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FAA Declines Rule Change for Foreign Jumpers

The FAA has for now shelved a request from the Parachute Industry Association (PIA) in conjunction with the U.S. Parachute Association (USPA) and Canadian Sport Parachuting Association (CSPA) that would have made more sensible rules for foreign jumpers using their own gear while in the USA. The three organizations had been hopeful after receiving a lot of green lights on a petition for rule change submitted August 19 by Kirk Smith, PIA Rigging Committee chair.

The effort began at the PIA Symposium March, 2023, with a coordinated campaign between CSPA's executive director, Michelle Matte-Stotyn, and Michael Knight, USPA director of Government Relations. They had initially sought an exemption for CSPA members crossing the border with hopes of eventually extending it to other cooperating countries. The FAA saw the writing on the wall and suggested instead a request for rule changes in 14 CFR 105.49 addressing foreign parachutists' equipment.

Then, an August 30 letter from FAA Inspector Dan Ngo basically said that the FAA has bigger fish to fry. Citing a lack of safety concerns, other FAA priorities, and limited resources, Ngo wrote to Smith, ". . . the FAA has determined that your petition does not meet the criteria to pursue rulemaking at this time." https://www.pia.com/wp-content/uploads/Final_2024-2194_Parachute_Industry_Association_AFS-25-00478-P_CO.pdf

So the rule at 105.49 dating to 2001 stands, however little sense it makes. The rule originally intended to allow competitors coming from overseas for world meets and fun jumpers vacationing at US drop zones to jump their equipment under their own country's rules. However, the definition in 105 limits the exception to "a parachutist who is neither a U.S. citizen or a resident alien and is participating in parachute operations within the United States using parachute equipment not manufactured in the United States." As a result of the wording in the last phrase, the same jumper must have any US equipment that is fully approved under FAA technical standard order C-23 (TSO'd) repacked by an FAA rigger before jumping in the USA.

It's well known that most skydivers visiting the USA jump TSO'd gear. So the intended relief at 105.49 excuses very few visiting foreigners from having to find an FAA rigger before participating or one living abroad before leaving their country.

FAA riggers may operate anywhere in the world, but with rare exception, FAA rigger certificates may be administered and issued only in the US. In response to the FAA declining to act on its petition, PIA intends to publish a list of FAA riggers active in other countries to help skydivers planning trips to the USA get their rigs packed in advance. PIA also plans to encourage rigging schools to prepare courses that expedite applications and examinations for experienced foreign riggers with the FAA-required English skills to come to the US and obtain an FAA rigger certificate. Hopes are to add to the pool of available FAA riggers in other countries.