

# EAA MILE HIGH CHAPTER



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NEWSLETTER  
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THIS MONTH: This month's meeting will be held on Saturday, October 13, 1990 at 7:30 P.M. in the Club Room of the Denver Air Center, which is at the junction of the two main roads leading into Jefferson County Airport. The main part of the business meeting will be the annual election of officers and volunteers. All officer and volunteer positions are up for re-election, so any member is free to volunteer or nominate from the floor if the candidate has given advance permission to be nominated. The program will be a slide presentation on the Oshkosh and Copperstate Fly-Ins from 1990.

LAST MONTH: With 60 members and guests in attendance, the meeting of September 8, 1990 was called to order at 7:50 P.M. by President Kirby White in the Club Room of the Denver Air Center. The minutes of the August meeting were approved as published in the Newsletter.

Guests: Guests present were Dennis Naplin of Golden, James Cooley of Broomfield, and Don Mobley's Brother who was visiting from Baltimore, Maryland.

Old Business: Bud Aumann said that he had written an article about the FAA rule-making policies that will be published in an upcoming issue of Wings West magazine and possibly several others. Bud brought in copies of two articles he had come across for everyone to look at during the break. One was on ramp checks, and the other was about reporting accidents. Both are published in this month's Newsletter. Bud asked if anyone knew who the FAA's Chief Counsel is (he makes the rules for the FAA) and what kind of a work history he has. He is a lawyer, and is not a pilot and has no aviation background. Bud also talked about an aviation group who is recommending that the bottle-to-throttle regulation be increased from 8 hours to 12 hours. They also would like to see every aircraft equipped with an electronic ignition interlock that would require a code to be punched in to test a pilot's manual dexterity before each flight -- presumably to make sure that the pilot hasn't been drinking.

New Business: Roy Maneely announced that he and Denise had a 6.5 lb. girl on August 29. They named her Katelyn. Everyone congratulated them for their new addition. Roy also brought in three letters from David Skaggs for everyone to look at that dealt with the Rocky Flats airspace issue and with the effort to bring the Smithsonian Institution's proposed new Air and Space Museum extension to Colorado and locate it at Stapleton Field. Bill Amos flew his RV-4 to the meeting. It was nice to have a homebuilt outside the Club Room to look at during the break. Kirby said he was going to the Copperstate Fly-In in Prescott, Arizona on October 5-7, 1990. Several others planned to go, also. It was announced

New Business cont: that Aurora Airpark was planning a Hangar Dance on Saturday, September 22, 1990. Several flyers were available for those interested in going to look at. Bill Landers brought in a copy of the 1990 Homebuilt Record that he had purchased for \$30. He invited everyone to look at it during the break, but he felt it wasn't worth the money. Bill Amos related his experiences in flying United's 727 simulator. He said it is incredibly realistic, and everyone thoroughly enjoyed listening to Bill tell about the wrong things he had done, such as flying low over downtown Denver and taxiing through a field and running into a tug and crashing through the gate and going into the concourse etc! Mary Mitchell brought in some airplane earrings to sell. She had worn similar ones at the Regional Fly-In, and many people complimented her on them and asked her where they could get some. Ron Denight said that Tri-County Airport's main runway is closed so that a new 60' wide concrete runway can be built. The other runway is still in operation.

Gene's Corner: Gene Horsman talked about the Antique Aircraft Assn. Fly-In at Blakesburg, Iowa. He said there were about 100 airplanes there. Gene read an editorial about the Paul Poberezny investigation which was written by Richard VanGrunsven. Gene also told everyone about a very small and lightweight marine Loran unit that shares the VHF communication transceiver antenna through a splitter. The cost of the Loran unit and splitter is \$445.00. The main drawback is that it will only update at a maximum of 99 knots. He had an information sheet available for anyone interested to look at.

Progress Reports: Chuck Graf reported that the horizontal stabilizer on his RV-6 is complete and the vertical is in the skeleton stage. He brought in the completed right elevator for everyone to take a look at. Ron Denight said he had made a mold from Dean Cochran's wheel pants so he could make a set for his Denight Special. He brought in one of them to display. Jim Thompson announced that his 1950 Cessna 170-A was for sale for \$25,000. He is buying a Cessna 180. Bud Aumann said that he is almost through stripping the paint off his Grumman American AAGC Lynx. John Evens reported that he is nearly finished painting his Thorp T-18. He is doing it at home in his garage, and he says it contains at least one example of every paint defect known to man!

A&P: The business portion of the meeting adjourned for coffee at 8:30 P.M. After the break, a videotape was shown of a talk that Attorney Alan Armstrong, Esq. gave to a group of aviation interested people about a year ago. Alan specializes in aviation law, and judging by the tape is quite knowledgeable on the subject.

