

## **DOCUMENT CHANGE PROPOSAL/BRIEFING SHEET**

### **FINAL DISPOSITION (INITIAL Not Required)**

**ORDER/PUBLICATION:** 7210.3W

**CHANGE:** 2

**EFFECTIVE DATE:** March 10, 2011

**TRACKING #:** 32- 17-5-14

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

#### **1. PARAGRAPH NUMBER AND TITLE:**

17-5-14. TARMAC DELAY OPERATIONS

**2. BACKGROUND:** In response to numerous instances of passengers experiencing lengthy tarmac delays, the Department of Transportation (DOT) 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, among other requirements, 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 two 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. In order 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 flight crew via radio or ACARS. The intent is to have a single source initiating the request and a single focal acknowledging receipt.

**3. EXPLANATION OF CHANGE:** This change helps facilitate the successful management of the requirements contained in the Enhancing Airline Passenger Protections 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**

Add

Add

Add

Add

##### **NEW**

#### **17-5-14. TARMAC DELAY OPERATIONS**

**a. Facility Procedures. The ATCSCC, en route facilities, and affected terminal facilities must develop procedures for handling of requests related to tarmac delays. ATMs must ensure that those procedures are in a facility directive and briefed annually. Issues to consider when developing local procedures should include:**

**1. What constitutes a “significant disruption” of service at that location in order to accommodate a tarmac delay aircraft. These issues vary by location and may include but are not limited to:**

**(a) Accommodating a tarmac delay aircraft would require airborne holding that would result in delays of 15 minutes or more.**

- Add (b) Use of an active runway to taxi a tarmac delay aircraft that would preclude the use of that runway for arrivals or departures and result in arrival/departure delays of 15 minutes or more.
- Add (c) Taxi of tarmac delay aircraft would result in placing other aircraft in jeopardy of violating the Three-hour Tarmac Rule.
- Add (d) Taxi of tarmac delay aircraft would displace departure aircraft already in a reportable delay status and result in delays in excess of an additional 15 minutes.
- Add (e) The taxi of a tarmac delay aircraft to the ramp, gate, or alternate deplaning area would result in a diversion or the airborne holding of more than three aircraft.
- Add 2. Operational complexity, surface operations, other arrival/departure runways, taxi routes, ramp areas, and low visibility operations.
- Add 3. Security and/or Customs concerns.
- Add 4. Local safety considerations, such as multiple runway crossings.
- Add 5. Location of alternate deplanement areas, if applicable.
- Add 6. Taxiway/runway closures and/or airport construction.
- Add b. Notification Requirements. Requests should be received from the pilot-in-command of tarmac delayed aircraft in a timely manner to ensure compliance with the Three-hour Tarmac Rule. This request should include the reason, such as “tarmac-related delay,” and the time by which the aircraft must be airborne or deplane passengers.
- Add 1. When a tarmac delay taxi request is received:
- Add (a) Terminal facilities must verbally notify the overlying facility when informed of a tarmac delay request.
- Add (b) TRACONs must verbally notify the overlying ARTCC TMU when an airport within their geographic jurisdiction has received a tarmac delay request.
- Add (c) ARTCC TMUs must verbally notify the ATCSCC when an airport within their geographic jurisdiction has received a tarmac delay request.
- Add 2. When a facility is notified that an aircraft has exceeded the Three-hour Tarmac

Rule, the Washington Operations Center (WOC) must be notified through the ROC as soon as possible. Notification should include the date and time of the occurrence and the identification of the aircraft involved.

Add

NOTE-

It is expected that all airline communication regarding individual flights or airport status in relation to tarmac delay issues will be made to the ATCSCC and not the affected facility.

Add

c. Resulting Actions.

Add

1. An aircraft requesting taxi clearance for tarmac delay reasons should be issued clearance as soon as operationally practical, unless a significant disruption of airport operations or a compromise of safety or security would result.

Add

2. Requests to taxi for deplanement related to Three-hour Tarmac Rule must be documented on FAA Form 7230-4 as a QAR, indicating the time that the request was made.

Add

3. When a facility is notified that an aircraft has exceeded the Three-hour Tarmac Rule, all available records pertinent to that event, to include flight plan data, voice recordings, data recordings and facility logs, must be retained for 1 year.

Add

NOTE-

Tarmac delay operations are in support of local airline/airport contingency plans regarding Enhancing Airline Passenger Protections (Three-hour Tarmac Rule).

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 ☒

  
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Date: 3/23/10