



RECORD OF CONVERSATION

Timothy W. Monville
Sr. Air Safety Investigator
Eastern Region

Date: March 23, 2019
Person Contacted: Benjamin Rees
NTSB Accident Number: ERA19FA134

Narrative:

Mr. Benjamin Rees was contacted by phone on March 23, 2019, about 1640 EDT. He was put on speaker phone during a conversation with CZL Airport manager Dwight Albritton, whose cell phone was [REDACTED]. Mr. Rees provided a cell phone of [REDACTED] and an e-mail address of [REDACTED]. He was also called the same day at 2009 EDT, to clarify details about the airplane.

Mr. Rees stated that he met the pilot about 5-6 years earlier through their EAA chapter. He indicated that the accident airplane was a prototype, being the 2nd version. Previously, there had been a rudder authority issue, which resulted in changes to the airframe. It was equipped with Dynon avionics that record and retain data that the company used during their testing.

He was flying N633FT an American General AG5B, as a chase pilot, and planned to take external footage of N257AR. The planned flight was to depart CZL, enter the downwind leg, verify that the airplane was flying satisfactory, then climb to 3,000 feet. He then planned to meet up with N257AR, and take footage. He confirmed that he did not take any footage of the accident flight.

In advance of the flight, he watched the pilot (Richard Hogan) perform a preflight inspection of the airplane. The preflight check included a check of the flight controls, and no discrepancies were reported. Benjamin reported the accident flight was the 1st flight for that airplane.

The pilot taxied out, performed a run-up, and performed a high speed taxi test. Mr. Rees departed about 1 minute before the accident pilot, who then departed from runway 35. The accident pilot turned crosswind and then onto downwind but climbed no higher than 200 feet. The pilot announced he was returning to runway 35, but did not specify a reason. Dwight Albritton advised that no distress call was made. Mr. Rees indicated that he thought the pilot was having

trouble maintaining airspeed, or a nose-up attitude. The nose “dipped down” and the left wing of the airplane clipped trees during the descent. He added that he saw the airplane porpoising in pitch.

Benjamin did not see anything separate from the airplane and when he observed the accident, he was on the right side of the airplane .7 of a mile away¹ from the impact site flying at 2,500 feet. Because of his distance away he could not see any flight control surfaces moving.

He was asked during the call to make a very detailed written statement documenting his first hand observations. He advised he would.

The digest was e-mailed to him for review on March 23, 2019. He replied the same day at 2355 EDT, with comments that were incorporated into the narrative. The corrected digest was e-mailed to him on March 26, 2019.

¹ As determined by ForeFlight.



MEMORANDUM FOR RECORD

Brian C. Rayner
Senior Air Safety Investigator
Eastern Region

Date: March 31, 2020
Person Contacted: Richard G. Weyer – Research and Development
NTSB Accident Number: ERA19FA134

Narrative:

Mr. Weyer worked in Research and Development for Commuter Craft. He built fabrications and modifications and worked with composites. Mr. Weyer was interviewed at his place of employment, and the following is a summary of the interview. The first topic of conversation was the modifications suggested by Mr. Hogan that were performed on the airplane after the first test flight, and prior to the accident flight.

1. When asked about the “increased width” of the canard, Mr. Weyer said the span was increased by adding “extensions” to the existing canard.
2. Engine “thrust angle” was adjusted by adding shims to the motor mounts to change the angle by 3 degrees.
3. The canard “trim tabs” or “flaps” were increased in size in both the spanwise and chordwise directions.

According to Mr. Weyer, the pilot was ill on the day prior to the accident (Friday March 22, 2019). He asked Mr. Hogan how he felt that day, and Mr. Hogan responded “terrible.” After completing two taxi tests, Mr. Hogan and 3 of his employees decided to suspend testing. When asked why they suspended testing, Mr. Weyer said that he felt it was a combination of the deteriorating weather conditions and Mr. Hogan’s health.

According to Mr. Weyer, Mr. Hogan advised him that the test pilot was scheduled to fly the airplane on Sunday March 24, 2019. Mr. Weyer then specifically asked him if he had any planned activities for the airplane on Saturday, March 23, 2019, and Mr. Hogan said “No, we’ll just wait for the pilot to get here.”

Mr Weyer said he did not go to the airport on Saturday and was surprised to learn that Mr. Hogan had flown the airplane, and that the accident had occurred. He said he learned Saturday morning that taxi-testing was planned because Mr. Hogan “wanted a few pictures” but thought in no way would Mr. Hogan attempt to fly the airplane.