FROM CATHY: Dear EAA Chapter 43: There are so few words to express how I feel about the Chapter donation to Guy's Memorial Fund. Thank you doesn't even come close. To know that Chapter 43 is willing to extend this assistance to me is a wonderful statement of warmth and friendship. Because of you, I can try to provide some of the things that Guy would have wanted the kids to have as they grow. Kelsey, Christine, and I thank you, Chapter 43, for all of your kindness. Cathy Sheeon

**MARKETPLACE:** For Sale: 1951 Piper Pacer, Excellent condition, Fresh Annual, 2222.2 TT, 800 SMOH, Mode C, \$15,000; Also disassembled Cougar (similar to Tailwind) which has flown, no engine, \$2,500; Also two Lycoming engines, one 115 HP and one rebuilt 125 HP, \$2,500 each. Harold Bray 279-4625 evenings  
For Sale: VP-1 Plans, Teenie Two Plans, Bakeng Duce Plans, \$50 each.  
Bill Landers 650-6308

Rocky Mountain News Tues., Sept. 11, 1990

# Otis Massey, pioneer aviator, dies at 82

By Mike Patty

Rocky Mountain News Staff Writer

Otis Tucker Massey's aviation career was driven by his love of flying and dedication to the advancement of pilot training. It was a career that literally touched thousands of lives.

The Englewood pilot, instructor, air service operator, aircraft manufacturer and member of the Colorado Aviation Hall of Fame died Friday in Swedish Medical Center. He was 82.

Services were yesterday in Drinkwine Mortuary. Burial was in Chapel Hill Cemetery.

"Otis was one of the great aviation pioneers in Colorado," said Bill Madsen, a longtime friend and the former public affairs officer at the Air Force Academy. "He started many, many people on a career in aviation."

Born Aug. 1, 1908, in Snyder, Texas, Mr. Massey flew his first solo flight at Denver's Stapleton Field in 1934. He went on to fly more than 16,000 hours, 12,000 of them logged.

From 1938 until 1950, Mr. Massey was airport manager of Christman Field in Fort Collins. He established the Massey-Ransom Flying Service there in 1939.

"I was editor of the school newspaper while a student at Colorado A&M (now Colorado State University)," Madsen said. "I hired Otis to fly the plane when we took the first aerial photographs of the campus."

During World War II, he operated a flying school for the government, which trained student pilots in secondary, advanced, cross-

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country and instrument flying. In all, more than 6,000 pilots were given instruction by Mr. Massey without a serious injury.

Upon his Nov. 22, 1987, induction into the Colorado Aviation Hall of Fame, Mr. Massey's son-in-law, Gary S. Eglinton, a former fighter pilot and Air Force Academy graduate, said, "A generation of American pilots owe you a debt of gratitude. Thank you for many lessons well taught."

After World War II, Mr. Massey established Scenic Airlines, one of the area's first commuter lines, with five Waco cabin biplanes. The service covered northern Colorado between Fort Collins, Greeley, Sterling, Fort Morgan and Estes Park.

In 1955, Mr. Massey purchased the Luscombe Aircraft Co. and moved the business from Garland, Texas, to Fort Collins, where he manufactured hundreds of the two-seater, high-wing monoplanes.

Mr. Massey was secretary of Flying Farmers of America and a member of the National Aviation Training Association. He also was a life-member of the Fort Collins Elks Lodge 804 and the OX-5 Society.

His survivors include his wife, Louise of Englewood; two sons, Tucker of Denver and Gary of Monument; a daughter, Penny of Evergreen; and five grandchildren.

Pilot's Guide to  
Legal Rights

## Ramp checks Let your papers do the talking

By Frank B. Gibson Jr.

The FAA is authorized by law to employ certain general investigative procedures in the enforcement of its regulations. The two general systems of enforcement are certificate suspension or revocation and civil action for a monetary penalty.

Both of these enforcement methods are civil procedures, not criminal, so constitutional protections regarding search and seizure — and the right to be informed of one's "Miranda" rights — do not apply as they might in a criminal investigation.

One of the investigating tools utilized by

the FAA is a ramp check. A ramp check may be conducted by an FAA inspector to check the status of the paperwork required to be aboard an aircraft and on the person of a pilot. A ramp check is not a check or inspection of the aircraft, nor an interrogation of the pilot or others.

FAA investigators may ask any pilot on the ramp for his pilot and medical certificates and the various documents required to be aboard his aircraft. If this request is made of a pilot, he should comply if the request is made in a reasonable manner and at a reasonable time and place.

Failure to produce the requested documents would likely result in a certificate investigation by the FAA pursuant to its full regulatory and investigative powers; this process could go into all regulatory aspects of the pilot and aircraft. Given the complexity of the regulations, few pilots could probably avoid some basis for regulatory action by the FAA.

