



INTERNATIONAL BLUEGRASS MUSIC ASSOCIATION

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Flying with your instrument can be a challenge. This article will set out some of the basic rules applicable to airline travel with instruments while pointing out some travel tips. Remember, though, the rules vary airline to airline and a phone call in advance to check the rules with your carrier is important.

To Learn More:

- Visit the TSA web site at: www.tsa.gov ^[2].
- Visit the website of your airline and review its policies on musical instruments as carry-ons and as checked baggage.

Preparing for Airline Travel

Know in advance if you will carry on or check your instrument. If checking, have a good case, loosen strings on guitars and banjos, and make sure they are packed snugly with support under the headstock. Don't check violins and mandolins. Bases must be checked.

Photograph and document your instrument. Keep up-to-date photos of your instrument and case (not in the case!) along with serial numbers and a record of distinctive markings which you can use if your instrument is lost or stolen.

Know the dimensions and weight of your instrument and case. This may be necessary to ensure you meet the carry on, or even the checked luggage, rules of the airline you are traveling, as the requirements vary airline to airline.

Put a note in your case with directions on packing and repacking. Your case may well be opened for inspection in transit and a note in plain English advising how to pack and unpack the instrument may help prevent damage.

Have a back up plan. Know how to ship your instrument by UPS, Fed Ex or other means.

Carry on, checking and gate checking

Post 9/11's increased airline security measures, the major musician's unions negotiated with the Transportation Security Administration (TSA) to set certain rules for carrying instruments on airlines. These agreements specify that you have the right to carry on one instrument in addition to the carry on limit. But, this agreement has been held to apply only to the TSA and its screening requirements, and it does not over-rule the baggage policies of the airlines. While many people, including the musician's unions, have advocated for a uniform policy, so far the key issues are left to each airline and the rules vary widely airline to airline. So, check with your airline well in advance to know what your carrier's policies are.

If you can carry on your instrument, do so. Put it in the overhead bin. This is the safest means of travel with your instrument. If you cannot, or if there is no room in the overhead bins, then ask to "gate check" your instrument. It will get a gate check tag, and will be held at the end of the boarding tunnel and loaded last in the plane's baggage compartment with the strollers and other gate check items. If you can, wait with it and talk to the handler who takes it for loading. Upon arrival it will be brought to you in the boarding tunnel.

If you must check your instrument, be sure it has a good case and is well packed. Loosen the strings on guitars and banjos and support the headstock inside the case. A "fragile" sticker may also help.

Airline Liability for Loss and Damage

The courts have held that airlines are liable for damaged or lost baggage, including instruments, where the owner can prove it was delivered to the airline in good condition and returned damaged. In other words, you do not have to prove how or why your instrument was damaged, only that it was in good shape when you gave it to the airline and damaged when you got it back.

Accordingly, photos and records of your instrument and case documenting its condition when delivered are important.

Open Your Case and Examine Your Instrument as Soon as You Retrieve It

Open your instrument in the baggage area before leaving the airport. If there is damage, go to the baggage office and ask to file a claim. Take photos of the damage, with your cell phone if nothing else is handy. Be prepared for baggage personnel to tell you all the reasons it is not their fault: you didn't pack it right, the instrument can't have been damaged by us as the case is in good shape, you should have bought insurance, etc. Insist on filing a formal written claim and keep a copy. Get the names of the baggage people with whom you deal. If you see a note in your case that the TSA inspected your instrument in transit, also file a claim with the TSA as it may not be clear whether the TSA or the airline did the damage. The TSA has an office in each airport.

Processing Your Damage Claim

The rules for processing claims vary, airline to airline. In general, they all involve an initial claim and some type of appeal process. Be prepared for your initial claim to be denied. File an appropriate and timely appeal. To be treated fairly you may need to consult a lawyer who can "remind" the airlines of their liability rules and help you negotiate an acceptable settlement.

Insurance and Liability Limits

Each airline has a limitation on its liability for damaged or lost luggage on domestic flights, including musical instruments. These limits vary airline to airline, commonly ranging between \$500 and \$2500. These limits are typically printed on tickets and posted at the counter. If they are made known to passengers in this manner they are generally enforceable even if you didn't see them, with an important exception: If you ask for additional insurance to cover your instrument above the limit and it is declined, the courts have held the airlines cannot enforce their liability limit and you can collect the full amount of the loss. If your instrument's value exceeds your carrier's liability limit (ask at the counter if not sure what the limit is), ask if additional insurance is available and what it would cost. Document what you are told, and buy the additional insurance if appropriate for you. If you are told it is not available, document that

fact and note the airline person's name as the airline may just have waived its liability limit.

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