

# ACCIDENTS and the CAA

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It has become apparent, from the work of the SSA Safety Committee over the past several years, that many sailplane accidents and/or incidents are not being reported to the Civil Aeronautics Administration. The reasons for this are varied and no attempt will be made to define them.

However, the lack of reports has many harmful aspects with relation to the growth of the sport. First of all, no accurate record of accidents is available to the CAA or the SSA. Thus, trends in types of accidents cannot be ascertained and corrective action cannot be taken in areas of operation shown to be deficient. Secondly, the statistics upon which insurance rates depend are non-existent or inaccurate and insurance companies serving the sailplane owners are forced to charge at a rate that will cover the worst possible conditions. These are two of the immediate results of the lack of reports.

In order to clarify the relationship of sailplane pilots with the CAA in case of accident and to show that reporting is a simple matter, the SSA Safety Committee recently submitted a list of questions to a CAA Aviation Safety District Office.

The questions, and the answers, are as follows:

**Q.** Why does the CAA require sailplane accident reports?

**A.** CAB requires the filing of accident reports in accordance with CAR-62.1. Since 1953, CAB has delegated to CAA the investigation of accidents of all aircraft under 12,500 lbs. gross weight.

**Q.** When does the CAA require the reports?

**A.** As soon as practicable. Where there is no injury or fatality, structural failure in flight or midair collision, good cause must be shown for a delay of more than 7 days. If the cause of the accident is any of the above, there must be immediate notification followed by an accident report.

**Q.** What if no agent is around?

**A.** Notify the nearest CAA facility. General Safety Inspectors are available at all times for accident investigation and contact may be

made directly or through the nearest CAA facility.

**Q.** How does the CAA require the reports - by letter - form - contact with the inspector - or how?

**A.** Any form of report is acceptable. The quickest way is to telephone the nearest CAA facility (weather station, range station, etc.) The notification will be forwarded immediately to the closest CAA District Office.

**Q.** Can the person involved in an accident send in a verbal report direct?

**A.** Yes, and the inspector will advise what other reports are necessary and what action to follow. When a written report is required, Form ACA-2400 will be delivered to the pilot or owner for completion.

**Q.** What use does CAA make of the reports?

**A.** CAA determines whether or not (1) a violation was involved, (2) a structural failure occurred (3) what the probable cause was.

**Q.** Are the reports made public?

**A.** Factual reports are available upon written request, from the Office of Flight Operations and Airworthiness, CAA, Washington 25, D.C. The cost is approximately 20¢ per page and a commercial firm bills the person requesting the report.

**Q.** Who has access to the reports?

**A.** Reports are available to anyone.

**Q.** Does the CAA take any action against pilots involved? Under what circumstances?

**A.** If a violation is involved a report will be processed; if pilot competency is involved a re-examination will be in order and remedial action taken in some form or other. If no violation or pilot competency is involved and no remedial action is necessary, no action of any nature will be taken.

**Q.** Do the agents submit opinions on the accident?

**A.** The CAA is not allowed to give opinions on accidents.

**Q.** What are the responsibilities of the agents in regard to the accidents on making out the report?

**A.** If there is a fatality, serious

injury or violation, the inspector will make an on-the-spot investigation. If damage to the aircraft is less than \$100, if there is no fatality or serious injury and no violation, CAA will make a determination as to whether a report is necessary.

**Q.** Does the CAA attempt to fix responsibility for the accident?

**A.** No. The CAA does not act as a judge to determine responsibility. Violation of the Civil Air Regulations is a civil offense, subject to the processes of law as are other civil offenses such as motor vehicle traffic violations. In case of violation, the CAA simply reports it to the proper authorities and collects pertinent factual data.

**Q.** What is meant by a violation?

**A.** The best way to illustrate the interpretation would be to give an example. Supposing a glider pilot who had not flown for the previous calendar year in a glider, took off on aero tow, with a passenger, behind a towplane that had been just pressed into service as a favor to the glider pilot. During the flight, the glider pilot performed aerobatics at a low altitude, and as a result of the aerobatics, the glider crashed and the passenger was killed.

A violation (CAR 43.46 - towing with non-waivered airplane) could be filed against the tow pilot. Two violations (CAR 60.16(d) - performing aerobatics below 1500 feet above the surface of the ground and CAR 43.68 (a) - pilot had not had 6 aero tow flights in the preceding 12 months) could be filed against the glider pilot.

**Q.** What can CAA do to compel submission of accident reports?

**A.** If not submitted, a violation report will be processed.

**Q.** Can or do the insurance companies use the data on the reports?

**A.** Yes, they can get copies of factual accounts to use in compiling statistical data.

**Q.** What information is required in the reports?

**A.** The following are the major types of information required in the reports (US Government form ACA-2400 (4-57)).

1. Location, date and time of accident.
2. Pilot at the controls (name, address, ratings, experience, etc.).
3. Purpose and type of flight.