		918
Number of Wheelchairs and Scooters Enplaned	Numeric	Varies		2485

Number of Mishandled Bags: Reporting carriers must report the number of mishandled bags, as reported by or on behalf of passengers, that were mishandled while in its custody, including gate- checked baggage, “valet bags,” interlined bags, and wheelchairs and scooters.

(1) For bags traveling on purely domestic itineraries with multiple operating carriers on a single ticket, the Department considers carriers involved in the itinerary to be in compliance with DOT reporting rules if:

(A) the carriers accurately determine the actual number of bags mishandled in

each carrier's custody, and the carrier responsible for the mishandling reports it to the Department; OR

(B) the carriers, for bags other than valet bags¹, do not determine where or by whom a bag was mishandled, but all carriers agree to have the carrier that operated the last flight segment report the mishandling to the Department,² if that carrier is a reporting carrier, and that carrier accurately reports in this manner to the Department.³

(2) For bags of passengers traveling on itineraries with reportable domestic segments and nonreportable international segments, the Department considers the carrier in compliance with DOT reporting rules if:

(A) the carrier accurately determines whether a bag was mishandled while traveling on a domestic segment, and reports to the Department if that is the case⁴; OR

(B) the carrier accurately excludes, from the data submitted to the Department, mishandled bags as reported by passengers traveling on international itineraries with domestic segments, other than mishandled valet bags on domestic segments, and the carrier also accurately excludes the number of bags enplaned into the aircraft cargo compartment on international itineraries with domestic segments, other than valet bags transported on domestic segments.⁵

1 Since valet bags are returned to the passenger by the carrier that accepted the bag, carriers following option (1) (B) must report the actual mishandling of a valet bag.

2 This methodology is consistent with principles of International Air Transport Association's (IATA) Resolution 780, which is a mandatory practice for all IATA member airlines and is applicable to interline arrangements. See: <http://www.iata.org/whatwedo/ops-infra/baggage/Pages/standards.aspx>. Under IATA resolution 780, the carrier that operates the last flight segment generally accepts a mishandled baggage claim as reported by the passenger. DOT defines a mishandled bag as a checked bag that is lost, delayed, damaged, or pilfered, as reported to a carrier by or on behalf of a passenger. 14 CFR 234.2.

3 If the last segment was operated by a non-reporting carrier, that carrier would not be required to submit a mishandled baggage report to the Department. However, if the last flight segment is marketed under only one U.S. carrier's code and that U.S. carrier is a reporting carrier, then that reporting carrier must include the mishandled bag data in Baggage Data Form 2 (codeshare). See 14 CFR 234.6 (b).

4 Reporting mishandled baggage data for domestic segments of international itineraries based on the carrier that operated the last flight segment is not an appropriate means of compliance with the rule. Unlike for an itinerary of only domestic segments, if a carrier uses this approach for domestic segments of international flights, the carrier would, at times, be reporting mishandled bags that occurred on non-reportable segments that are outside the scope of the rule.

5 Valet bags belonging to passengers who are traveling on domestic segments of international itineraries must be included in the total number of bags enplaned and, if mishandled, in the total number of mishandled bags. Passengers drop off and pick up these bags at the end of the loading bridge or on the tarmac near the aircraft for a domestic flight, so it is clear if the bags were mishandled in the United States.

No later than December 1 of each year, reporting carriers must identify and submit in writing to “OnTime.support@dot.gov” their reporting methods for the upcoming calendar year for bags traveling on purely domestic itineraries with multiple operating carriers on a single ticket and for bags traveling on itineraries with reportable domestic segments and nonreportable international segments.⁶ Additionally, if a reporting carrier enters into a new domestic interline agreement during the calendar year, the carrier must notify OAI in writing of this event and of the reporting methods the reporting carrier will use with its new domestic partner for the remainder of that calendar year. Each reporting carrier intending to submit data to the Department in the manner described in (1)(B) of this subsection for any of its flights involved in a purely domestic itinerary should identify to the Department all carriers with which it has an agreement to handle domestic interlined baggage and, separately, which of these carriers have agreed to report using option (1)(B) (participating carriers).⁷ The carriers that choose to report data to the Department in the manner described in (1)(B) must report consistently in that manner for the entire calendar year for bags traveling on participating carriers. Additionally, a carrier that chooses to exclude domestic segments of international itineraries as described in (2)(B) of this subsection must report for the entire calendar year only in this manner.

