

### Cape Air Tarmac Delay Policy

**No customer should be subjected to a tarmac delay of more than 90-minutes.**

#### A. General

Cape Air has developed this Tarmac Delay Procedures document in accordance with Section 42301 of the FAA Modernization and Reform Act of 2012 and 14 CFR section 259.4 (b). While the FAA’s guidance for the plan indicates a delay threshold of three hours, Cape Air has chosen to impose a shorter time frame (90-minutes) due to the operating locations and size of aircraft operated. This will be instituted for both domestic and international flights and will be contingent upon the following (§259.4 (b) (1) and (b) (2)):

- The pilot-in-command determines there is a safety-related or security-related reason (e.g. weather, a directive from an appropriate government agency) why the aircraft cannot leave its position on the tarmac to deplane passengers
- Air traffic control advised the pilot-in-command that returning to the gate or another disembarkation point elsewhere in order to deplane passengers would significantly disrupt airport operations.
- In the unlikely event that the aircraft remains on the tarmac for more than 90 minutes, Cape Air will provide adequate potable water and food no later than 2 hours after the aircraft leaves the gate (in the case of departure) or touches down (in the case of arrival).

The remainder of this document outlines Cape Air’s plan for providing adequate services to our passengers both on the aircraft and at the gate during a long delay. Cape Air will assure sufficient resources to implement the plan (§259.4 (b) (7)). Additionally Cape Air will coordinate with partner airlines to share facilities and make gates available at the airport in an emergency to the extent possible.

Cape Air will provide this plan to the required airport authorities at each U.S. large, medium or small hub airport and non-hub airport that it serves, as well as its regular U.S. diversion airports. Additionally, the plan will be provided to and coordination will be made with respective U.S. Customs and Border Patrol (CBP) and Transportation Security Administration (TSA) representatives at these airports. (§259.4 (b) (8), (b) (9) and (b) (10))

#### B. Terms and Definitions

**Tarmac Delay:** The elapsed time that customers are delayed on the ground. A Tarmac Delay can be a departure delay (taxi out), a ground delay at a diversion station, or an arrival delay (taxi in).

**FLIFO:** The official source for flight times.

**Departure Delays (taxi out):** The tarmac time begins using the OUT time of the flight, and ends either when the flight airborne (OFF), or when the flight blocks in – either at a gate, or a remote location where customers can be deplaned.

**Diversions:** The tarmac time begins using the ON time at the diverted city, and ends either when the flight is airborne (OFF), or when the flight blocks in – either at a gate, or a remote location where customers can be deplaned. An IN time at a diversion location is ignored unless it can be verified that the customers had the opportunity to deplane.

**Arrival Delays (taxi in):** The tarmac time begins with the ON time and ends either when the flight blocks in – either at a gate, or a remote location where customers can be deplaned.

### **C. Safety Priority**

Safety is our first and highest priority. We are committed to preserving the safety and security of our customers and employees and meeting their essential needs on board an aircraft that is on the ground for an extended period of time without access to the terminal. As such, we have developed internal procedures and plans to ensure that all appropriate action will be taken to maintain a safe, reliable and efficient operation.

### **D. Procedures and Reporting**

To the extent they are consistent with our safety mandate, tarmac delays will be monitored and responded to as follows:

#### **1. Delay Reporting Procedures**

The DOT provides specific technical guidance for reporting the times associated with aircraft movement (e.g. OUT, OFF, ON, IN). We are allowed to stop the “clock” on tarmac delays when the customers have the opportunity to deplane (i.e. when the aircraft door is opened and the customers are allowed to exit the aircraft). After an OUT time, we will register an IN time when the aircraft door is opened – whether at a gate or at a hardstand location – and the customers have the opportunity to deplane. Following this, when the aircraft door closes, we will register a new IN time.

This is not an automated process. The exact times are confirmed after the event and if necessary are corrected within our systems to ensure accuracy.

#### **2. Prior to the Tarmac Delay Event**

When disruptive weather is anticipated at a certain station(s) such that irregular operations or long tarmac delays are likely, the SOC Supervisor will be the Customer Service Coordinator responsible for monitoring and coordinating solutions for the effects of flight delays or cancellations on passengers.

