



Aviation Investigation Final Report

Location:	South Bend, Indiana	Accident Number:	CEN17LA348
Date & Time:	September 12, 2017, 13:35 Local	Registration:	N9368Y
Aircraft:	Beech N35	Aircraft Damage:	Substantial
Defining Event:	Fuel starvation	Injuries:	2 None
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The commercial pilot reported that the airplane was nearing the destination at the conclusion of a long cross-country flight when the engine experienced a total loss of power. The pilot declared an emergency and conducted a forced landing to a highway. During the forced landing, the airplane struck an elevated island and a car and was substantially damaged.

A postaccident examination of the airplane revealed blue-colored fuel stains streaking from the right wing fuel filler aft to the trailing edge of the right wing flap. The right fuel tank contained 1 cup of fuel and the left fuel tank had about 10 gallons of fuel. The fuel cap and seat were unremarkable. An examination of the engine and remaining systems revealed no anomalies.

It is likely that the right fuel cap was not seated properly before takeoff, which resulted in the siphoning of the fuel during the flight, and a subsequent total loss of engine power due to fuel starvation.

Probable Cause and Findings

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

The improperly seated fuel cap, which resulted in an in-flight fuel leak and subsequent total loss of engine power due to fuel starvation.

Findings

Personnel issues	Use of equip/system - Pilot
Aircraft	Fuel - Fluid level
Aircraft	(general) - Incorrect use/operation
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Factual Information

History of Flight

Approach	Fuel starvation (Defining event)
Approach	Loss of engine power (total)
Landing	Off-field or emergency landing
Landing-landing roll	Collision with terr/obj (non-CFIT)

On September 12, 2017, about 1300 central daylight time, a Beech N35 airplane, N9368Y, was substantially damaged during a forced landing near South Bend International Airport (SBN), South Bend, Indiana. The commercial pilot and passenger were not injured. The personal flight was conducted under the provisions of 14 *Code of Federal Regulations* Part 91. Visual meteorological conditions prevailed and no Federal Aviation Administration (FAA) flight plan had been filed for the flight. The flight departed Johnson County Executive Airport (OJC), Olathe, Kansas, about 0930, and was en route to SBN.

According to the pilot, while on final approach for runway 9R, the engine "missed". The pilot attempted to increase engine power by advancing the engine throttle control forward. There was no response from the engine. During the forced landing the main landing gear clipped the elevated island between two oncoming lanes of traffic. The airplane bounced and struck a car before coming to rest in the grass adjacent to the road. The left wing was bent and buckled during the forced landing.

Prior to the recovery of the airplane from the accident site, the FAA inspector, who responded to the accident, recovered about a cup of fuel from the right fuel tank. There was visible fuel in the left fuel tank. A postaccident examination of the airplane, following its recovery, revealed blue-colored fuel streaking from the right-wing fuel filler aft to the trailing edge of the right-wing flap. The right fuel tank was empty, and the left fuel tank had about 10 gallons of fuel. The fuel cap and seat were unremarkable. An examination of the engine and remaining systems revealed no anomalies that would have precluded normal operation.

Pilot Information

Certificate:	Commercial	Age:	74,Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	Lap only
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	November 30, 2015
Occupational Pilot:	No	Last Flight Review or Equivalent:	August 18, 2016
Flight Time:	4983 hours (Total, all aircraft), 460 hours (Total, this make and model), 4787 hours (Pilot In Command, all aircraft), 7 hours (Last 90 days, all aircraft), 3 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Beech	Registration:	N9368Y
Model/Series:	N35 NO SERIES	Aircraft Category:	Airplane
Year of Manufacture:	1960	Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	D-6569
Landing Gear Type:	Retractable - Tricycle	Seats:	4
Date/Type of Last Inspection:	June 22, 2017 Annual	Certified Max Gross Wt.:	3128 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:	5275 Hrs as of last inspection	Engine Manufacturer:	Continental
ELT:	Installed, not activated	Engine Model/Series:	IO-520-BB-10B
Registered Owner:	On file	Rated Power:	285 Horsepower
Operator:	On file	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	kSBN,798 ft msl	Distance from Accident Site:	1 Nautical Miles
Observation Time:	13:48 Local	Direction from Accident Site:	270°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	9 knots / None	Turbulence Type Forecast/Actual:	/ None
Wind Direction:	5°	Turbulence Severity Forecast/Actual:	/ N/A
Altimeter Setting:	29.96 inches Hg	Temperature/Dew Point:	23°C / 12°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Olathe, KS (KOJC)	Type of Flight Plan Filed:	None
Destination:	South Bend, IN (KSBN)	Type of Clearance:	IFR
Departure Time:	09:30 Local	Type of Airspace:	Class C

Airport Information

Airport:	South Bend International Airpo SBN	Runway Surface Type:	
Airport Elevation:	798 ft msl	Runway Surface Condition:	Dry
Runway Used:		IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	Forced landing

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:	1 None	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	2 None	Latitude, Longitude:	41.708332,-86.317222(est)

Administrative Information

Investigator In Charge (IIC):	Rodi, Jennifer
Additional Participating Persons:	William Borah; Federal Aviation Administration; DuPage, IL
Original Publish Date:	November 15, 2018
Last Revision Date:	
Investigation Class:	Class
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.nts.gov/Docket?ProjectID=95995

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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](#).