Number of Bags Enplaned: Reporting carriers must report the number of bags, including gate-checked baggage, “valet bags,” interlined bags, and wheelchairs and scooters that were placed into the aircraft cargo compartment for each domestic nonstop scheduled passenger flight. For example, if a passenger was traveling one-way from Denver to Boston with a connection requiring a change in aircraft in Chicago, the bag will be counted twice as it was placed into the cargo compartment of two aircraft. Consistent with this approach, if that passenger were instead traveling on a direct flight from Denver to Boston with an intermediate stop in Chicago with no change of planes, the bag would be counted only once – when it was enplaned in Denver.⁸

For carriers excluding mishandled bags of passengers traveling on domestic segments of international itineraries as described in (2)(B) of this subsection, the carrier would also exclude the bags enplaned on domestic segments of international itineraries. An acceptable way of doing this is by taking the carrier’s monthly total number of bags enplaned and then removing from it the monthly total number of bags associated with a passenger name record that includes a segment departing from or landing in a location outside the United States. Additionally, for carriers using this reporting method, mishandled valet bags on domestic segments of international itineraries would be reported in the number of mishandled bags, and valet bags on domestic segments of international itineraries would be included in the number of bags enplaned.

⁶ Notwithstanding the effective date of this directive, reporting carriers must first provide this notification no later than December 1, 2018.

⁷ For example, if a reporting carrier has an interline agreement with carriers 1 through 8 and only carriers 1 through 5 agree to use the method described in (1)(B) of this subsection, the reporting carrier can use the method described in (1)(B) to report mishandled baggage data for itineraries involving only carriers 1 through 5 and (1)(A) for itineraries involving any of the carriers 6 through 8.

⁸ Reporting of Data for Mishandled Baggage and Wheelchairs and Scooters Transported in Aircraft Cargo Compartments, 81 Fed. Reg. at 76302.

(a) Additional Reporting Information.

What should be reported as a Mishandled Bag?

Generally, carriers must report to the Department all bags (including wheelchairs and scooters) reported by or on behalf of passengers as lost, damaged, delayed, or pilfered, that occurred in the custody of the carrier or the custody of its code-share partner (as defined in subsection (a)(1) of this section) for domestic flights to or from any U.S. large, medium, small or non-hub airport. For multi-carrier itineraries, the carriers involved must determine under which carrier's custody the bag was mishandled and report accordingly or report the mishandling to the Department based on the carrier that operated the last flight segment. For itineraries with reportable domestic segments and nonreportable international segments, the carriers must determine whether a bag was mishandled on a domestic segment and, if so, report the mishandling to the Department or exclude the mishandled bag and enplaned bag on international itineraries with domestic segments (other than the valet bags on the domestic segment(s)).

A bag is considered delayed when the bag is reported as delayed or lost, and the bag is not yet proven lost. For example, a bag that is located and returned within 30 minutes, or with the arrival of the next flight is still reportable to the Department if the passenger reports it to the carrier as delayed or lost, and should not be filtered out by carriers. The mishandled baggage number sent to the Department should include, for example, reports by or on behalf of a passenger of a mishandled bag even if the passenger had agreed to a voluntary separation from his or her baggage, courtesy tracer reports, baggage improperly checked by skycaps, baggage claimed by the wrong passenger, and baggage delayed because of security.

What should not be reported as a Mishandled Bag, Wheelchair, or Scooter to DOT?

The following are the limited instances when a carrier may exclude a bag reported as mishandled by or on behalf of the passenger from its report to the Department:

(1) When a particular type of mishandling (i.e., loss, delay, damage, or pilferage) for the same bag on the same trip itinerary is reported more than once, the carrier need only include one mishandling in its statistics.

(2) When a bag is reported by or on behalf of a passenger who did not have a reservation for an itinerary marketed or operated by the carrier.

(3) When a bag is reported, lost or delayed, undisputable evidence (e.g., video footage or the passenger's own statement) shows that the bag was picked up without delay, such as by the consumer's traveling companion.

(4) When a carrier is reporting for domestic segments of international itineraries pursuant to (b)(2)(A) of this section, and a bag is reported lost or delayed at the passenger's final destination, undisputable evidence shows that the bag was available in the appropriate location at the first point of entry into the United States, to be picked up by the passenger for rechecking

for

a subsequent domestic flight segment on that itinerary, but the passenger failed to pick up the bag.

(5) After a bag is reported pilfered, information is presented by the passenger, or his or her representative, that the missing items were found.

(6) When the airline has conclusive evidence that a report was filed as a result of fraud.

(7) When conclusive evidence shows that the mishandling reported did not occur in the reporting carrier or its code-share partner's custody. This exception will apply to carriers that choose to report purely domestic itineraries with multiple operating carriers under reporting method 1(B) only when conclusive evidence shows that none of the carriers involved in the itinerary had custody of the bag.

