



# Aviation Investigation Final Report

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<b>Location:</b>	Manteo, North Carolina	<b>Accident Number:</b>	ERA09CA375
<b>Date &amp; Time:</b>	July 4, 2009, 12:00 Local	<b>Registration:</b>	N32132
<b>Aircraft:</b>	Waco UPF-7	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>	Loss of control on ground	<b>Injuries:</b>	3 Minor
<b>Flight Conducted Under:</b>	Part 91: General aviation - Other work use		

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## Analysis

The pilot was giving scenic rides in the vintage airplane. The airplane was parked on the ramp, with the engine operating, and two passengers seated in the front seat. The pilot stated that he set the parking brake, and exited the airplane to secure a baggage latch, when one of the passengers "bumped" the throttle. The passenger seated in the left front seat stated that he and his wife were escorted to, and seated in the airplane, while the pilot was talking with a passenger from the previous flight. He further stated that he was in the airplane for a few seconds, when he turned, and then heard the engine sound increase. The airplane accelerated across the ramp, and struck a parked airplane. Damage to the airplane consisted of bent left wing struts with the upper left wing bent downward approximately 30 degrees, and a bent left aileron. The passenger further stated that he did not receive any pre-boarding instructions or a pre-flight briefing. Examination of the airplane by a Federal Aviation Administration inspector did not reveal any preimpact mechanical malfunctions. It was noted that the engine controls were located on the left side wall of the cabin.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's improper decision to exit the airplane, with the engine operating. Contributing to the accident was the inadvertent throttle movement by the passenger.

## Findings

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<b>Aircraft</b>	(general) - Incorrect use/operation
<b>Personnel issues</b>	Decision making/judgment - Pilot
<b>Aircraft</b>	Power lever - Unintentional use/operation
<b>Personnel issues</b>	(general) - Passenger

## Factual Information

### History of Flight

<b>Standing-engine(s) operating</b>	Loss of control on ground (Defining event)
<b>Standing-engine(s) operating</b>	Ground collision

### Pilot Information

<b>Certificate:</b>	Commercial	<b>Age:</b>	47, Male
<b>Airplane Rating(s):</b>	Single-engine land; Single-engine sea; Multi-engine land	<b>Seat Occupied:</b>	
<b>Other Aircraft Rating(s):</b>	None	<b>Restraint Used:</b>	
<b>Instrument Rating(s):</b>	Airplane	<b>Second Pilot Present:</b>	No
<b>Instructor Rating(s):</b>	Airplane single-engine	<b>Toxicology Performed:</b>	No
<b>Medical Certification:</b>	Class 2 With waivers/limitations	<b>Last FAA Medical Exam:</b>	July 31, 2008
<b>Occupational Pilot:</b>	Yes	<b>Last Flight Review or Equivalent:</b>	
<b>Flight Time:</b>	21100 hours (Total, all aircraft), 5000 hours (Total, this make and model), 150 hours (Last 90 days, all aircraft)		

### Aircraft and Owner/Operator Information

<b>Aircraft Make:</b>	Waco	<b>Registration:</b>	N32132
<b>Model/Series:</b>	UPF-7	<b>Aircraft Category:</b>	Airplane
<b>Year of Manufacture:</b>		<b>Amateur Built:</b>	
<b>Airworthiness Certificate:</b>	Normal	<b>Serial Number:</b>	5764
<b>Landing Gear Type:</b>	Tailwheel	<b>Seats:</b>	3
<b>Date/Type of Last Inspection:</b>	Unknown	<b>Certified Max Gross Wt.:</b>	2650 lbs
<b>Time Since Last Inspection:</b>		<b>Engines:</b>	1 Reciprocating
<b>Airframe Total Time:</b>		<b>Engine Manufacturer:</b>	Continental
<b>ELT:</b>		<b>Engine Model/Series:</b>	R-670-6A
<b>Registered Owner:</b>	Richard Forbes	<b>Rated Power:</b>	225 Horsepower
<b>Operator:</b>	OBX Air Tours	<b>Operating Certificate(s) Held:</b>	None

## Meteorological Information and Flight Plan

<b>Conditions at Accident Site:</b>	Visual (VMC)	<b>Condition of Light:</b>	Day
<b>Observation Facility, Elevation:</b>	MQI, 14 ft msl	<b>Distance from Accident Site:</b>	0 Nautical Miles
<b>Observation Time:</b>	12:01 Local	<b>Direction from Accident Site:</b>	
<b>Lowest Cloud Condition:</b>	Clear	<b>Visibility</b>	10 miles
<b>Lowest Ceiling:</b>	None	<b>Visibility (RVR):</b>	
<b>Wind Speed/Gusts:</b>	4 knots /	<b>Turbulence Type Forecast/Actual:</b>	/
<b>Wind Direction:</b>	300°	<b>Turbulence Severity Forecast/Actual:</b>	/
<b>Altimeter Setting:</b>	30.04 inches Hg	<b>Temperature/Dew Point:</b>	27°C / 15°C
<b>Precipitation and Obscuration:</b>	No Obscuration; No Precipitation		
<b>Departure Point:</b>	Manteo, NC (MQI)	<b>Type of Flight Plan Filed:</b>	None
<b>Destination:</b>	Manteo, NC (MQI)	<b>Type of Clearance:</b>	None
<b>Departure Time:</b>		<b>Type of Airspace:</b>	

## Airport Information

<b>Airport:</b>	Dare County Regional Airport MQI	<b>Runway Surface Type:</b>	
<b>Airport Elevation:</b>	14 ft msl	<b>Runway Surface Condition:</b>	
<b>Runway Used:</b>		<b>IFR Approach:</b>	None
<b>Runway Length/Width:</b>		<b>VFR Approach/Landing:</b>	None

## Wreckage and Impact Information

<b>Crew Injuries:</b>	1 Minor	<b>Aircraft Damage:</b>	Substantial
<b>Passenger Injuries:</b>	2 Minor	<b>Aircraft Fire:</b>	None
<b>Ground Injuries:</b>	N/A	<b>Aircraft Explosion:</b>	None
<b>Total Injuries:</b>	3 Minor	<b>Latitude, Longitude:</b>	35.918888,-75.695556(est)

## Administrative Information

<b>Investigator In Charge (IIC):</b>	Schiada, Luke
<b>Additional Participating Persons:</b>	James Creider; FAA/ FSDO; Greensboro, NC
<b>Original Publish Date:</b>	October 19, 2009
<b>Last Revision Date:</b>	
<b>Investigation Class:</b>	<a href="#">Class</a>
<b>Note:</b>	This accident report documents the factual circumstances of this accident as described to the NTSB.
<b>Investigation Docket:</b>	<a href="https://data.nts.gov/Docket?ProjectID=74188">https://data.nts.gov/Docket?ProjectID=74188</a>

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](#).