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In re: Docket No. FAA-1999-5483; Notice No. 99-03
RIN 2120-AG52
Parachute Operations

Several of the proposed changes are either inappropriate or counterproductive to safety.

First, under "Radio Communications," the change that makes notification of the nearest ATC facility mandatory is an excellent idea. However, it should

be combined with a requirement to notify the nearest FSS at a reasonable period of time prior to the parachute operation, in order to ensure that an appropriate NOTAM is issued. That period of time must allow for pilots of non-radio-equipped aircraft to obtain an FSS pre-flight briefing including the parachute operation NOTAM before the flight, and to complete the flight.

I would suggest 6 hours prior as a reasonable notification interval. Further, I would suggest that this NOTAM be issued under the airport identifier for the airport on which the drop/jump is conducted. I personally was surprised by jump activity at a non-tower airport when the NOTAM was issued under the nearest VOR, and missed by the preflight specialist who gave me a VFR-only preflight briefing; this NOTAM would only be picked up for an IFR briefing.

Second, under "Accident Reporting Requirements, I believe the requirement to report parachute operations accidents is a very good idea, but the FAA is the wrong agency to receive this information. Such reporting requirements should be addressed under NTSB Part 830, and received by the NTSB rather than the FAA. Notification to the FAA is inappropriate, as the FAA is an enforcement and regulatory agency, and creates confusion and duplication. Pilots are all well-versed in the Part 830 requirements, and adding a different system for reporting parachute operations accidents is duplicative in terms of infrastructure (forms, databases, etc.) and requires additional pilot training with no apparent benefit over NTSB reporting. Further, it would require multiple reporting of accidents in which Part 830 already requires a report to the NTSB. It seems to me that this area is within the NTSB's charter, and not the FAA's.

Finally, this change proposal fails to address an existing flaw in regulations on parachute operations. As the regulations exist, the pilot-in-command is responsible for the actions of jumpers after they leave the aircraft. This is not rational, as no one should be responsible for actions they cannot control. As long as the PIC has properly discharged his/her responsibilities to the point of the jumper leaving the aircraft, the jumper alone has control of his/her subsequent actions, and should therefore

be solely responsible for those actions. Clearly, if jumpers are allowed to leave the aircraft while the aircraft is not in a position to deliver them to the drop zone, the PIC should be held responsible. But once they depart, if the jumpers guide themselves into/through a cloud, or off the drop zone, the PIC is helpless to intervene, and must not be held responsible.

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