



Aviation Investigation Final Report

Location:	Merritt Island, Florida	Accident Number:	ERA19TA114
Date & Time:	March 2, 2019, 09:18 Local	Registration:	N93XL
Aircraft:	REMPE KITFOX	Aircraft Damage:	Substantial
Defining Event:	Hard landing	Injuries:	1 Serious
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot stated that the airplane bounced on landing and then veered to the left. He applied full power and attempted to go around, but the airplane banked sharply to the right and impacted a creek adjacent to the runway. The pilot sustained serious injuries, and the airplane sustained minor damage to the left wing tip, engine cowling, and propeller. The pilot said that his flying skills had diminished and that he lost control of the airplane. He also said there were no mechanical malfunctions or failures with the airplane or engine that would have precluded normal operation at the time of the accident.

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 airplane control during an attempted go-around.

Findings

Aircraft	(general) - Not attained/maintained
Personnel issues	Aircraft control - Pilot

Factual Information

History of Flight

Landing-flare/touchdown	Hard landing (Defining event)
Landing-aborted after touchdown	Loss of control on ground
Uncontrolled descent	Collision with terr/obj (non-CFIT)

On March 2, 2019, at 0918 eastern standard time, an experimental amateur-built Kitfox XL4, N93XL, sustained minor damage when it impacted Sykes Creek during a rejected landing at the Merritt Island Airport (COI), Merritt Island, Florida. The commercial pilot was seriously injured. The airplane was registered to and operated by the pilot under the provisions of Title 14 *Code of Federal Regulations* Part 91. Visual meteorological conditions prevailed, and no flight plan was filed for the local personal flight that originated at COI at 0900.

The pilot stated that he bounced on landing and the airplane veered to the left. He applied full power to go-around and the airplane "went sharply to the right" and impacted the water. The pilot said the airplane sank in about 8 ft of water before he was able to release the seatbelt/shoulder harness and float to the surface. He did not recall anything after that.

A witness, who was a flight instructor, observed the accident from an airplane on the hold short line for runway 29. He saw the accident airplane turn onto the final approach leg of the traffic pattern and make a stable approach to the runway. The flight instructor turned away for a moment, but when he looked back up, the airplane was in a 90° right bank flying perpendicular to the runway. The right-wing tip was about 10 ft from the ground as the airplane veered toward the water. The right-wing tip struck the water first, which resulted in the nose of the airplane pitching down under the water and submerging the cabin.

Another witness was fishing on his boat with his son when he first observed the airplane. He said the airplane bounced while landing and then climbed about 15 to 25 ft before making a sharp right bank. The airplane then crashed nose first into the water. The witness and his son immediately responded, lifted the pilot on to their boat, and successfully revived him with CPR before rescue personnel arrived.

A postaccident examination of the airplane revealed minor damage to the left-wing tip, engine cowling, and the propeller.

The pilot told a Federal Aviation Administration (FAA) inspector that his flying skills had diminished and that he lost control of the airplane. He reported there were no mechanical problems that would have precluded normal operation of the airplane or engine at the time of the accident.

The pilot, age 89, held a commercial pilot certificate with a rating for airplane single-engine land. His last FAA third-class medical was issued on March 22, 2010. The pilot reported a total of 5,000 flight hours, of which, 50 hours were in the accident airplane.

Weather reported at Patrick Air Force Base, Cocoa Beach, Florida, about 9 miles southeast of the accident site, at 0856, was wind 250° at 4 knots, visibility 10 miles, clear skies, temperature 23°, dew point 21°, and an altimeter setting of 30.14 inches of mercury.

Pilot Information

Certificate:	Commercial; Private; Sport Pilot	Age:	89, Male
Airplane Rating(s):	Single-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	None	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	No
Medical Certification:	Sport pilot None	Last FAA Medical Exam:	
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:	5000 hours (Total, all aircraft), 50 hours (Total, this make and model), 10 hours (Last 90 days, all aircraft), 10 hours (Last 30 days, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	REMPE	Registration:	N93XL
Model/Series:	KITFOX XL4	Aircraft Category:	Airplane
Year of Manufacture:	2009	Amateur Built:	Yes
Airworthiness Certificate:	Experimental (Special)	Serial Number:	BCX001
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	November 4, 2018 Condition	Certified Max Gross Wt.:	1050 lbs
Time Since Last Inspection:	10 Hrs	Engines:	1 Reciprocating
Airframe Total Time:	90 Hrs at time of accident	Engine Manufacturer:	Rotax
ELT:	Not installed	Engine Model/Series:	503 UL
Registered Owner:	On file	Rated Power:	50 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:	COF,8 ft msl	Distance from Accident Site:	9 Nautical Miles
Observation Time:	08:56 Local	Direction from Accident Site:	200°
Lowest Cloud Condition:	Clear	Visibility	10 miles
Lowest Ceiling:	None	Visibility (RVR):	
Wind Speed/Gusts:	4 knots /	Turbulence Type Forecast/Actual:	None / None
Wind Direction:	250°	Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	30.13 inches Hg	Temperature/Dew Point:	23°C / 21°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Merritt Island, FL (COI)	Type of Flight Plan Filed:	None
Destination:	Merritt Island, FL (COI)	Type of Clearance:	None
Departure Time:	09:00 Local	Type of Airspace:	Class E

Airport Information

Airport:	Merritt Island COI	Runway Surface Type:	Asphalt
Airport Elevation:	5 ft msl	Runway Surface Condition:	Dry
Runway Used:	11	IFR Approach:	None
Runway Length/Width:	3601 ft / 75 ft	VFR Approach/Landing:	Go around

Wreckage and Impact Information

Crew Injuries:	1 Serious	Aircraft Damage:	Substantial
Passenger Injuries:		Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Serious	Latitude, Longitude:	28.341388,-80.685279(est)

Administrative Information

Investigator In Charge (IIC):	Read, Leah
Additional Participating Persons:	Rene Padilla; FAA/FSDO; Mirimar, FL
Original Publish Date:	August 10, 2020
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=99046

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](#).