Mr. Weyer had discussed Mr. Hogan’s flying the airplane during its development. He explained to Mr. Hogan that he felt he lacked the experience to fly it, that “that’s what test pilots are for” and that the risk was too great. He said, “I told Mr. Hogan he was too important around here to take that risk.”



MEMORANDUM FOR RECORD

Brian C. Rayner
Senior Air Safety Investigator
Eastern Region

Date: March 31, 2020
Person Contacted: Sandra Bunch – Executive Administrator
NTSB Accident Number: ERA19FA134

Narrative:

Ms. Bunch was the Executive Administrator for Commuter Craft. She was involved in the day to day operations of the company. Ms. Bunch was employed at the company in November 2017.

Ms. Bunch provided a comprehensive written statement. The chronology of her statement ended on the day of the accident.

According to Ms. Bunch, the test pilot advised Mr. Hogan that he might be available on Sunday March 24, 2019 but it was likely that he would be unavailable to fly the airplane until after the Sun 'n' Fun fly-in event in April.

Saturday morning Mr. Hogan asked Ms. Bunch to come to the airport to take photographs of the airplane. Mr. Hogan was painting some areas of the airplane in preparation for the photographs. Later, he said he was going to perform some taxi testing and asked Ms. Bunch to ensure all tape had been removed from the airplane after the painting.

Mr. Hogan only taxied "once" and came back to the hangar and said that the airplane "felt good." Mr. Hogan was having difficulty operating the communications in the airplane. Ms. Bunch had to demonstrate how to tune the radio, select the primary frequency for communication outside the airplane, and had to remind him to actuate the push-to-talk button on the control stick in order to transmit.

Mr. Hogan asked Ms. Bunch to fly in a "chase plane" with a camera and photograph the airplane "in case it takes off." Ms. Bunch told him to simply land if the airplane lifts off. She said she was concerned about Mr. Hogan's lack of experience, and the fact that he was "so sick." Mr. Hogan then assured Ms. Bunch he would not fly. He said he would land the plane if it lifted off, and only fly it if "he had no other choice." Ms. Bunch said that despite his assurances, she doubted

the veracity of Mr. Hogan's promises. She said she had counseled him on numerous about flying his own airplane. He was the designer and president of the company, and should not be performing flight testing of the airplane.

Ms. Bunch said she departed in the chase plane and then watched as the accident airplane departed. She said the airplane was "barely above the trees" after takeoff and watched as the airplane turned in the traffic pattern. Ms. Bunch heard one radio transmission from the airplane before she watched the airplane descend out of view. She said the accident happened at 1535 according to her watch.



MEMORANDUM FOR RECORD

Brian C. Rayner
Senior Air Safety Investigator
Eastern Region

Date: March 31, 2020
Person Contacted: Terrence Ferentinos – Electronics Engineer
NTSB Accident Number: ERA19FA134

Narrative:

Mr. Ferentinos was the Electrical Engineer for Commuter Craft. He was involved in the construction and fabrication of the instrument panel to integrate the Dynon Avionics Quick-Panel IFR suite into the airplane. He also did all the wiring for the airplane for lighting and communications. Mr. Ferentinos held a private pilot certificate but hasn't exercised its privileges in "25 or 30" years.

Mr. Ferentinos provided a comprehensive written statement, and only a few points required more detail.

After the test pilot flew the airplane, the notable discrepancies included:

1. Ailerons were too sensitive.
2. Engine "thrust angle" was adjusted by adding shims to the lower motor mounts to change the angle by 3 degrees.
3. The canards and canard "trim tabs" or "flaps" were increased in size in both the spanwise and chordwise directions.
4. In flight, the pilot felt the rudder pedals were "locked" in flight, and evaluation revealed the nose steering cam lock was engaged after liftoff, which blocked the pedals.
5. The pilot used power for pitch control on the base and final legs of the traffic pattern.

Mr. Ferentinos said he had discussions with Mr. Hogan about his flying the airplane, and strongly urged him not to fly the airplane. Mr. Ferentinos explained to Mr Hogan that he lacked the skills and experience to attempt flying the airplane.

Mr. Hogan had trouble coordinating with test pilots and “felt pressured” to fly the plane himself. According to Mr. Ferentinos, he had “talked him out of” flying the airplane on a previous occasion specifically, and thought he had talked him out of flying the airplane generally. He said, “I guess I failed in my mission...” to talk Mr. Hogan out of flying the plane.