



Aviation Investigation Final Report

Location:	KRAMER, North Dakota	Accident Number:	DEN85LTG03
Date & Time:	July 10, 1985, 15:00 Local	Registration:	N9538P
Aircraft:	PIPER PA-25-235	Aircraft Damage:	Substantial
Defining Event:		Injuries:	1 None
Flight Conducted Under:	Part 137: Agricultural		

Analysis

THE ACFT COLLIDED WITH THE SHOULDER OF A HWY WHEN THE PLT ATTEMPTED TO AVOID POWER LINES DURING AN AERIAL APPLICATION FLT.

Probable Cause and Findings

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

Findings

Occurrence #1: IN FLIGHT COLLISION WITH TERRAIN/WATER
Phase of Operation: MANEUVERING - AERIAL APPLICATION

Findings

1. (F) IN-FLIGHT PLANNING/DECISION - POOR - PILOT IN COMMAND
2. (C) PROPER ALTITUDE - NOT MAINTAINED - PILOT IN COMMAND
3. (F) OBJECT - WIRE, TRANSMISSION

Factual Information

Pilot Information

Certificate:	Commercial	Age:	21, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Center
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 2 Valid Medical--w/ waivers/lim	Last FAA Medical Exam:	May 22, 1985
Occupational Pilot:	Yes	Last Flight Review or Equivalent:	
Flight Time:	400 hours (Total, all aircraft), 80 hours (Total, this make and model), 330 hours (Pilot In Command, all aircraft), 150 hours (Last 90 days, all aircraft), 90 hours (Last 30 days, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	PIPER	Registration:	N9538P
Model/Series:	PA-25-235 PA-25-235	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Restricted (Special)	Serial Number:	25-7405626
Landing Gear Type:	Tailwheel	Seats:	1
Date/Type of Last Inspection:	May 16, 1985 Annual	Certified Max Gross Wt.:	2900 lbs
Time Since Last Inspection:	85 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	1555 Hrs	Engine Manufacturer:	LYCOMING
ELT:	Not installed	Engine Model/Series:	O-540-B2B5
Registered Owner:	MYRON RUBBERT	Rated Power:	235 Horsepower
Operator:	RANDY RUBBERT	Operating Certificate(s) Held:	
Operator Does Business As:	RUBBERT AERIAL INC	Operator Designator Code:	

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Dusk
Observation Facility, Elevation:	MOT ,1715 ft msl	Distance from Accident Site:	40 Nautical Miles
Observation Time:	15:00 Local	Direction from Accident Site:	45°
Lowest Cloud Condition:	Scattered / 12000 ft AGL	Visibility	20 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	12 knots / None	Turbulence Type Forecast/Actual:	/
Wind Direction:	20°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30 inches Hg	Temperature/Dew Point:	26°C / 12°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	UPHAM	Type of Flight Plan Filed:	None
Destination:		Type of Clearance:	None
Departure Time:	14:45 Local	Type of Airspace:	Class G

Airport Information

Airport:		Runway Surface Type:	Dirt
Airport Elevation:	0 ft msl	Runway Surface Condition:	Dry
Runway Used:	0	IFR Approach:	None
Runway Length/Width:	0 ft / 0 ft	VFR Approach/Landing:	Forced landing

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 None	Latitude, Longitude:	48.69065,-100.700248(est)

Administrative Information

Investigator In Charge (IIC): White, John

Additional Participating Persons:

Original Publish Date:

Last Revision Date:

Investigation Class: [Class](#)

Note:

Investigation Docket: <https://data.nts.gov/Docket?ProjectID=16779>

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](#).