



Aviation Investigation Final Report

Location:	Decatur, Alabama	Accident Number:	ERA09LA302
Date & Time:	May 23, 2009, 13:15 Local	Registration:	N875MH
Aircraft:	HAZELWOOD MICHAEL S RV-8	Aircraft Damage:	Substantial
Defining Event:	Midair collision	Injuries:	1 Fatal
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

This report was modified on September 10, 2010.

Both pilots were friends and neighbors who were visiting an airport open house. Prior to returning to their home airport, the pilots discussed if they would be flying home together or separately. The pilot of the RV-8 decided to fly home separately, departed first, and performed some aerobatics near the airport traffic pattern. As the pilot of the CJ-6A prepared to depart, a photographer asked him to make some low passes over the runway, so that the photographer could take pictures. The CJ-6A took off and remained in the left airport traffic pattern. As the CJ-6A turned from base leg to final leg, the pilot of the RV-8 radioed via the common traffic advisory frequency that he was at the CJ-6A's 6 o'clock position, but did not provide distance information. He then radioed that he was at the CJ-6A's 4 o'clock position and again did not provide distance information. The CJ-6A then began a pass over the runway at approximately 200 feet above ground level. During that time, the RV-8 closed on the CJ-6A "dramatically," in excess of 30 knots, from above and behind. About the midpoint of the runway, the pilot of the CJ-6A began a climbing right turn. The RV-8's left wing then hit the CJ-6A, partially separating it. The RV-8 subsequently descended uncontrolled and impacted terrain.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The RV-8 pilot's failure to maintain adequate clearance from the CJ-6A while maneuvering.

This report was modified on September 10, 2010.

Findings

Personnel issues

Monitoring other aircraft - Pilot

Factual Information

History of Flight

Maneuvering-low-alt flying	Midair collision (Defining event)
-----------------------------------	-----------------------------------

This report was modified on September 10, 2010.

On May 23, 2009, about 1315 central daylight time, an experimental amateur-built RV-8, N875MH, and an experimental Nanchang China CJ-6A, N81817, collided in midair shortly after takeoff from Pryor Field (DCU), Decatur, Alabama. The RV-8 was substantially damaged and the CJ-6A sustained minor damage. The certificated private pilot onboard the RV-8 was killed and the certificated private pilot onboard the CJ-6A incurred minor injuries. Visual meteorological conditions prevailed and no flight plans were filed for the planned flights to Big River Airpark (5AL5), Muscle Shoals, Alabama. The personal flights were conducted under the provisions of 14 Code of Federal Regulations Part 91. The RV-8 departed DCU about 1305 and the CJ-6A departed DCU about 1310.

A Federal Aviation Administration (FAA) inspector interviewed several witnesses and the pilot of the CJ-6A at the accident site. They reported that there was an "open house" at DCU. The accident pilots were friends and neighbors, who were visiting the airport. The pilots departed DCU with the intention of returning to their home airport. Prior to takeoff from DCU, the pilots did not preplan any formation flying. The RV-8 departed first, performed aerobatics over the runway and in the traffic pattern, then orbited the airport at a higher altitude. The CJ-6A departed and remained in the traffic pattern for a low pass over the runway. The pilot of the RV-8 then flew in formation with the CJ-6A during the low pass. The RV-8 began to overtake the CJ-6A, while the pilot of the RV-8 announced his relative position over the common traffic advisory frequency (CTAF). The pilot of the CJ-6A did not realize how close the RV-8 was, and began a climbing right turn. At that point, as the RV-8 overtook the CJ-6A from left to right, the left wing of the RV-8 contacted the right wing of the CJ-6A. The left wing of the RV-8 partially separated. The RV-8 subsequently descended uncontrolled and impacted a grass area at a local community college. The CJ-6A landed at DCU uneventfully.

