



Aviation Investigation Final Report

| | | | |
|--------------------------------|--------------------------------------|-------------------------|-------------|
| Location: | WALLER, Texas | Accident Number: | FTW94LA252 |
| Date & Time: | July 22, 1994, 17:30 Local | Registration: | N70580 |
| Aircraft: | PIPER J3C-65 | Aircraft Damage: | Substantial |
| Defining Event: | | Injuries: | 1 None |
| Flight Conducted Under: | Part 91: General aviation - Personal | | |

Analysis

WHILE DEMONSTRATING A SPIN MANUEVER DURING AN INSTRUCTIONAL FLIGHT, THE ENGINE LOST POWER. RESTART WAS NOT SUCCESSFUL AND A FORCED LANDING WAS EXECUTED TO A HORSE TRACK. THERE WERE NO INJURIES AND NO DAMAGE TO THE AIRPLANE. THE INSTRUCTOR PILOT HAD THE PILOT RECEIVING INSTRUCTION DISEMBARK THE AIRPLANE AND THEN BEGAN TO TAKE OFF. AFTER BECOMING AIRBORNE THE RIGHT STABILIZER STRUCK A FENCE. THE AIRPLANE THEN PITCHED UP AND ROLLED LEFT, COMING TO REST ON AN ADJACENT ROAD.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: THE PILOT'S FAILURE TO MAINTAIN PROPER CLEARANCE DURING TAKEOFF.

Findings

Occurrence #1: IN FLIGHT COLLISION WITH OBJECT
Phase of Operation: TAKEOFF - INITIAL CLIMB

Findings

1. OBJECT - FENCE
2. (C) CLEARANCE - NOT MAINTAINED - PILOT IN COMMAND

Occurrence #2: IN FLIGHT COLLISION WITH TERRAIN/WATER
Phase of Operation: DESCENT - UNCONTROLLED

Factual Information

On July 22, 1994, approximately 1730 central daylight time, a Piper J3C-65, N70580, was substantially damaged during take off near Waller, Texas. The instructor pilot was not injured. Visual meteorological conditions prevailed for the 14 CFR 91 flight.

The pilot reported to the Federal Aviation Administration inspector that he was conducting spin instruction for a rated pilot when the engine lost power. He reported that a successful forced landing was made to a horse track. Following the landing, he and the other pilot inspected the airplane and found no damage.

The instructor pilot told the other pilot to wait there while he flew back to Waller and would send a vehicle for him. The instructor pilot then took off, and during the initial climb the right stabilizer struck a fence. The airplane pitched up and rolled to the left, coming to rest on an adjacent road. The resulting ground impact caused structural damage to the airplane.

Pilot Information

| | | | |
|----------------------------------|--|--|------------------|
| Certificate: | Airline transport; Flight engineer; Flight instructor | Age: | 33, Male |
| Airplane Rating(s): | Single-engine land; Multi-engine land | Seat Occupied: | Rear |
| Other Aircraft Rating(s): | Glider | Restraint Used: | |
| Instrument Rating(s): | Airplane | Second Pilot Present: | No |
| Instructor Rating(s): | Airplane multi-engine; Airplane single-engine; Instrument airplane | Toxicology Performed: | No |
| Medical Certification: | Class 1 Valid Medical—no waivers/lim. | Last FAA Medical Exam: | February 1, 1994 |
| Occupational Pilot: | Yes | Last Flight Review or Equivalent: | |
| Flight Time: | 7086 hours (Total, all aircraft), 60 hours (Total, this make and model), 3211 hours (Pilot In Command, all aircraft), 238 hours (Last 90 days, all aircraft), 90 hours (Last 30 days, all aircraft), 1 hours (Last 24 hours, all aircraft) | | |

Aircraft and Owner/Operator Information

| | | | |
|--------------------------------------|--------------------|---------------------------------------|-----------------|
| Aircraft Make: | PIPER | Registration: | N70580 |
| Model/Series: | J3C-65 J3C-65 | Aircraft Category: | Airplane |
| Year of Manufacture: | | Amateur Built: | |
| Airworthiness Certificate: | Normal | Serial Number: | 17589 |
| Landing Gear Type: | Tailwheel | Seats: | 2 |
| Date/Type of Last Inspection: | May 2, 1994 Annual | Certified Max Gross Wt.: | 1220 lbs |
| Time Since Last Inspection: | | Engines: | 1 Reciprocating |
| Airframe Total Time: | | Engine Manufacturer: | CONTINENTAL |
| ELT: | Installed | Engine Model/Series: | C-85-8 |
| Registered Owner: | ZADOW, RYSZARD J. | Rated Power: | 85 Horsepower |
| Operator: | | Operating Certificate(s) Held: | None |
| Operator Does Business As: | | Operator Designator Code: | |

Meteorological Information and Flight Plan

| | | | |
|---|----------------------------------|---|----------|
| Conditions at Accident Site: | Visual (VMC) | Condition of Light: | Day |
| Observation Facility, Elevation: | | Distance from Accident Site: | |
| Observation Time: | | Direction from Accident Site: | |
| Lowest Cloud Condition: | Clear | Visibility | 10 miles |
| Lowest Ceiling: | None | Visibility (RVR): | |
| Wind Speed/Gusts: | 7 knots / | Turbulence Type Forecast/Actual: | / |
| Wind Direction: | 180° | Turbulence Severity Forecast/Actual: | / |
| Altimeter Setting: | | Temperature/Dew Point: | 29°C |
| Precipitation and Obscuration: | No Obscuration; No Precipitation | | |
| Departure Point: | | Type of Flight Plan Filed: | None |
| Destination: | | Type of Clearance: | None |
| Departure Time: | 00:00 Local | Type of Airspace: | Class G |

Airport Information

| | | | |
|-----------------------------|---|----------------------------------|------|
| Airport: | | Runway Surface Type: | |
| Airport Elevation: | | Runway Surface Condition: | |
| Runway Used: | 0 | IFR Approach: | None |
| Runway Length/Width: | | VFR Approach/Landing: | None |

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: | 30.050344,-95.920883(est) |

Administrative Information

| | |
|--|---|
| Investigator In Charge (IIC): | Ellis, Matthew |
| Additional Participating Persons: | GORDON L MCMAHON; HOUSTON , TX |
| Original Publish Date: | February 24, 1995 |
| Last Revision Date: | |
| Investigation Class: | Class |
| Note: | |
| Investigation Docket: | https://data.ntsb.gov/Docket?ProjectID=19125 |

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](#).