The investigator does not have to observe or suspect a violation in order to have cause for making such a request. But he must observe that the person is a pilot of an

### Ramp check checklist

An FAA investigator conducting a ramp check may:

1. Request the name of the pilot.
2. Request pilot to produce pilot and medical certificates.
3. Request to see any documents required to be on board the aircraft being flown.
4. Not treat pilots or witnesses discourteously.
5. Not conduct an arrest for suspected criminal activity.

A pilot being checked may:

1. Request proof of identification from investigator.
2. Not allow investigator to board the aircraft.
3. Request a witness to be present for the check.
4. Not volunteer information other than that requested by the investigator.

aircraft at or immediately before the ramp check. The FAA inspector cannot arbitrarily ask persons whether they are pilots who have flown that day, and then require production of the documents from those who answer in the affirmative. No warrant is required for a ramp check. A warrant is used only in criminal investigations.

A pilot does not have to answer questions of the investigator, but if the investigator has observed a pilot, he will likely learn his name and that of the aircraft owner, and may follow up the document check with a certificate investigation. One of the FAA guidelines in the penalty aspects of such matters is the airman's attitude and willingness to cooperate in the investigation; it would probably be prudent to give your name if you are the pilot.


The investigator has no right to touch or board the aircraft. He may courteously be asked not to enter the aircraft if it appears that he is about to do so.

A pilot may request an investigator to give proof of who he is, what he intends to do and his authority. The investigator need not be in uniform, but

he must display FAA identification upon request.

It is an excellent idea to have at least one witness present throughout the check, and it would be better to have several witnesses. Witnesses should be instructed not to speak to the investigator or answer any questions; just listen and observe.

The investigator cannot ground the pilot or the aircraft based solely on a ramp check. If a pilot is harassed, treated discourteously or discriminated against and wishes to protest, legal advice should be sought.

If the FAA inspector observes or has reason to believe the pilot and/or the aircraft is involved in criminal activity, he must report the matter to a law enforcement officer for handling because he has no criminal law enforcement authority. 



## Pilot responsibilities When is an accident an accident?

By Frank B. Gibson Jr.

By law, aircraft accident investigations responsibility is vested in the National Transportation Safety Board, a federal agency independent of the FAA.

Under authority delegated by the NTSB, the FAA investigates most accidents involving agricultural, experimental and homebuilt aircraft — although the NTSB investigates the vast majority of accidents. Most important, is it to NTSB that any required notification and reports of accidents must be made.

Part 830 of the NTSB Rules require the "operator" of an aircraft involved in an accident to give NTSB immediate notification and, later, a written report of the accident. The rules are unclear about who is an operator, defining the term as "any person who causes or authorizes the operation of an aircraft, such as the owner, lessee, or bailee of an aircraft." Notice that the definition

does not include "pilot."

The general aviation pilot can be the owner, lessee or bailee. However, under this definition, there can be more than one operator. For example, the fixed-based operator may be the owner at the same time that the renter-pilot is the lessee and the bailee. The NTSB apparently does not require a notification and a report from each operator.

Despite the confusion, NTSB appears to be satisfied with a notification and a report from any operator who has knowledge of the facts. If the person filing the report is not the pilot, NTSB requires a crewmember statement from the pilot.

Part 830 of the NTSB Rules defines an aircraft accident as "an occurrence associated with the operation of an aircraft that takes place between the time any person boards the aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the aircraft receives substantial damage."

## Accident reporting checklist

A reportable accident:

1. Occurs after anyone boards aircraft for flight and before all disembark
2. Any person suffers death or serious injury: Hospitalized more than 48 hours; bone fracture except fingers, toes, nose; lacerations causing severe hemorrhages; nerve, muscle or tendon damage; any injury to internal organs; burns over 5% or more of the body
3. Or, aircraft receives substantial damage: Any damage or structural failure that adversely affects structural strength, performance or flight characteristics of the aircraft and requires major repair or replacement

Substantial damage is not: Engine failure or damage limited to an engine if only one engine fails or is damaged; bent fairings or cowlings; dented skin; small puncture holes; ground damage to rotor or propeller blades; damage to landing gear, wheels, tires, flaps, engine accessories, brakes or wing tips

4. Or, any of the following incidents occur: Flight control system malfunction or failure; inability of any required flight crewmember to perform normal flight duties as a result of injury or illness; failure of structural components of a turbine engine excluding compressor and turbine blades and vanes; in-flight fire; aircraft collide in flight; damage to property, other than the aircraft, estimated to exceed \$25,000 for repair or fair market value if total loss, whichever is less

