



# Aviation Investigation Final Report

<b>Location:</b>	Green Bay, Wisconsin	<b>Accident Number:</b>	CEN20FA008
<b>Date &amp; Time:</b>	October 17, 2019, 16:50 Local	<b>Registration:</b>	N82308
<b>Aircraft:</b>	Aeronca 7AC	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>	Collision during takeoff/land	<b>Injuries:</b>	2 Fatal
<b>Flight Conducted Under:</b>	Part 91: General aviation - Personal		

## Analysis

The private pilot was on short final approach for landing to the grass runway. The south end of the runway was bordered by an east-west oriented road; witnesses on this road and dashboard camera video from another vehicle confirmed that the airplane was flying about 5 ft above the ground when it collided with the front left side of a westbound truck. The airplane became lodged on top of the truck and they continued off the right side of the road, through a ditch, and came to rest in a residential front yard. The pilot and driver were both fatally injured during the accident sequence.

A postaccident examination of the airplane did not reveal any mechanical malfunctions or anomalies that would have precluded normal operation. There were several propeller slash marks on the front left side of the truck, consistent with the propeller rotating during the collision.

There was no evidence of tire skid marks on the road and none of the witnesses reported any evasive maneuvers by the airplane; therefore, it is likely that neither the pilot nor the driver was aware of the impending collision. Additionally, there was no roadway signage warning of low-flying aircraft.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's low final approach path and his failure to see and avoid a truck traveling on a roadway, which resulted in a collision with the truck.

## Findings

<b>Aircraft</b>	Altitude - Not attained/maintained
<b>Personnel issues</b>	Identification/recognition - Pilot
<b>Personnel issues</b>	Incorrect action selection - Pilot

# Factual Information

## History of Flight

Landing-flare/touchdown	Collision during takeoff/land (Defining event)
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On October 17, 2019, about 1650 central daylight time, an Aeronca 7AC Champion airplane, N82308, was substantially damaged when it was involved in an accident near Green Bay, Wisconsin. The private pilot and the driver of a vehicle sustained fatal injuries. The airplane was operated as a Title 14 *Code of Federal Regulations* Part 91 personal flight.

The pilot departed WI78 earlier in the morning and arrived at Brennand Airport (79C), Neenah, Wisconsin, to meet with a mechanic to complete the airplane’s annual inspection. The pilot and mechanic ate lunch together and then the pilot departed 79C for WI78. During their conversation, the pilot mentioned to the mechanic that he was concerned about the wet turf runway at WI78 and that he preferred to land near the end of the runway.

According to witnesses in vehicles near the accident location and a vehicle dashboard camera, the airplane was flying north less than 5 ft over the county highway adjacent to the end of runway 1. The airplane impacted the front left side of a westbound truck. The airplane remained on top of the truck after the collision and they both continued off the right side of the road into a ditch, then came to rest in a front yard. Figure 1 shows the main wreckage on the left in front of the house, the grass runway on the far right, and the road in the foreground.



Figure 1. Accident site

### Pilot Information

<b>Certificate:</b>	Private	<b>Age:</b>	68,Male
<b>Airplane Rating(s):</b>	Single-engine land	<b>Seat Occupied:</b>	Front
<b>Other Aircraft Rating(s):</b>	None	<b>Restraint Used:</b>	Lap only
<b>Instrument Rating(s):</b>	None	<b>Second Pilot Present:</b>	No
<b>Instructor Rating(s):</b>	None	<b>Toxicology Performed:</b>	Yes
<b>Medical Certification:</b>	BasicMed With waivers/limitations	<b>Last FAA Medical Exam:</b>	March 20, 2018
<b>Occupational Pilot:</b>	No	<b>Last Flight Review or Equivalent:</b>	November 12, 2017
<b>Flight Time:</b>	(Estimated) 2000 hours (Total, all aircraft), 1 hours (Last 90 days, all aircraft), 1 hours (Last 30 days, all aircraft), 1 hours (Last 24 hours, all aircraft)		

The pilot's most recent Federal Aviation Administration (FAA) medical certificate had expired for all classes on October 31, 2012. The pilot completed the requirements for operation under BasicMed on March 20, 2018.

#### Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	Aeronca	<b>Registration:</b>	N82308
<b>Model/Series:</b>	7AC No Series	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>	1946	<b>Amateur Built:</b>	
<b>Airworthiness Certificate:</b>	Other	<b>Serial Number:</b>	7AC-937
<b>Landing Gear Type:</b>	Tailwheel	<b>Seats:</b>	2
<b>Date/Type of Last Inspection:</b>	October 17, 2019 Annual	<b>Certified Max Gross Wt.:</b>	
<b>Time Since Last Inspection:</b>	0 Hrs	<b>Engines:</b>	1 Reciprocating
<b>Airframe Total Time:</b>	2183 Hrs as of last inspection	<b>Engine Manufacturer:</b>	Continental Motors
<b>ELT:</b>	Not installed	<b>Engine Model/Series:</b>	A-75-8F
<b>Registered Owner:</b>	On file	<b>Rated Power:</b>	65 Horsepower
<b>Operator:</b>	On file	<b>Operating Certificate(s) Held:</b>	None

An annual inspection was completed on the airplane earlier on the day of the accident, with no anomalies noted.