According to the CJ-6A pilot's written statement, he and the pilot of the RV-8 discussed if they would be flying home together or separately. The pilot of the RV-8 decided to fly home separately, and departed first. As the pilot of the CJ-6A prepared to depart, a photographer asked him to make some low passes over the runway, so that the photographer could take pictures. Prior to departure, the pilot of the CJ-6A also saw the RV-8 perform a low pass over the runway, execute an aileron roll, and then fly an orbit around the airport at approximately 2,000 feet above ground level (agl). The CJ-6A took off and remained in the left airport traffic pattern at approximately 1,000 feet agl. As the CJ-6A turned onto a downwind leg, the pilot of the CJ-6A asked the pilot of the RV-8 if he had the CJ-6A in sight. The pilot of the RV-8 replied

affirmative. As the CJ-6A turned from base leg to final leg, the pilot of the RV-8 radioed that he was at the CJ-6A's 6 o'clock position. He then radioed that he was at the CJ-6A's 4 o'clock position. The CJ-6A then began a pass over the runway at approximately 200 feet agl. As the pilot of the CJ-6A began a climb, the RV-8's left wing contacted the CJ-6A's right wing. The pilot of the CJ-6A further stated that he thought the pilot of the RV-8 planned to leave the area and fly home. When the RV-8 pilot reported at the 6 and 4 o'clock positions, the pilot of the CJ-6A could not see the RV-8 behind him, but thought that the RV-8 pilot could see the CJ-6A in front of him.

One of the witnesses at the airport, who was also a pilot, was listening to the CTAF frequency. She heard the pilot of the RV-8 announce, "RV-8 orbiting over south end...runway...Decatur." As the CJ-6A was on an approximate midfield downwind position for runway 18 (for the low pass), the witness heard a transmission over CTAF from the RV-8 pilot, "form fly, okay?" There was no reply from the CJ-6A pilot. The witness then went to retrieve her camera. Subsequently, several other witnesses confirmed the RV-8 pilot's reports of his relative position to the CJ-6A.

Another witness was later interviewed via telephone and provided a written statement. The witness reported that he had never previously met either pilot, but was seated near them during lunch. He heard the pilots discuss flying home and there was no mention of formation flight during the time the witness overheard the conversation. The witness subsequently watched the CJ-6A approach for a low pass over the runway for a photo opportunity. During the approach, the witness recalled hearing the pilot of the CJ-6A ask the pilot of the RV-8 his position. The pilot of the RV-8 replied 6 o'clock, but did not provide a distance. During the low pass, the RV-8 closed "dramatically," greater than 30 knots, from above and behind the CJ-6A. The CJ-6A then initiated a right climbing turn and the airplanes collided.

The pilot of the RV-8, age 41, held a private pilot certificate, with ratings for airplane single-engine land and instrument airplane. His most recent FAA third-class medical certificate was issued on July 31, 2007. At that time he reported a total flight experience of 769 hours.

An autopsy was performed on the pilot by the State of Alabama Department of Forensic Sciences, Huntsville, Alabama, on May 26, 2009. The autopsy report noted the cause of death as "multiple blunt force injuries." Toxicological testing was performed on the pilot by the FAA Bioaeronautical Science Research Laboratory, Oklahoma City, Oklahoma. The results were negative for drugs and alcohol.

The pilot of the CJ-6A, age 59, held a private pilot certificate, with ratings for airplane single-engine land, airplane single-engine sea, and instrument airplane. His most recent FAA second-class medical certificate was issued on March 17, 2009. At that time he reported a total flight experience of 3,600 hours. The pilot also obtained formation training under the Formation and Safety Training (FAST) program through the Red Star Pilot's Association. He had been formation trained since 2003 and had been a lead pilot since 2006.

Both airplanes were equipped with handheld global positioning systems (GPS), which were

forwarded to the National Transportation Safety Board Vehicle Recorders Laboratory, Washington, DC, for data download. Review of the plotted GPS data revealed that as the CJ-6A flew a left traffic pattern for runway 18, the RV-8 followed behind and to the right of the CJ-6A. About the midpoint of runway 18, the CJ-6A began a climbing right turn just before the collision.

The recorded weather at DCU, at 1353, was: wind from 080 degrees at 6 knots, visibility 10 miles in light rain, sky clear, temperature 22 degrees Celsius, dew point 19 degrees Celsius, altimeter 30.02 inches of mercury.

Review of Federal Aviation Regulation (FAR) 91.119 revealed, in part, "Minimum safe altitudes: General.

Except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes:

(b) Over congested areas. Over any congested area of a city, town, or settlement, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.

