



Aviation Investigation Final Report

Location:	Louisville, Kentucky	Accident Number:	CHI04LA030
Date & Time:	November 10, 2003, 17:00 Local	Registration:	N1093D
Aircraft:	Hughes 269B	Aircraft Damage:	Substantial
Defining Event:		Injuries:	2 Minor
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The helicopter was substantially damaged when it impacted a river. The passenger in the helicopter stated to law enforcement officers that she was at the controls of the helicopter at the time of the accident when something went wrong, and the helicopter crashed into the water. The pilot stated that he was attempting to take pictures and while he was moving the helicopter and turning away from the wind he lost power due to lack of airspeed and fell into the river. The pilot told the officer that he had about 160 hours of flight time. The pilot stated that he was at the controls and that the passenger had been at the controls earlier, but the passenger was not at the controls at the time of the accident. Two witnesses reported that the helicopter came over a trees and then dropped down toward the water, and subsequently impacted the water. The witnesses reported that the helicopter sounded normal and no unusual sounds were heard. No pre-impact defects were found with respect to the helicopter.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's improper in-flight decision to allow the passenger to manipulate the aircraft flight controls, his failure to maintain altitude/clearance from the river, and his inadequate remedial action. A related factor was the low altitude.

Findings

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

Findings

1. (F) ALTITUDE - LOW
2. (F) LACK OF EXPERIENCE - PASSENGER
3. (C) IN-FLIGHT PLANNING/DECISION - IMPROPER - PILOT IN COMMAND
4. (C) AIRCRAFT CONTROL - NOT MAINTAINED - PASSENGER
5. (C) ALTITUDE/CLEARANCE - NOT MAINTAINED - PASSENGER
6. TERRAIN CONDITION - WATER
7. (C) REMEDIAL ACTION - INADEQUATE - PILOT IN COMMAND

Factual Information

On November 10, 2003, about 1700 eastern standard time, a Hughes 269B helicopter, N1093D, piloted by a private pilot, was substantially damaged when it impacted into the Ohio River near Louisville, Kentucky. The pilot and passenger received minor injuries. The 14 CFR Part 91 personal flight was operating in visual meteorological conditions without a flight plan. The flight originated from Rising Sun, Indiana, at an undetermined time. The Bowman Field Airport, Louisville, Kentucky, was the intended destination.

According to law enforcement records, the passenger was interviewed at the accident scene. During the interview, the passenger identified herself by two false names before officers learned her real name. The passenger told the officers that she was on her way from the Belterra Casino and that she was allowed by the pilot to fly the helicopter. The officer reported that she appeared to have an odor of alcohol on her breath, slurred speech, and flushed skin. In a later interview at the hospital, the passenger reported to officers that she and the pilot had departed from Bowman Field Airport, Louisville, Kentucky, and had flown to the Belterra Casino, Rising Sun, Indiana, and were going to return to Bowman Field. She told officers that she was trying to learn how to fly the helicopter and was handling the controls when something went wrong, and the helicopter crashed into the water.

According to law enforcement records, the pilot was interviewed at the hospital. He told officers that he had departed the Belterra Casino and was attempting to take pictures, and while he was moving the helicopter and turning away from the wind, he lost power due to lack of airspeed and fell into the river. The pilot told the officer that he had about 160 hours of flight time. The pilot stated that he was at the controls and that the passenger had been at the controls earlier, but the passenger was not at the controls at the time of the accident.

There were two witnesses that were fishing in a boat near where the helicopter impacted the water. A Federal Aviation Administration Inspector interviewed the witnesses. The first witness reported that the helicopter came in low over the trees and then dropped down toward the water. He reported that the helicopter sounded "normal" prior to the accident with no sounds of backfiring. He stated that it sounded like other helicopters he had heard. This witness reported that when the helicopter first cleared the trees, it looked normal, like it was going to land. Then, just before it hit the water, it began "swaying back and forth", like it was trying to turn. He reported that the helicopter hit the water about 20 to 30 degrees from level.

The second witness reported that the helicopter came over the trees from the south and angled down toward the water. He reported that the helicopter hit the water about 15 to 20 feet from the Indiana shore. He reported that it nosed in almost straight at the shore and the skids hit the water first. The witness reported that it didn't sound as if anything was wrong with the helicopter. He did state, however, that he doesn't really know what "normal" is for a

small helicopter like the accident helicopter.

The pilot, responding to a request for submission of a National Transportation Safety Board Pilot/Operator Aircraft Accident Report, asserted his rights under the 5th amendment of the United States Constitution.

According to FAA records, the passenger did not have a pilot or student pilot certificate. FAA records also show that the pilot did not hold a flight instructor certificate.

A postaccident examination of the helicopter by FAA inspectors failed to reveal any defects that could be determined to have existed prior to the accident.

Pilot Information

Certificate:	Private	Age:	44, Male
Airplane Rating(s):	None	Seat Occupied:	Unknown
Other Aircraft Rating(s):	Helicopter	Restraint Used:	
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 3 Valid Medical--no waivers/lim.	Last FAA Medical Exam:	September 30, 2003
Occupational Pilot:	UNK	Last Flight Review or Equivalent:	
Flight Time:	160 hours (Total, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Hughes	Registration:	N1093D
Model/Series:	269B	Aircraft Category:	Helicopter
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	200900
Landing Gear Type:	Skid	Seats:	2
Date/Type of Last Inspection:	Unknown	Certified Max Gross Wt.:	1670 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	Lycoming
ELT:		Engine Model/Series:	H10-360-A1A
Registered Owner:	POW Corp.	Rated Power:	180 Horsepower
Operator:		Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	LOU,546 ft msl	Distance from Accident Site:	5 Nautical Miles
Observation Time:	16:53 Local	Direction from Accident Site:	180°
Lowest Cloud Condition:	Unknown	Visibility	10 miles
Lowest Ceiling:	Overcast / 4800 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	5 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	160°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.22 inches Hg	Temperature/Dew Point:	16°C / 8°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Rising Sun, IN	Type of Flight Plan Filed:	None
Destination:	LOUISVILLE, KY (LOU)	Type of Clearance:	None
Departure Time:		Type of Airspace:	Class G

Wreckage and Impact Information

Crew Injuries:	1 Minor	Aircraft Damage:	Substantial
Passenger Injuries:	1 Minor	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	2 Minor	Latitude, Longitude:	38.266666,-85.733329

Administrative Information

Investigator In Charge (IIC):	Brannen, John
Additional Participating Persons:	Bruce Montigney; FAA-Indianapolis-FSDO; Indianapolis, IN
Original Publish Date:	January 24, 2005
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=58348

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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](#).