For large multiengine aircraft (more than 12,500 pounds maximum certified

takeoff weight): In-flight failure of electrical systems which require the sustained use of an emergency bus powered by a back-up source to retain flight control or essential instruments; in-flight failure of hydraulic systems that result in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces; sustained loss of the power or thrust produced by two or more engines; an evacuation of an aircraft in which an emergency egress system is utilized

5. An aircraft is overdue and is believed to have been involved in an accident

If reportable accident has occurred:

1. Notification to the nearest NTSB field office must be made by operator; any person who causes or authorizes the operation of the aircraft, such as the owner, lessee or bailee of the aircraft

May be made through an FAA facility

Must contain: Type, nationality and registration marks of aircraft; name of owner and operator; name of pilot in command; date and time; last point of departure and point of intended return; location of aircraft; number of persons aboard, injured and killed; nature of accident, weather, damage to aircraft; explosives, radioactive materials or dangerous articles aboard

2. Operator must file accident report with an NTSB field office within 10 days of accident on NTSB Form 8120.1/2

Crewmember statements must be filed as soon as possible

Therefore, an accident does not include events which occur outside this time frame. For example, damage to a parked or runway aircraft is not an accident, nor is damage to a taxiing airplane unless there is an inten-

tion of flight. Serious injuries are specifically defined as any injury that requires hospitalization for more than 48 hours (unless the hospitalization begins more than seven days after the injury is received); any bone fracture (except simple fractures of fingers, toes, or nose); lacerations that cause severe hemorrhages; nerve, muscle, or tendon damage; and any injury to an internal organ. Second- or third-degree burns are classified as serious injuries. Any burns affecting more than five percent of the body surface are considered serious. If any injury does not fall within this list, it need not be considered in determining whether the accident should be reported.

tion of flight.

An incident that does not involve serious injury, but does involve substantial damage to the aircraft, is a reportable accident. Substantial damage, for the purpose of required accident reporting, is: Engine failure or damage

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## What to do if you're in an accident

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limited to an engine if only one engine fails or is damaged; bent fairings or cowlings; dented skin; small puncture holes in the skin or fabric; ground damage to rotor or propeller blades; and damage to landing gear, wheels, tires, flaps, engine accessories, brakes or wing tips. Otherwise, substantial damage means any damage or structural failure that adversely affects the structural strength, performance or flight characteristics of the aircraft and that normally would require major repair or replacement of the

affected component.

In addition, part 830 requires notification and reporting of the following: Flight control system malfunction or failure; inability of any required flight crewmember to perform normal flight duties as a result of injury or illness; failure of structural components of a turbine engine excluding compressor and turbine blades and vanes; in-flight fire; or collision with another aircraft in flight.

Damage to property other than the aircraft, estimated to exceed \$25,000 for repair or fair market value in the event of total loss

— whichever is less — must be reported under part 830.

For large multiengine aircraft of more than 12,500 pounds maximum certificated takeoff weight, additional reporting requirements include in-flight failure of electrical systems which require the sustained use of an emergency bus powered by a back-up source such as a battery, auxiliary power unit or air-driven generator to retain flight control or essential instruments; in-flight failure of hydraulic systems that results in sustained reliance on the sole remaining hydraulic or mechanical system for movement of flight control surfaces; sustained

loss of power or thrust produced by two or more engines; and any evacuation of an aircraft in which an emergency egress system is utilized.

Finally, an aircraft that is overdue and believed to have been involved in an accident must be reported.


Accidents involving minor injuries and minor damage are not accidents at all for the purpose of notification and reporting. By way of example, the classic gear-up landing may not involve a reportable accident.

If an accident meets the Part 830 definition, there are both notification and reporting requirements. Notification must be made immediately to the nearest NTSB field office by the most expeditious means available, and may be made through an FAA tower, flight service station or GADO.

The notification must contain the:

1. Type, nationality and registration marks of the aircraft;
2. Name of aircraft owner and operator;
3. Name of pilot in command;
4. Date and time of the accident;
5. Last point of departure and point of intended landing of the aircraft;
6. Position of the aircraft with references to some easily defined geographical point;
7. Number of persons aboard, number killed, and number seriously injured;
8. Nature of the accident, the weather, and the extent of damage to the aircraft so far as is known; and
9. A description of any explosives, radioactive materials, or other dangerous articles carried aboard the aircraft.

After the notification, an accident report must be filed on NTSB Form 6120.1/2 at the nearest NTSB field office within 10 days of the accident. Crewmembers are required to give statements, which should be attached to the report. Physically incapacitated crewmembers should submit a statement as soon as they are able. A pilot filing as the operator need not give a crewmember's statement.

Completion of the required report is very important. Crewmembers should seek and receive professional assistance in the completion of these reports and statements. 



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