Review of FAR 91.303 revealed, in part, "No person may operate an aircraft in aerobatic flight –

(B) Over an open air assembly of persons;

(D) Below an altitude of 1,500 above the surface."

Pilot Information

Certificate:	Private	Age:	41, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Front
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	Yes
Medical Certification:	Class 3 Without waivers/limitations	Last FAA Medical Exam:	July 31, 2007
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	769 hours (Total, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	HAZELWOOD MICHAEL S	Registration:	N875MH
Model/Series:	RV-8	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	Yes
Airworthiness Certificate:	Experimental (Special)	Serial Number:	81687
Landing Gear Type:	Retractable - Tricycle	Seats:	2
Date/Type of Last Inspection:		Certified Max Gross Wt.:	1800 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	LYCOMING
ELT:		Engine Model/Series:	IO-390-X
Registered Owner:	Michael Hazlewood	Rated Power:	210 Horsepower
Operator:	Michael Hazlewood	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	DCU,592 ft msl	Distance from Accident Site:	0 Nautical Miles
Observation Time:	13:53 Local	Direction from Accident Site:	0°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	6 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	80°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.02 inches Hg	Temperature/Dew Point:	22°C / 19°C
Precipitation and Obscuration:	Light - None - Rain		
Departure Point:	Decatur, AL (DCU)	Type of Flight Plan Filed:	None
Destination:	Muscle Shoals, AL (5AL5)	Type of Clearance:	None
Departure Time:	13:05 Local	Type of Airspace:	

Airport Information

Airport:	Pryor Field DCU	Runway Surface Type:	
Airport Elevation:	592 ft msl	Runway Surface Condition:	
Runway Used:		IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	None

Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Fatal	Latitude, Longitude:	34.653888,-86.945274(est)

Administrative Information

Investigator In Charge (IIC):	Gretz, Robert
Additional Participating Persons:	James West; FAA/FSDO; Birmingham, AL
Original Publish Date:	December 15, 2009
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=73891

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](#).



Aviation Investigation Final Report

Location:	Decatur, Alabama	Accident Number:	ERA09LA302
Date & Time:	May 23, 2009, 13:15 Local	Registration:	N81817
Aircraft:	NANCHANG CHINA CJ-6A	Aircraft Damage:	Minor
Defining Event:	Midair collision	Injuries:	1 Minor
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

This report was modified on September 10, 2010.

Both pilots were friends and neighbors who were visiting an airport open house. Prior to returning to their home airport, the pilots discussed if they would be flying home together or separately. The pilot of the RV-8 decided to fly home separately, departed first, and performed some aerobatics near the airport traffic pattern. As the pilot of the CJ-6A prepared to depart, a photographer asked him to make some low passes over the runway, so that the photographer could take pictures. The CJ-6A took off and remained in the left airport traffic pattern. As the CJ-6A turned from base leg to final leg, the pilot of the RV-8 radioed via the common traffic advisory frequency that he was at the CJ-6A's 6 o'clock position, but did not provide distance information. He then radioed that he was at the CJ-6A's 4 o'clock position and again did not provide distance information. The CJ-6A then began a pass over the runway at approximately 200 feet above ground level. During that time, the RV-8 closed on the CJ-6A "dramatically," in excess of 30 knots, from above and behind. About the midpoint of the runway, the pilot of the CJ-6A began a climbing right turn. The RV-8's left wing then hit the CJ-6A, partially separating it. The RV-8 subsequently descended uncontrolled and impacted terrain.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The RV-8 pilot's failure to maintain adequate clearance from the CJ-6A while maneuvering.

This report was modified on September 10, 2010.

Findings

Personnel issues

Monitoring other aircraft - Pilot of other aircraft

Factual Information

History of Flight

Maneuvering-low-alt flying

Midair collision

This report was modified on September 10, 2010.

