



National Transportation Safety Board

Washington, D.C. 20594
Safety Recommendation

Date: February 19, 1993

In reply refer to: A-93-15

Mr. Benny Yonesi
President
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On April 22, 1992, about 1553 Hawaiian Standard Time, Scenic Air Tours (SAT) flight 22, a Beech Model E18S (BE-18), N342E, collided with mountainous terrain on the Island of Maui, Hawaii, while on an air tour flight from Hilo, Hawaii, to Honolulu, Hawaii. The flight was conducted as an on-demand air taxi operation under the provisions of Title 14 Code of Federal Regulations (CFR) Part 135 and under visual flight rules (VFR). As a result of the accident, the pilot and eight passengers on board sustained fatal injuries. The airplane was destroyed by impact forces and a postcrash fire.¹

The National Transportation Safety Board determines that the probable cause of this accident was the captain's decision to continue visual flight into instrument meteorological conditions (IMC) that obscured rising mountainous terrain and his failure to properly use available navigational information to remain clear of the Island of Maui.

¹For more detailed information, read Aircraft Accident Report--"Tomy International, Inc., d/b/a Scenic Air Tours, Flight 22, Beech Model E18S, N342E, In-flight Collision With Terrain, Mount Haleakala, Maui, Hawaii, April 22, 1992" (NTSB/AAR-93/01)

Contributing to the accident was the failure of Scenic Air Tours to conduct substantive pilot preemployment background screening, and the failure of the Federal Aviation Administration (FAA) to require commercial operators to conduct substantive pilot preemployment screening.

The Safety Board believes that the judgment of the captain to continue VFR flight into IMC rather than to practice appropriate weather avoidance techniques resulted in a collision with obscured mountainous terrain. This decision demonstrates a lack of appropriate aeronautical judgment skills and is a reflection of insufficient professional training and experience.

The circumstances of this accident and the Safety Board's previous accident investigation experience have demonstrated the consequences of poor judgment and poor decision making by pilots. The FAA and other aviation industry organizations have supported projects that have resulted in the development of Aeronautical Decision Making (ADM) training materials aimed at improving a pilot's ability to recognize and control hazardous thought processes and situations.

In December 1991, the FAA issued Advisory Circular (AC) 60-22 on the subject to provide a systematic approach to risk assessment and stress management in aviation and to illustrate how personal attitudes can influence decision making and how those attitudes can be modified to enhance safety in the cockpit. In addition to the promotion efforts by accident prevention program managers, the FAA added ADM publications to the reference list of publications in each edition of the Practical Test Standards.

The facts and circumstances of this accident raise the question of whether the issuance of AC 60-22 is adequate. The Safety Board believes that the FAA should aggressively encourage all commercial operators to adopt comprehensive ADM training programs through the issuance of guidance to Principal Operations Inspectors (POIs). The guidance should require that the POIs encourage the development of ADM programs for commercial operators.

The Safety Board's investigation disclosed that the captain had significantly misrepresented his professional credentials concerning his flight experience, training, and employment on resumes and employment applications. As a result, several employers dismissed or rejected the captain when his aeronautical skills failed to meet qualifications and/or performance standards for various pilot positions.

SAT used an employment application and a resume, which contained false information, to evaluate the captain's professional background and experience and did not attempt to verify the information provided. At the time the captain was employed, he did not meet SAT's criteria of 2,500 total hours and 1,000 multiengine hours of flight experience for a pilot position. Furthermore, the captain had not met these requirements at the time of the accident. SAT's failure to verify the previous employment experience contributed to the accident because it led to the employment of a pilot who was not qualified, under SAT's own employment criteria, for the position.

The Safety Board has previously addressed preemployment screening of pilots following the investigation of the crash of Continental Airlines flight 1713 (under 14 CFR Part 121) at Denver, Colorado, on November 11, 1987,² and following the crash of Aloha IslandAir flight 1712 (under 14 CFR Part 135) at Molokai, Hawaii, on October 28, 1989.³ As a result of the Denver investigation, the Safety Board issued the following recommendation to the FAA:

Require commercial operators to conduct substantive background checks of pilot applicants, which include verification of personal flight records and examination of training, performance, and disciplinary and other records of previous employers, the Federal Aviation Administration safety and enforcement records. (Class II, Priority Action) (A-88-141)

The FAA agreed with the intent of the recommendation but did not believe that the benefits derived from such a regulatory change would outweigh the costs of promulgating and enforcing it, and placed the scope and standards for such screening entirely upon the voluntary efforts of operators. The Safety Board classified the recommendation as "Closed--Unacceptable Action/Superseded" and issued the following recommendation with additional language following the commuter accident in Hawaii:

Require commercial operators to conduct substantive background checks of pilot applicants, which include verification of personal flight records and examination of training, performance, and disciplinary and other records of previous employers, the Federal Aviation Administration safety and enforcement records, and the National Driver Register. (Class II, Priority Action) (A-90-141)

²NTSB Aircraft Accident Report, NTSB/AAR-88/09.

³NTSB Aircraft Accident Report, NTSB/AAR-90-05.

The FAA responded in February 1991, and stated that it did not yet believe that a requirement for pilot screening was necessary. It pointed out that the Secretary of Transportation, in a 1988 letter to the chief executive officers of all air carriers, had encouraged the use of FAA data bases to verify the validity of an applicant's certificate and safety history. The FAA said that it had issued FAA Action Notice 8430.26, which instructed principal operations inspectors to provide a copy of the notice to all carriers to remind them of their responsibilities in this area and to increase surveillance of pilot certification records during routine inspections. It issued an Air Carrier Operations Bulletin (ACOB) to reiterate the content of the Secretary's letter and the action notice and to include information on the availability and use of the National Driver Register. The Safety board classified the response as "Closed--Unacceptable Action."

Following the investigation of the 1989 commuter accident in Hawaii,⁴ the Safety Board also issued a recommendation to the airline involved, Aloha IslandAir, urging it to implement a substantive preemployment screening policy. The airline subsequently did so and, during the course of this accident investigation, the Safety Board learned that the captain of SAT 22 had applied for a pilot position with Aloha IslandAir. His application was rejected, based upon preemployment screening by Aloha IslandAir, when it was discovered that the captain had misrepresented his employment history.

The Safety Board believes that this example underscores the importance of substantive preemployment screening practices and further demonstrates the need for the FAA to require commercial operators to implement such programs.

As a result of its investigation of this accident, the National Transportation Safety Board recommends that Tomy International Inc., d/b/a Scenic Air Tours, Hawaii:


Conduct substantive background checks of pilot applicants, which include verification of personal flight records and examination of training, performance, and disciplinary and other records of previous employers, the Federal Aviation Administration safety and enforcement records, and the National Driver Register. (Class II, Priority Action) (A-93-15)

⁴ibid.

Also, the Safety Board issued Safety Recommendation A-93-8 through 14 to the Federal Aviation Administration.

The National Transportation Safety Board is an independent federal agency with the statutory responsibility "...to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (Public Law 93-633). The Safety Board is vitally interested in any actions taken as a result of its safety recommendations and would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter. Please refer to Safety Recommendation A-93-15 in your reply.

Chairman VOGT, Vice Chairman COUGHLIN, and Members LAUBER, HAMMERSCHMIDT and HART concurred in this recommendation. Member Lauber did not concur in the probable cause, as adopted.


By: Carl W. Vogt
Chairman