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U.S. Department of Transportation
Dockets: Docket No. FAA-99-5483-29
400 Seventh St. SW, Room Plaza 401
Washington, DC 20590

July 9, 1999

The purpose of this letter is to comment on the proposed re-write of FAR 105, in regard to Tandem Jumping. My name is Bill Booth. I am President of the Uninsured Relative Workshop, Inc. which pioneered Tandem Jumping almost 15 years ago. Our firm has held FAA Exemption 4943A-J during that period. Since that time, we have trained thousands of Tandem Instructors, and our Tandem equipment has been used on millions of Tandem jumps. Because of this vast amount of experience, I feel uniquely qualified to comment on this proposed revision.

Simply put, I believe that the proposed revision of FAR 105, if adopted without modification, contains so much "lawyer food" that it would destroy Tandem Jumping in the United States, by putting everyone involved out of business. Since tandem appears to be far and away the safest way to make a first jump, and the only way to train beginning parachutists how to handle today's increasingly high performance "nylon aircraft" (parachutes). Its elimination would lead to a marked decrease in safety in student parachutist training...more or less the equivalent to banning dual instruction in aircraft. As I understand it, the FAA's mandate is to insure at least an "equivalent level of safety" is maintained. This proposed rule is definitely at odds with that mandate.

FAR 105.3 Definitions

"Passenger Parachutist"

This term should be replaced (or, to be correct, left as it is) with the term "Tandem Student." The person occupying the front harness of a tandem system is hardly a passenger. To call them such is inaccurate, demeaning, and in fact dangerous. Because they are up front, the "relative wind," which skydivers use for control in freefall, strikes the Tandem Student first. This fact puts the Student in control, unless they give up that control to the Tandem Instructor. This is why Tandem Students receive training in exit procedures and freefall body position before they jump. Anyone who must receive, and follow, training in order to insure the safe outcome of any aviation activity is not a passenger. They are a student.

Calling a Tandem Student a passenger creates a dangerous situation. It tells the student that what they do is not important to the outcome of the jump. This means they are less likely to listen to and follow the instructions that are so vital to the safe completion of the tandem jump. It also places an undue legal burden on the tandem equipment manufacturer and tandem jump operation. Society expects a higher level of safety for "passengers" than it does for "participants" or "students" in a high speed, high-risk sport. As safe as tandem jumping is, compared to other forms of initial parachute training, it does not yet, and possibly never will, meet the level of safety necessary for its participants to be called "passengers."



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Call a tandem jump a tandem jump. Using the term "operation" is confusing. "Operation" means the entire organization set up to make parachute jumps. A single tandem jump is just a small part of any tandem jump operation.

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(ii) 500 ram air jumps is all that needs to be said. We stopped jumping round parachutes more than 20 years ago. A person with "500 jumps, 300 of which are on a ram air canopy," is a dinosaur, and most likely not qualified to become a tandem instructor.

(iv) and (v) Leave the tandem manufacturer out of this. It is exactly like requiring Cessna or Piper to issue pilot licenses. The Tandem manufacturers have had this burden too long. The Relative Workshop alone spends over \$100,000 a year fulfilling this requirement of the current Tandem Exemption. This is one unfunded federal mandate we want to end. Give manufacturers, or anyone else who wants to take on this burden, an opportunity to do so, but don't make it seem that it is our responsibility alone. We will, of course, continue to issue manuals for the use of our product, but we no longer wish to issue licenses for tandem instructors. This should be the job of the National Aeroclub (USPA), or some other organization setup specifically for this purpose.

Please leave the term "Tandem Instructor" and delete "Parachutist in command". Again you are assuming a traditional pilot - passenger relationship which does not exist in a tandem jump. No one is being transported anywhere as an inert passenger.

A G E

Because skydiving is a "high risk" sport, I don't believe that children should be allowed to participate. If the FAA is unwilling to set an 18 year old age limit, then I believe that you should at least give the authority to do so to the tandem equipment manufacturer, the tandem instructor licensing association, and/or the drop zone where the tandem jump is made. A simple statement to that effect in the FAR would suffice. Without this authority, in the current legal climate in the US, one child dying on a tandem jump would probably put the tandem manufacturer, operator, and USPA out of business. Again, with USPA and the manufacturers gone, there would be no one to maintain the equipment, train Tandem Instructors, or oversee the program. Safety would be seriously compromised. This is not a far-fetched scenario. Look what the legal community did to the light aircraft manufacturers in the 70's and 80's. The parachute manufacturing community is much smaller, with a far smaller asset base. It would be wiped out very quickly.

FAR's are nearly impossible to change. For example, I have been asking for a change to FAR 105 to "legalize" Tandem Jumping for over 15 years now. Please don't let the lawyers write this one. Listen to the people who are going to have to live with the new rule. We have had 15 years to think about it.

Sincerely,



Bill Booth
President
The Uninsured Relative Workshop, Inc.