On May 23, 2009, about 1315 central daylight time, an experimental amateur-built RV-8, N875MH, and an experimental Nanchang China CJ-6A, N81817, collided in midair shortly after takeoff from Pryor Field (DCU), Decatur, Alabama. The RV-8 was substantially damaged and the CJ-6A sustained minor damage. The certificated private pilot onboard the RV-8 was killed and the certificated private pilot onboard the CJ-6A incurred minor injuries. Visual meteorological conditions prevailed and no flight plans were filed for the planned flights to Big River Airpark (5AL5), Muscle Shoals, Alabama. The personal flights were conducted under the provisions of 14 Code of Federal Regulations Part 91. The RV-8 departed DCU about 1305 and the CJ-6A departed DCU about 1310.

A Federal Aviation Administration (FAA) inspector interviewed several witnesses and the pilot of the CJ-6A at the accident site. They reported that there was an "open house" at DCU. The accident pilots were friends and neighbors, who were visiting the airport. The pilots departed DCU with the intention of returning to their home airport. Prior to takeoff from DCU, the pilots did not preplan any formation flying. The RV-8 departed first, performed aerobatics over the runway and in the traffic pattern, then orbited the airport at a higher altitude. The CJ-6A departed and remained in the traffic pattern for a low pass over the runway. The pilot of the RV-8 then flew in formation with the CJ-6A during the low pass. The RV-8 began to overtake the CJ-6A, while the pilot of the RV-8 announced his relative position over the common traffic advisory frequency (CTAF). The pilot of the CJ-6A did not realize how close the RV-8 was, and began a climbing right turn. At that point, as the RV-8 overtook the CJ-6A from left to right, the left wing of the RV-8 contacted the right wing of the CJ-6A. The left wing of the RV-8 partially separated. The RV-8 subsequently descended uncontrolled and impacted a grass area at a local community college. The CJ-6A landed at DCU uneventfully.

According to the CJ-6A pilot's written statement, he and the pilot of the RV-8 discussed if they would be flying home together or separately. The pilot of the RV-8 decided to fly home separately, and departed first. As the pilot of the CJ-6A prepared to depart, a photographer asked him to make some low passes over the runway, so that the photographer could take pictures. Prior to departure, the pilot of the CJ-6A also saw the RV-8 perform a low pass over the runway, execute an aileron roll, and then fly an orbit around the airport at approximately 2,000 feet above ground level (agl). The CJ-6A took off and remained in the left airport traffic pattern at approximately 1,000 feet agl. As the CJ-6A turned onto a downwind leg, the pilot of the CJ-6A asked the pilot of the RV-8 if he had the CJ-6A in sight. The pilot of the RV-8 replied

affirmative. As the CJ-6A turned from base leg to final leg, the pilot of the RV-8 radioed that he was at the CJ-6A's 6 o'clock position. He then radioed that he was at the CJ-6A's 4 o'clock position. The CJ-6A then began a pass over the runway at approximately 200 feet agl. As the pilot of the CJ-6A began a climb, the RV-8's left wing contacted the CJ-6A's right wing. The pilot of the CJ-6A further stated that he thought the pilot of the RV-8 planned to leave the area and fly home. When the RV-8 pilot reported at the 6 and 4 o'clock positions, the pilot of the CJ-6A could not see the RV-8 behind him, but thought that the RV-8 pilot could see the CJ-6A in front of him.

One of the witnesses at the airport, who was also a pilot, was listening to the CTAF frequency. She heard the pilot of the RV-8 announce, "RV-8 orbiting over south end...runway...Decatur." As the CJ-6A was on an approximate midfield downwind position for runway 18 (for the low pass), the witness heard a transmission over CTAF from the RV-8 pilot, "form fly, okay?" There was no reply from the CJ-6A pilot. The witness then went to retrieve her camera. Subsequently, several other witnesses confirmed the RV-8 pilot's reports of his relative position to the CJ-6A.

Another witness was later interviewed via telephone and provided a written statement. The witness reported that he had never previously met either pilot, but was seated near them during lunch. He heard the pilots discuss flying home and there was no mention of formation flight during the time the witness overheard the conversation. The witness subsequently watched the CJ-6A approach for a low pass over the runway for a photo opportunity. During the approach, the witness recalled hearing the pilot of the CJ-6A ask the pilot of the RV-8 his position. The pilot of the RV-8 replied 6 o'clock, but did not provide a distance. During the low pass, the RV-8 closed "dramatically," greater than 30 knots, from above and behind the CJ-6A. The CJ-6A then initiated a right climbing turn and the airplanes collided.