## Meteorological Information and Flight Plan

<b>Conditions at Accident Site:</b>	Visual (VMC)	<b>Condition of Light:</b>	Day
<b>Observation Facility, Elevation:</b>	KGRB,702 ft msl	<b>Distance from Accident Site:</b>	9 Nautical Miles
<b>Observation Time:</b>	16:53 Local	<b>Direction from Accident Site:</b>	292°
<b>Lowest Cloud Condition:</b>	Clear	<b>Visibility</b>	
<b>Lowest Ceiling:</b>		<b>Visibility (RVR):</b>	
<b>Wind Speed/Gusts:</b>	/	<b>Turbulence Type Forecast/Actual:</b>	None / None
<b>Wind Direction:</b>		<b>Turbulence Severity Forecast/Actual:</b>	N/A / N/A
<b>Altimeter Setting:</b>	30.01 inches Hg	<b>Temperature/Dew Point:</b>	10°C / 0°C
<b>Precipitation and Obscuration:</b>	No Obscuration; No Precipitation		
<b>Departure Point:</b>	Neenah, WI (79C )	<b>Type of Flight Plan Filed:</b>	None
<b>Destination:</b>	Green Bay, WI (WI78)	<b>Type of Clearance:</b>	None
<b>Departure Time:</b>	16:00 Local	<b>Type of Airspace:</b>	Class G

## Airport Information

<b>Airport:</b>	Martins Aerodrome WI78	<b>Runway Surface Type:</b>	Grass/turf
<b>Airport Elevation:</b>	808 ft msl	<b>Runway Surface Condition:</b>	Unknown
<b>Runway Used:</b>	01	<b>IFR Approach:</b>	None
<b>Runway Length/Width:</b>	2000 ft / 100 ft	<b>VFR Approach/Landing:</b>	Unknown

## Wreckage and Impact Information

<b>Crew Injuries:</b>	1 Fatal	<b>Aircraft Damage:</b>	Substantial
<b>Passenger Injuries:</b>		<b>Aircraft Fire:</b>	None
<b>Ground Injuries:</b>	1 Fatal	<b>Aircraft Explosion:</b>	None
<b>Total Injuries:</b>	2 Fatal	<b>Latitude, Longitude:</b>	44.422762,-87.935946

The main wreckage, which comprised the fuselage, wings, and empennage, came to rest on top of the truck, and they both came to rest upright in a front yard. The engine, propeller, engine mount, and cowling were separated from the airplane during the impact sequence and were located in a nearby ditch. The engine assembly came to rest adjacent to a powerline pole.

Miscellaneous airplane and truck debris were located on the road and in the ditch on the north side of the road. The airplane's left and right main landing gear were located in a ditch on the south side of the road. Portions of the airplane windscreen were fragmented and located in the ditch and on the grass runway. The forward fuselage structure was destroyed. The front seat structure remained partially attached to the fuselage, and the front lap belt left attach point was separated from the floor attachment. The lap belt remained latched. No shoulder harnesses were installed. The left and right wings displayed leading edge damage and were bent downward at the fuselage attach points. The empennage and tail surfaces remained relatively undamaged. Flight control continuity was established from the cockpit controls to all flight control surfaces.

The truck's left front windshield post and upper door post were crushed to the right consistent with impact from the airplane's main landing gear and lower forward fuselage. Several linear and sequential gashes were observed on the front left side of the truck, consistent with propeller slash marks. The driver's door was removed by rescue personnel. The roadway surface did not show any evidence of tire skid marks from the truck.

A review of the runway surface revealed airplane landing gear tracks from the pilot's hangar to the departure end of runway 1, consistent with the pilot's departure earlier that day. The south end of the runway turf condition was soft and wet. The north end of the runway turf condition was dry.

A review of the area of the accident site determined that there were no road signs warning drivers of low-flying airplanes over the road.

## **Medical and Pathological Information**

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Toxicology testing performed at the FAA Forensic Sciences Laboratory detected gabapentin in the blood and urine. All brands of gabapentin are used in adults to treat nerve pain caused by the herpes virus or shingles.

## Administrative Information

**Investigator In Charge (IIC):** Lindberg, Joshua

**Additional Participating Persons:** Joseph Saunders; Federal Aviation Administration; Milwaukee, WI

**Original Publish Date:** December 14, 2021

**Last Revision Date:**

**Investigation Class:** [Class 3](#)

**Note:** The NTSB traveled to the scene of this accident.

**Investigation Docket:** <https://data.nts.gov/Docket?ProjectID=100435>

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).