

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: August 17, 1971

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D. C.
on the 28th day of July 1971

FORWARDED TO:)
Honorable John H. Shaffer)
Administrator)
Federal Aviation Administration)
Washington, D. C. 20590)

SAFETY RECOMMENDATION A-71-37

The continued utilization of the Special VFR clearance by some pilots resulting in accidents which cause fatalities and injury is a source of continuing concern to the National Transportation Safety Board.

Studies we have made covering the years 1964 to 1969, inclusive, indicate that there were approximately 35 accidents involving aircraft under Special VFR clearances in which 71 fatalities occurred. These accidents occurred within or near control zones. Seventeen of the 26 pilots involved in fatal accidents held private pilot certificates, seven held commercial certificates, one held an ATR, and one held a student certificate. Twenty of the 26 fatal accident pilots were not instrument rated.

The average flying hours for the 26 fatal accident pilots was 2,531 hours. However, 17 of the 26 pilots had less than 1,000 total flying hours, and these 17 averaged 322 flying hours.

Of the 35 pilots, 27 had no instrument rating. Yet, 34 of the 35 accidents occurred in IFR weather conditions.

As the Special VFR clearance rule is now implemented, it provides an open invitation for inexperienced pilots to violate FAR Part 91.105. The relationship between Special VFR minimums and circling approach or other instrument approach minimums indicates certain inconsistencies. With 1-mile visibility and ceilings of 600 feet or less, a qualified

airline transport pilot or instrument-rated commercial pilot in an instrument flight equipped aircraft could be refused clearance for an instrument approach, yet a relatively unqualified, noninstrument-rated pilot could be granted a Special VFR clearance and could attempt a landing with a ceiling as low as 100 feet, so long as the 1-mile visibility criteria was satisfied. The planning standards for instrument approaches have been established taking into account terrain clearance and obstacle clearance factors. It would seem logical to base special VFR minimums on a similarly sound foundation.

In the interests of improving aviation safety, the Safety Board recommends that:

The Federal Aviation Administration establish a minimum ceiling value below which Special VFR flight within a control zone would not be authorized.

This could be accomplished by means of a sliding scale concept which would require a ceiling value to be used in conjunction with the 1-mile visibility criteria. This would accomplish an objective of reducing the number of marginal weather accidents experienced by noninstrument qualified pilots.

Certain special operations, such as pipeline patrols, SAR, and firefighting, could obtain waivers to any minimum rule, and recognition of this need should be provided for in any rule promulgation.

Members of our staff will be pleased to lend their assistance in the development of a solution to this problem.

This recommendation will be released to the public on the issue date shown above. No public dissemination of the contents of this document should be made prior to that date.

Laurel, McAdams, and Thayer, Members, concurred in the above recommendation. Reed, Chairman, and Burgess, Member, were absent, not voting.



BY: Oscar M. Laurel
Acting Chairman