

Contingency Plan for Lengthy Tarmac Delays

The United States Department of Transportation has implemented a final rule to enhance passenger protections, which goes into effect April 23, 2011 ("Rule"). In accordance with this Rule, Carriers are required to adopt, comply, and adhere to a contingency plan at each large, medium, small, and no hub U.S. airport at which Carrier operates air service.

In the case of domestic flights, the Rule prohibits a Carrier from remaining on the tarmac for more than three hours without providing Customers with an opportunity to deplane. In the case of international flights, the Rule prohibits a Carrier from remaining on the tarmac for more than four hours without providing Customers with an opportunity to deplane. Under the Rule, Carriers are required to coordinate their plan with airport authorities, the TSA and Custom Border Patrol at all large, medium, small, and no hub U.S. airports that the Carrier serves, including large, medium, small, and no hub U.S. diversion airports.

The Rule is divided into two time components whereby JetBlue is required to provide and/or take action. The first time threshold is designated at two hours after departure from the gate or after landing and enroute to parking location at the gate. The second time threshold will be at the three hour point for domestic flights and at the four hour point for international flights.

The Rule requires the following:

At Two Hours:

Unless, the Pilot-In-Command determines that safety or security precludes such service (e.g. weather, a directive from an appropriate government agency), the Carrier shall ensure the provision of:

- Snack and drinking water service;
- Potable water for operation of lavatories & sinks;
- Operable lavatory facilities; and
- Adequate medical attention if needed.

At Three Hours for Domestic Flights and at Four Hours for International Flights:

- Aircraft must be at gate with the door open, or
- At remote parking with air stairs connected

Exceptions to the Rule include,

- If in the judgment of the Pilot-In-Command there is a safety or security related reason not to return;
- If in the opinion of the FAA Air Traffic Controller movement of an aircraft subject to this rule would cause operational difficulties.