The pilot of the RV-8, age 41, held a private pilot certificate, with ratings for airplane single-engine land and instrument airplane. His most recent FAA third-class medical certificate was issued on July 31, 2007. At that time he reported a total flight experience of 769 hours.

An autopsy was performed on the pilot by the State of Alabama Department of Forensic Sciences, Huntsville, Alabama, on May 26, 2009. The autopsy report noted the cause of death as "multiple blunt force injuries." Toxicological testing was performed on the pilot by the FAA Bioaeronautical Science Research Laboratory, Oklahoma City, Oklahoma. The results were negative for drugs and alcohol.

The pilot of the CJ-6A, age 59, held a private pilot certificate, with ratings for airplane single-engine land, airplane single-engine sea, and instrument airplane. His most recent FAA second-class medical certificate was issued on March 17, 2009. At that time he reported a total flight experience of 3,600 hours. The pilot also obtained formation training under the Formation and Safety Training (FAST) program through the Red Star Pilot's Association. He had been formation trained since 2003 and had been a lead pilot since 2006.

Both airplanes were equipped with handheld global positioning systems (GPS), which were

forwarded to the National Transportation Safety Board Vehicle Recorders Laboratory, Washington, DC, for data download. Review of the plotted GPS data revealed that as the CJ-6A flew a left traffic pattern for runway 18, the RV-8 followed behind and to the right of the CJ-6A. About the midpoint of runway 18, the CJ-6A began a climbing right turn just before the collision.

The recorded weather at DCU, at 1353, was: wind from 080 degrees at 6 knots, visibility 10 miles in light rain, sky clear, temperature 22 degrees Celsius, dew point 19 degrees Celsius, altimeter 30.02 inches of mercury.

Review of Federal Aviation Regulation (FAR) 91.119 revealed, in part, "Minimum safe altitudes: General.

Except when necessary for takeoff or landing, no person may operate an aircraft below the following altitudes:

(b) Over congested areas. Over any congested area of a city, town, or settlement, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft.

Review of FAR 91.303 revealed, in part, "No person may operate an aircraft in aerobatic flight –

(B) Over an open air assembly of persons;

(D) Below an altitude of 1,500 above the surface."

Pilot Information

Certificate:	Private	Age:	59, Male
Airplane Rating(s):	Single-engine land; Single-engine sea	Seat Occupied:	Front
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 2 With waivers/limitations	Last FAA Medical Exam:	March 17, 2009
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	3600 hours (Total, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	NANCHANG CHINA	Registration:	N81817
Model/Series:	CJ-6A	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Experimental (Special)	Serial Number:	2851260
Landing Gear Type:	Retractable - Tricycle	Seats:	2
Date/Type of Last Inspection:		Certified Max Gross Wt.:	3080 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	
ELT:		Engine Model/Series:	
Registered Owner:	Billy Kennamore	Rated Power:	
Operator:	Billy Kennamore	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	DCU,592 ft msl	Distance from Accident Site:	0 Nautical Miles
Observation Time:	13:53 Local	Direction from Accident Site:	0°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	6 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	80°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30.02 inches Hg	Temperature/Dew Point:	22°C / 19°C
Precipitation and Obscuration:	Light - None - Rain		
Departure Point:	Decatur, AL (DCU)	Type of Flight Plan Filed:	None
Destination:	Muscle Shoals, AL (5AL5)	Type of Clearance:	None
Departure Time:	13:10 Local	Type of Airspace:	

Airport Information

Airport:	Pryor Field DCU	Runway Surface Type:	
Airport Elevation:	592 ft msl	Runway Surface Condition:	
Runway Used:		IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	None

Wreckage and Impact Information

Crew Injuries:	1 Minor	Aircraft Damage:	Minor
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Minor	Latitude, Longitude:	34.653888,-86.945274(est)

Administrative Information

Investigator In Charge (IIC):	Gretz, Robert
Additional Participating Persons:	James West; FAA/FSDO; Birmingham, AL
Original Publish Date:	December 15, 2009
Last Revision Date:	
Investigation Class:	Class
Note:	
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=73891

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](#).