

**DOCUMENT CHANGE PROPOSAL/BRIEFING SHEET**

**FINAL DISPOSITION (INITIAL Not Required)**

**ORDER/PUBLICATION:** 7210.3W

**CHANGE:** 2

**EFFECTIVE DATE:** March 10, 2011

**TRACKING #:** 32- 11-3-2

**SPECIALIST/ROUTING:** Robert Law AJR-53 (202) 267-9326

**1. PARAGRAPH NUMBER AND TITLE:**

11-3-2. DATA RETENTION

**2. BACKGROUND:** In response to numerous instances of passengers experiencing lengthy tarmac delays, the Department of Transportation has issued a final ruling titled "Enhancing Airline Passenger Protections," also referred to as the Three-hour Tarmac Rule, effective April 29, 2010. The final rule requires that each air carrier at "medium" and "large" hub U.S. airports develop a contingency plan that includes an assurance that the air carrier will not permit an aircraft to remain on the tarmac for more than 3 hours unless the pilot-in-command determines there is a safety-related or security-related impediment to deplaning passengers or air traffic control advises the pilot-in-command that returning to the gate or permitting passengers to disembark elsewhere would significantly disrupt airport operations. The rule also mandates that the air carrier provide adequate food and potable water no later than 2 hours after the aircraft leaves the gate in the case of a departure, or touches down, in the case of an arrival, unless the pilot-in-command determines that safety or security requirements preclude such service. The Three-hour Tarmac Rule is applicable to domestic flights. International flights by domestic carriers have some latitude to extend the criteria beyond three hours, to be determined by the carrier. Foreign flag carriers are exempt.

**3. EXPLANATION OF CHANGE:** This change defines the data recording retention requirements when an aircraft has exceeded the Three-hour Tarmac Rule. This change cancels and incorporates N JO 7210.745, Enhancing Airline Passenger Protections (Three-hour Tarmac Rule), effective April 29, 2010.

**4. CHANGE:**

**OLD**

11-3-2. DATA RETENTION

Title through b4 NOTE

Add

**NEW**

11-3-2. DATA RETENTION

No change

**5. Tarmac Delay: When a facility is notified that an aircraft has exceeded the Three-hour Tarmac Rule, retain data recordings relevant to the event for 1 year.**

No further changes to paragraph.

**5. INDEX CHANGES:** None

**6. GRAPHICS:** None

**7. GENOT/NOTICE:** N JO 7210.745, Enhancing Airline Passenger Protections (Three-hour Tarmac Rule), effective April 29, 2010

**8. FORMATTING & PLAIN LANGUAGE REVIEW:** ☒ HM 3/19/2010

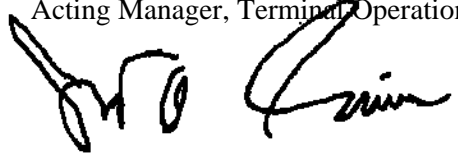
**9. SAFETY RISK MANAGEMENT:** (Check appropriate box).

☐ **SRMD.** Proposed change meets full SMS requirements for safety risk assessment.

☒ **SRMDM.** Proposed change is not safety related.

10. ICAO DIFFERENCES: YES ☐ NO ☒

*For*  
David J. Dodd  
Acting Manager, Terminal Operations Group



Date: *3/23/10*