



City of Chicago



O2017-3256

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 4/19/2017

Sponsor(s): Burke (14)
Reboyras (30)
Sposato (38)
Zalewski (23)
Taliaferro (29)
Napolitano (41)

Type: Ordinance

Title: Amendment of Municipal Code Chapter 2-20 by adding new Section 2-20-035 entitled "Aircraft Passenger Protection Ordinance"

Committee(s) Assignment: Committee on Aviation

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the Illinois Constitution, Article VII, Section 6 (a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs, including promoting the quality of life, health, safety, and the welfare of its citizens; and

WHEREAS, the City of Chicago takes great pride in our two international airports, Chicago O'Hare International Airport and Chicago Midway Airport, that played host to 100 million passengers in 2016; and

WHEREAS, on Sunday, April 9th, 2017, an incident, that could have been avoided, occurred aboard United Airlines Flight 3411, that was scheduled to depart Chicago O'Hare International Airport for Louisville, Kentucky causing great distress to the passengers on that United Flight; and

WHEREAS, prior to boarding, United Airlines personnel announced that Flight 3411 was overbooked and asked for "volunteers" to give up their seats in exchange for \$400 in flight vouchers; and

WHEREAS, after no "volunteers" came forward to offer up their seats, the passengers were then permitted to board the aircraft; and

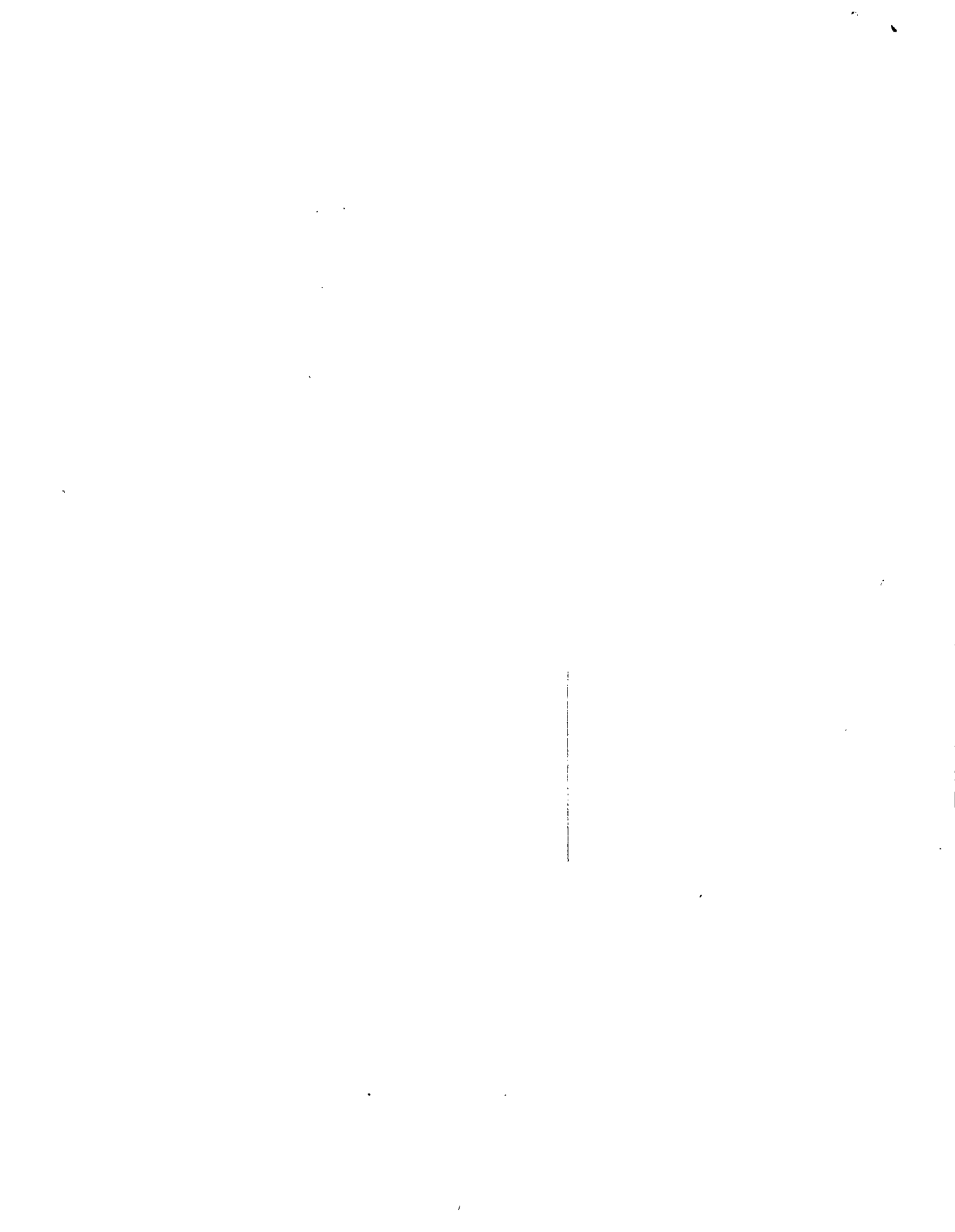
WHEREAS, soon thereafter, an employee of United Airlines boarded the plane and stated that the Airline needed four people to get off the plane; over two alleged attempts, the offers increased to \$800 in flight vouchers and a hotel voucher, once again, there were no "volunteers" from the passengers sitting in seats that they had purchased; and