- SOC will consider implementation of preventative measures to reduce the probability of long tarmac delays, e.g., cancellations, traffic management initiatives (ground stops, ground delay programs), etc.
- The impacted station(s) will review this tarmac delay contingency plan:
  - o Plan to delay boarding of aircraft and departure (when possible) for flights that have an assigned EDCT, or a known ground stop.
  - o The station(s) should make pre-boarding announcements to the customers advising them that a long tarmac delay is possible. SOC may identify certain flights where this pre-board announcement is appropriate.

### **3. Limits of lengthy onboard ground delays**

Lengthy onboard ground delays can take place both during taxi-out (prior to departure) and taxi-in (after landing). During these phases of travel, these limits apply:

- For domestic flights, Cape Air will not permit an aircraft to remain on the tarmac at a U.S. airport for more than 90 minutes without providing passengers an opportunity to deplane.
- For international flights departing from or arriving at a U.S. airport, Cape Air will not permit an aircraft to remain on the tarmac at a U.S. airport for more than 90 minutes without providing passengers an opportunity to deplane.

#### **Delays longer than these time limits may be necessary if:**

- The pilot-in-command determines there is a safety-related or security-related reason why the aircraft cannot leave its position on the tarmac to deplane passengers.
- Air traffic control advises the pilot-in-command that returning to the gate or another disembarkation point elsewhere in order to deplane passengers would significantly disrupt airport operations.

### **4. Passenger services during a lengthy onboard ground delay**

For all flights experiencing a lengthy ground delay at a U.S. airport, Cape Air will:

- Because the Cessna 402, Britten-Norman Islander & Cessna 208 Amphibian are not equipped to provide catering, Cape Air will coordinate with station personnel no later than one hour after the aircraft leaves the gate (in the case of departure) or touches down (in case of arrival) if the aircraft remains on the tarmac to cure any deficiencies. This will be contingent, upon the pilot-in-command determining that a safety or security considerations preclude such service.
- Ensure that operable lavatory facilities, if installed, will remain available while the aircraft remains on the tarmac.
- Ensure adequate medical attention is available, if needed, while the aircraft remains on the tarmac.
- Ensure a comfortable cabin temperature is maintained.
- Ensure passengers on the delayed flight will receive notifications regarding the status of the delay every 30 minutes while the aircraft is delayed, including the reasons for the tarmac delay, if known.
- Notify passengers on the delayed flight beginning 30 minutes after the scheduled departure time (including any revised departure time that passengers were notified about before boarding) and every 30 minutes thereafter that they have the opportunity

to deplane from an aircraft that is at the gate or another disembarkation area with the door open, if the opportunity to deplane actually exists.

- At Cape Air, the safety and comfort of our customers is always an important priority, especially during flight delays. We are confident our contingency plans will lessen your inconvenience.

#### **When Tarmac Delays Reach 90 Minutes**

For all flight arrivals and departures that may result in a tarmac delay, Cape Air will ensure at the 90- minute mark the following occurs (§259.4 (b) (6)):

- Unless departure is imminent, the Captain will coordinate with SOC / Station Ops / ATC to return to the gate to deplane customers
- SOC Notification notices will be sent and updated as required.

#### **5. Following the Tarmac Delay Event**

- The Captain will submit an Incident Report (IR) to the Safety Department with detailed information regarding the delay, including whether customers were offered the opportunity to deplane. In cases where the customers were not offered the opportunity to deplane, this report shall specify the safety, security, ATC or other reason that prevented deplaning.
- Station Ops Personnel will also submit an IR to the Safety Department with detailed information regarding the delay and when customers were given the opportunity to deplane.
- The Safety Department will forward all tarmac delay IR's to Airport Services and other appropriate parties.
- SOC will maintain a monthly log of all flights that exceed these parameters, which will include any pertinent information concerning the delays, and whether or not the customers were provided the opportunity to deplane.
- All reports referred to in this section will be retained for two years.