

NOTICE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Air Traffic Organization Policy

N JO 7110.524

Effective Date:
April 29, 2010

Cancellation Date:
March 10, 2011

SUBJ: Enhancing Airline Passenger Protections (Three-hour Tarmac Rule)

- 1. Purpose of This Notice.** This notice provides interim guidance concerning Department of Transportation (DOT) Rule, Enhancing Airline Passenger Protections, Title 14 Code of Federal Regulations, part 259, commonly referred to as the “Three-hour Tarmac Rule.” Some verbiage contained in this notice is extracted from the previously mentioned rule. The rule was published in the Federal Register on December 30, 2009, and is effective on April 29, 2010. This notice is intended to facilitate the successful management of the requirements contained in the Enhancing Airline Passenger Protections Rule.
- 2. Audience.** This notice applies to Federal Aviation Administration (FAA) tower facilities, Federal contract towers, Terminal, En Route and Oceanic, and System Operations Services.
- 3. Where Can I Find This Notice?** This notice is available on the MYFAA employee Web site at https://employees.faa.gov/tools_resources/orders_notices/ and on the air traffic publications Web site at http://www.faa.gov/air_traffic/publications/.
- 4. Explanation of Policy Change.** In response to numerous instances of passengers experiencing lengthy tarmac delays, the DOT has issued a final ruling entitled “Enhancing Airline Passenger Protections,” also referred to as the “Three-hour Tarmac Rule,” effective April 29, 2010. To reduce coordination and/or confusion, requests for an aircraft to return to the ramp, gate, or alternate deplaning area from entities other than the pilot-in-command of that aircraft will not normally be accepted unless the aircraft operator is unable to contact the flightcrew via radio or Aircraft Communications Addressing and Reporting System (ACARS). The intent is to have a single source initiating the request and a single focal acknowledging receipt.
- 5. Procedures.**

a. Add Paragraph 3-1-15, Ground Operations Related to the “Three-hour Tarmac Rule,” to FAA Order JO 7110.65 to read as follows:

3-1-15. GROUND OPERATIONS RELATED TO THE “THREE-HOUR TARMAC RULE”

When a request is made by the pilot-in-command of an aircraft to return to the ramp, gate, or alternate deplaning area due to the “Three-hour Tarmac Rule”:

- a. Provide the requested services as soon as operationally practical, or
- b. Advise the pilot-in-command that the requested service cannot be accommodated because it would create a significant disruption to air traffic operations.

NOTE-

Facility procedures, to include actions that constitute a significant disruption, vary by airport and must be identified in the facility directive pertaining to the “Three-hour Tarmac Rule.”

PHRASEOLOGY-

(Identification) TAXI TO (ramp, gate or alternate deplaning area) VIA (route).

or

(Identification) EXPECT A (number) MINUTE DELAY DUE TO (ground and/or landing and/or departing) TRAFFIC.

or

(Identification) UNABLE DUE TO OPERATIONAL DISRUPTION.

REFERENCE-

DOT Rule, Enhancing Airline Passenger Protections, 14 CFR, Part 259, commonly referred to as the "Three-hour Tarmac Rule."

b. Add the following definitions to the Pilot Controller Glossary:

TARMAC DELAY - The holding of an aircraft on the ground either before departure or after landing with no opportunity for its passengers to deplane.

TARMAC DELAY AIRCRAFT - An aircraft whose pilot-in-command has requested to taxi to the ramp, gate, or alternate deplaning area to comply with the "Three-hour Tarmac Rule."

TARMAC DELAY REQUEST - A request by the pilot-in-command to taxi to the ramp, gate, or alternate deplaning location to comply with the "Three-hour Tarmac Rule."

THREE-HOUR TARMAC RULE - Rule that relates to Department of Transportation (DOT) requirements placed on airlines when tarmac delays are anticipated to reach 3 hours.

6. Distribution. This notice is distributed to the following ATO service units: Terminal, En Route and Oceanic, System Operations Services, and Technical Operations; the ATO Office of Safety; service center offices; the Air Traffic Safety Oversight Service; the William J. Hughes Technical Center; and the Mike Monroney Aeronautical Center.



Nancy B. Kalinowski
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Air Traffic Organization

3-31-2010

Date Signed