WHEREAS, the seated passengers of Flight 3411 were then informed by United Airlines personnel that the plane would not depart until four people got off the plane in order to accommodate four United Airlines employees that needed to get to Louisville; and

WHEREAS, after this announcement, United Airlines implemented their policy for "involuntary denied boarding" and selected four passengers to be bumped; and

WHEREAS, it has been reported that United Airline's policy for "involuntary denied boarding" permits the airline to select passengers to bump to a later flight based on a priority system that can take into account how much passengers paid, how often they fly, whether missing that flight could affect a connecting flight and how early they checked in for their flight. People with disabilities and unaccompanied minors are generally the last to be bumped; and

WHEREAS, it has been reported that United Airlines personnel then approached a couple and the pair reluctantly got off the plane, they also did so to another gentleman who left the plane; and



WHEREAS, United Airline's personnel approached the fourth passenger, now known as Dr. Dao, to get off the plane and he refused, he was then told that security would be called if he did not get off the plane; and

WHEREAS, United Airlines contacted Chicago O'Hare Airport security and they proceeded to remove the passenger from his seat, he reportedly then hit his head and then a security officer then proceeded to drag him down the aisle by his arms, with his glasses askew and shirt pulled up over his midsection; and

WHEREAS, this entire confrontation was captured on video by multiple passengers aboard of United Airlines Flight 3411, thereby allowing the entire world to witness this event via social media and news outlets; and further damaging United Airlines' reputation and reflecting poorly on the Chicago Department of Aviation's security officers; and

WHEREAS, the Chicago Department of Aviation issued a statement that "this incident aboard United Flight 3411 was not in accordance with our standard operating procedure, and the actions are obviously not condoned by the Department"; and

WHEREAS, the City of Chicago has placed the three Chicago Department of Aviation security officers involved in this incident on leave pending the conclusion of its investigation into this matter; and

WHEREAS, the actions of the gate attendants and attendants aboard United Airlines Flight 3411 created a state of panic for the passengers and forced the Chicago Department of Aviation security officers to remove a passenger from the plane in order to accommodate United's employees; and

WHEREAS, Section 2-20-030 of the Municipal Code of Chicago entitled "Police Powers of Department Employees" grants the Commissioner of the Department of Aviation the power to designate employees of the Department of Aviation with police powers and those personnel are then sworn in as special policemen by the Superintendent of Police; and

WHEREAS, pursuant to Section 2-20-030, these designated Chicago Department of Aviation special policemen shall have the power to eject from any public airport owned or operated by the City any person who acts in a disorderly manner, or in a manner calculated to injure the property of the City within such airport; and

WHEREAS, nowhere in these powers does it expressly state that these special policemen may remove a passenger from an airplane that has been "involuntarily denied boarding"; and

WHEREAS, to prevent incidents like this from occurring again at our airports, the City finds that it not only must protect the passengers passing through its airports but also its employees from being utilized as "tools" to enforce Airline rules and alleged regulatory violations that are not placing anyone in harm's way; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

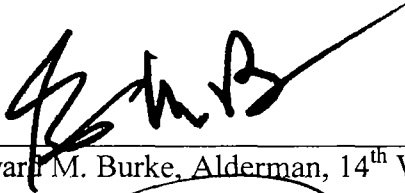
SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 2-20 of the Municipal Code of Chicago is hereby amended by adding Section 2-20-030 underscored as follows:

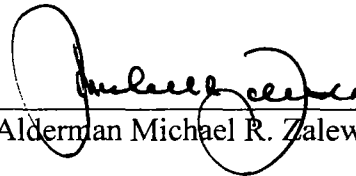
2-20-035. Aircraft Passenger Protection Ordinance.

No employee of the City of Chicago shall aid airline personnel in the removal of a passenger from an airplane at any public airport owned or operated by the City or from entering an aircraft unless a crime was committed, or in the case of a medical emergency.

SECTION 3. This ordinance shall be in full force and effect thirty (30) days after its passage and publication.



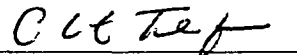
Edward M. Burke, Alderman, 14th Ward



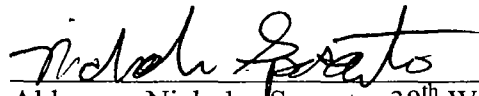
Alderman Michael R. Zalewski, 23rd Ward



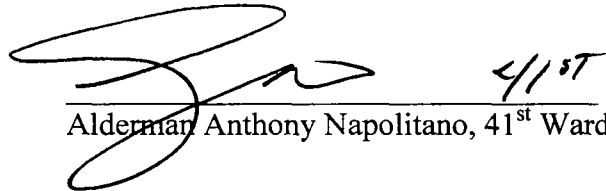
Alderman Ariel Reboyras, 30th Ward



Alderman Christopher Taliaferro, 29th Ward



Alderman Nicholas Sposato, 38th Ward



Alderman Anthony Napolitano, 41st Ward

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