## Notation 8596 Member Sumwalt, Concurring

A professional pilot has an obligation to his/her passengers and employer to report to work fit for duty. This includes taking measures to ensure he/she is well rested. This investigation found solid evidence that the pilot involved in this crash did not take such measures. Although not expressly noted in the accident brief, the Human Performance Specialist's Factual Report contains clear evidence the pilot did not take advantage of his time between flights to obtain sleep, despite sleeping approximately 3 hours less than his normal amount before beginning the trip. The following table is derived from information contained in the Human Performance Specialist's Factual Report. It makes clear that, although the pilot told investigators that he slept about four hours while in Nashville, his phone records show that there was very little opportunity to obtain any significant amount of restorative sleep.

Time	Cell phone activity
0708	Phone call - outgoing
0713	Phone call - outgoing
0802	Phone call - outgoing
0902	Text message - outgoing
0905	Text message - outgoing
0916	Text message - outgoing
1021	Text message - outgoing
1038	Phone call - outgoing
1134	Phone call - outgoing
1151	Phone call - outgoing
1200	Phone call - outgoing
1215	Phone call - outgoing
1217	Phone call - outgoing
1224	Phone call - outgoing
1230	Phone call - outgoing
1232	Phone call - outgoing
1304	Text message - outgoing
1332	Phone call - outgoing
1401	Phone call - outgoing
1403	Phone call - outgoing
1542	Phone call - outgoing

There are measures the pilot could have undertaken to mitigate fatigue. He told investigators that he sometimes stayed in a hotel near the Thomson airport before beginning a trip. Doing this is consistent with Flight Safety Foundation (FSF) /National Business Aviation Association (NBAA)'s *Duty/Rest Guidelines for Business Aviation*,<sup>1</sup> which states: "For crews anticipating a maximum-length duty day, consider scheduling a pre-departure protected rest at a

<sup>&</sup>lt;sup>1</sup> Flight Safety Foundation & National Business Aviation Association. (2014). *Duty/rest guidelines for business aviation*. Retrieved from http://flightsafety.org/current-safety-initiatives/duty-rest-guidelines

local hotel." However, despite the requirement to be at the airport at 3:30 am and despite his one hour drive from his home to the airport, he chose not to stay in a nearby hotel the night before the trip, but instead chose to drive home. Considering the close proximity of hotels to the Thomson airport, this action could have afforded him nearly one extra hour of sleep opportunity.

Once landing in Nashville, the pilot could have, instead of remaining at the airport where his only sleep option was to rest in a chair in the pilot lounge, he could have gone to a hotel to rest. This is also consistent with FSF/NBAA fatigue management strategies that state: "...when the duty day includes a period of six or more hours on standby at an enroute stop, pilots can obtain maximum rest/sleep opportunity at a local hotel." Obviously the quality of sleep in a Fixed Base Operator crew lounge chair is not as good as sleeping in a hotel bed.

Finally, as mentioned above, the pilot squandered whatever opportunity he may have had for rest by allowing himself to be distracted by phone calls and text messages.

Those who depend on pilots to provide safe transportation deserve pilots who are well rested and otherwise fit for duty. That did not happen in this case. Tragically, five lives were lost.

I hope this accident can serve as an important reminder for those who provide piloting services of the need to take measures to properly manage fatigue.

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