

NOTICE

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

N JO 7210.787

Effective Date:
August 25, 2011

Cancellation Date:
February 9, 2012

SUBJ: Enhancing Airline Passenger Protections (Three/Four-Hour Tarmac Rule)

- 1. Purpose of This Notice.** This notice incorporates new Four-Hour Tarmac rules for international flights and updates air traffic notification, investigation, and retention requirements into FAA Order JO 7210.3.
- 2. Audience.** This notice applies to the following Air Traffic Organization (ATO) service units: En Route and Oceanic, Terminal, Mission Support, and System Operations; service area Regional Operations Centers (ROC); Washington Operations Center (WOC); and Federal contract towers.
- 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. Cancellation.** This notice amends the changes that were implemented by N JO 7210.773, Enhancing Airline Passenger Protections (Three-Hour Tarmac Rule), effective March 11, 2011. The procedures in these paragraphs also replace the language in FAA Order JO 7210.3W, Change 3, effective August 25, 2011.
- 5. Procedures.**
 - a.** Amend the following paragraphs to read as follows:
17-5-14. TARMAC DELAY OPERATIONS
 - a.** Facility Procedures. The ATCSCC, en route facilities, and affected terminal facilities must develop procedures for handling 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 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.
 - (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.
 - (c) Taxi of tarmac delay aircraft would result in placing other aircraft in jeopardy of violating the “Three/Four-Hour Tarmac Rule.”
 - (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.
 - (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.

2. Operational complexity, surface operations, other arrival/departure runways, taxi routes, ramp areas, and low visibility operations.
3. Security and/or Customs concerns.
4. Local safety considerations, such as multiple runway crossings.
5. Location of alternate deplanement areas, if applicable.
6. Taxiway/runway closures and/or airport construction.
7. Notification, coordination, and investigation requirements.

b. Requirements.

1. When a tarmac delay taxi request/deplanement request is received, primarily from the pilot in command:

(a) 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.

(b) Tower-only and tower/TRACON facilities must verbally notify the overlying facility when informed of a tarmac delay request. Requests to taxi for deplanement related to "Three/Four-Hour Tarmac Rule" must be documented on FAA Form 7230-4 as a QAR, indicating the time the request was made. Additionally, at those facilities equipped with NTML, utilize the program to forward the information to the TRACON/ARTCC/ATCSCC.

(c) TRACONs must verbally notify the overlying ARTCC TMU when an airport within their geographic jurisdiction has received a tarmac delay request. "Three/Four-Hour Tarmac Rule" must be documented on FAA Form 7230-4 as a QAR, indicating the time the request was made. At facilities equipped with NTML, utilize the program to forward the information to the ARTCC/ATCSCC.

(d) ARTCC's must verbally notify the ATCSCC when an airport within their geographic jurisdiction has received a tarmac delay request. "Three/Four-Hour Tarmac Rule" must be documented on FAA Form 7230-4 as a QAR, indicating the time the request was made. At facilities equipped with NTML, utilize the program to forward the information to the ATCSCC.

NOTE-

The QAR should be comprehensive and include; but is not limited to ASDE data, flight progress strips, voice replay, etc.

2. When an ARTCC is notified that an aircraft has exceeded the "Three/Four-Hour Tarmac Rule," they must notify the ROC as soon as possible; the ROC must then notify the WOC as soon as possible. Notification should include the date, time, and location of the occurrence, as well as the identification of the aircraft involved.

3. When a facility is notified that an aircraft has exceeded the "Three/Four-Hour Tarmac Rule," all available records pertinent to that event will be retained in accordance with 8020.16, paragraph 119g.

4. Consumer complaints are to be handled as follows:

(a) Refer the complainant to the appropriate airline.

(b) Do not engage in discussion with the consumer.

3-4-4. HANDLING RECORDER TAPES, DATS, or DALR STORAGE

Title through b6, no change.

7. Tarmac Delay: When a facility is notified that an aircraft has exceeded the "Three/Four-Hour Tarmac Rule," retain voice recordings relevant to the event for 1 year.

No further changes to paragraph.

11-3-2. DATA RETENTION

Title through b4, no change.

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

No further changes to paragraph.

- b. Delete Appendix 4, List of Medium and Large Hub Airports.

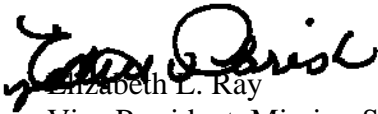
6. Responsibilities.

- a. All operational personnel must be briefed on the changes in this notice.

b. Air traffic managers are responsible for ensuring that the requirements of this notice are met and associated procedures are in a facility directive.

c. The terminal district manager is responsible for ensuring facilities comply with the requirements of this notice.

7. Distribution. This notice is distributed to the following ATO service units: Terminal, En Route and Oceanic, Mission Support, and System Operations; ATO Safety; the Air Traffic Safety Oversight Service; the William J. Hughes Technical Center; the Mike Monroney Aeronautical Center, service area ROCs; and WOC.



Elizabeth L. Ray
 Vice President, Mission Support Services
 Air Traffic Organization

8-25-11

Date Signed