We've all heard the frightening stories about trouble bringing musical instruments on airline flights. Now uniform federal regulations governing air travel with musical instruments are finally in place.

Friendlier Skies for Musicians

When Dave Carroll posted his now-famous “United Breaks Guitars” on YouTube in July 2009, it generated half a million views within three days. By mid-August of 2009, it was at five million views; by early September of 2013 it had reached 13.3 million. By now, the number is well over 20 million, the song—he wrote two more versions of it—has travelled to the top of the charts, and Carroll's book, United Breaks Guitars, the Power of One Voice in the Age of Social Media, has made him a celebrity on the speaker circuit.

The singer/songwriter’s tale of woe, describing the fate of his Taylor acoustic guitar in the hands of United’s baggage handlers on a flight from Chicago to Omaha, is but one of many horror stories from musicians traveling by air—certainly it’s among the few with such a happy ending. More recent ones include the broken neck of Wu Man’s $50,000 pipa by a US Airways flight attendant, or, on a lighter note, Time for Three violinist and Indianapolis Symphony Concertmaster Zachary De Pue’s impromptu concert on the tarmac when the same airline instructed him to check his 250-year-old violin. He and his instrument were put on a subsequent flight, where he met no resistance at all to carrying his instrument onboard, pointing up another problem: consistency—we lack them—of policy from one flight crew to another, not to mention one airline to another.
This part breathed at risk ... We urge you to ensure this rule-making is a priority.”

Ultimately, the letter had its desired effect. After five months of further prodding on the part of the League, the AFA, the Recording Academy, and other advocacy groups, the DOT in April issued its final ruling, which allows musicians to fly with their instruments on domestic flights with certain safety specifications. The DOT encourages airlines that don’t yet allow it…. We do, however, encourage these carriers to consider modifying their programs to allow the stowage of large musical instruments at passenger seats, provided that all safety requirements are met. To quote from the preamble to the regulations, since “FAA safety regulations do not mandate that a carrier must allow in-cabin or checked baggage; if it fits, and if there’s room (board and cargo), the carrier may then be subject to federal regulations concerning air travel with musical instruments in place.”

League of American Orchestras Vice President for Advocacy Heather Noonan worked closely with arts groups, government agencies, and policy makers to get uniform federal regulations concerning air travel with classical instruments.

“We were trying to make [policy makers] understand that this is what classical musicians carry onboard and this is why it’s important for us to do so,” says Jennifer Mondie, a violist with the National Symphony Orchestra and board member of ICSOM. “We are relying on musicians for good information about whether the airlines are complying or not,” says DOT General Counsel Katie Thomson. “If they’re not, we encourage them to make a complaint to us.”

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lines in advance about any space restrictions of the particular aircraft being flown, boarding flights early, and communicating with flights personnel at every step can smooth the way for successful travel."

Musicians can expect that it will take time for airlines to completely implement the new rules. "It will be very helpful for airlines to more clearly explain how their policies support travel with musical instruments," says Noonan. "But if airline personnel don’t implement those policies consistently, then musicians are still left to a terribly risky situation. Musicians should experience far better circumstances for travel, but may continue to experience challenges as the airlines adapt. It is very important for musicians to report any problems directly to the airline and to the DOT to ensure forward momentum on policy improvements."

What if a musician encounters resistance from an airline about bringing a small- to medium-sized instrument onboard? "If a musician runs into a problem, he or she can file a complaint with the airline, as has always been the case," says Noonan. "The musician should also file a complaint with the DOT. The swiftest response to a case will come by dealing directly with the airline. Filing a complaint to DOT adds the issue to the tracking system DOT uses to monitor where the patterns of problems are happening, so that the agency can take action when needed."

The DOT confirms that it is ready and willing to do just that. "We are relying on musicians for good information about whether the airlines are complying or not," says DOT General Counsel Katie Thompson. "If they’re not, we encourage them to make a complaint to us so we can follow up. We’ll be doing spot checks as well."

Asked about how and when action might be taken against an offending airline, Thompson says, "We look for a pattern and practice of violations. If we determine an airline has one, then we pursue an enforcement action and can seek both penalties and corrective action from the airline. Generally that is subject to negotiation."

Nevertheless, Thompson points out, "Airlines have no requirement to reimburse a musician for a damaged musical instrument."

However, in some cases, they have done so. Most airlines spell out in their contracts of carriage the limitations of their liability for damaged, destroyed, or lost items. US Airways not only covered the cost of a new pipe, it also paid for Wu Man to fly roundtrip to Beijing twice to consult with the instrument’s maker—fortunately the same one who had crafted the original. In an article previewing her first concert with the new instrument, The New York Times described it as "a beauty to look at…. It is also a beauty to hear in Ms. Wu’s hands."

SUSAN ELLIOTT writes frequently on the arts and is the editor of MusiciansAmerica.com.

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