In the event a carrier discovers an instance described above after reporting data to the Department for the month in which the mishandling occurred, the carrier may not revise that month's data by subtracting this mishandled bag or omit a mishandled bag in any subsequent month's report.

When is a bag (including a wheelchair or scooter) in a carrier's custody?

For the purposes of reporting mishandled baggage data to the Department, a bag, wheelchair, or scooter is in the custody of a carrier beginning at the point in time which the passenger hands the bag to the carrier's representative or agent, or leaves the bag at a location as instructed by the carrier. A carrier's custody ends when the passenger, a party acting on the passenger's behalf, or another carrier takes physical possession of the bag. A bag loaded on a conveyor belt and unclaimed by a passenger is considered to remain in the carrier's custody.

For a bag that is being handed off between carriers or its agents such as for purposes of transferring the bag to a connecting flight, the arriving carrier is considered to be in custody of the bag until the receiving carrier or its agent takes physical possession of the bag or the bag is left at a location as instructed by the receiving carrier.

For the purposes of reporting mishandled baggage data to the Department, the Department considers security screening, such as that performed by the TSA or contracted security screeners, to be part of the carrier's process in handling baggage. Therefore, possession of a bag by these entities is not an event that breaks a carrier's custody.

Do carriers need to report mishandlings by third parties?

Carriers are responsible for reporting mishandled bags occurring in the custody of their third-party contractors, such as a vendor delivering the bag to the passenger on the airline's behalf. However, carriers do not need to report a mishandled bag if the mishandling occurs in the custody of a third-party that is not performing services on behalf of the carrier, such as when the passenger authorizes the agent of a cruise line to pick up a bag on his or her behalf. Again,

for the purposes of reporting under this directive, the Department considers security screening, such as that performed by the TSA or contracted security screeners, to be a service that is not independent of the carrier's normal process in handling baggage and, therefore, not an excludable third-party.

How do the requirements addressed in this directive relate to electronic passenger notifications such as through mobile devices applications?

The Department is aware that some airlines are implementing baggage tracking systems that alert passengers when their bags will arrive late. These new systems benefit passengers by providing them prompt and up-to-date information about the status of their bags and by connecting them with their bags without needing to visit the baggage claim areas or the baggage service offices. When using these technologies, passengers are often advised to click on a link provided in the late bag notification to either wait for the bag or set up free delivery. By filling in the required information for baggage delivery, passengers are acknowledging the receipt of the notification that their bags are delayed and, in the Department's view, that acknowledgement constitutes reporting a mishandled bag with the airline. Similarly, by choosing to wait for a bag and completing a delayed bag report, passengers are reporting a mishandled bag with the airline. The use of new baggage tracking technologies to alert travelers when checked baggage arrives late does not relieve a carrier of its obligation to report those bags as mishandled.

(b) ASQP – Mishandled Baggage and Wheelchairs and Scooters Report Certification

A certification statement identifying an appropriate official of the reporting carrier is required for each Mishandled Baggage and Wheelchairs and Scooters Report. In addition to filing Baggage Data File Form 1, reporting carriers that market reportable codeshare flights must file a separate Mishandled Baggage and Wheelchairs and Scooters Report using Baggage Data File Form 2 for domestic flights marketed under only one U.S. carrier's (the reporting carrier's) designator code and operated by its codeshare partners to or from a reportable airport. The certification statement will read:

I, (Name) and (Title), of the above-named carrier, certify that the Mishandled Baggage and Wheelchairs and Scooters Report file is to the best of my knowledge and belief, true, correct and a complete report for the period stated.

Month and Year of Data:

Number of Mishandled Bags:

Number of Bags Enplaned:

Number of Mishandled Wheelchair and Scooters:

Number of Wheelchair and Scooters Enplaned:

Date:

Name (Please Print or Type):

Signature:

Once signed, the ***Mishandled Baggage and Wheelchairs and Scooters Report Certification*** must be published as an electronic “portable document format” (PDF) document, and uploaded to the eSubmit application.

The PDF file format MUST BE indicated when naming the file, by using the letters [PDF] or [pdf] following the file name, as the file name extension. You must have Adobe Reader software downloaded on your computer in order to “save as/print” your document as a ‘pdf’ file.

While the file name is flexible and may be determined by the individual air carrier, the pdf file format is required.

Required file name format for Form 1 Report Certification: XX201003-234mbrCert.pdf

The file name for reports of codeshare flights filed by a marketing carrier must contain the word “codeshare” to indicate the nature of the file.

Required file name format for Form 2 Report Certification (Codeshare): XX201003-234mbrCert-Codeshare.pdf