FIFTEEN STATES OPPOSE FAA ADOPTION OF PART 137 FOR CONTROL OF AERIAL SPRAYERS

At a public hearing at Oklahoma City, Okla., November 5, representatives from fifteen states, two national pilot groups and Piper Aircraft Corporation, testified in opposition to the Federal Aviation Agency's proposed Part 137, for the federal regulation and control of aerial applicators.

Included in the group opposing Part 137 were Harold G. Vavra, director of N.D. Aeronautics Commission; Alfred C. Pietsch, Minot, Vice Chairman of the Commission; Daniel Wakefield, Devils Lake, Treas., Robert Wells, Langdon, Vice Pres., and Vincent Buraza, Northwood, all representing the N.D. Aviation Operators Association.

Other states opposing the FAA's proposed Part 137, speaking through the voice of each state's agricultural applicator trade association were South Dakota, Montana, Arizona, Alabama, Iowa, Kansas, Louisiana, Texas, Mississippi, Nebraska, Oklahoma, Missouri, Idaho and Washington. Both the National Aviation Trades Association and the Aircraft Owners and Pilots Association took a position in opposition to proposed Part 137, as well as a representative group of Piper Aircraft Corporation. Representatives of the California Ag. Operators group, indicated that they did not realize the extent of opposition to FAA control of agricultural operators. California did not take a position at the hearing, but indicated it would submit a written statement later.

Minnesota was not represented at the hearing, but mailed a written statement, which was not made public. There were no state agricultural operators group in the nation that testified in favor of Part 137 at the open hearing.

Two federal agencies testified that the FAA should not only adopt the proposed regulations, but should make them tougher by requiring all agricultural operators to take a formal knowledge test on the use of chemicals. These agencies were the U.S. Department of Agriculture and the U.S. Public Health Service. A representative from the California State Department of Agriculture testified in favor of Part 137.

Most of the States represented, testified that they have state controls set up in recent years and do not need or want duplicate federal control over the aerial crop spraying industry.

The North Dakota Aeronautics Commission, through its Director, petitioned the Federal Aviation Agency, Washington, D. C. for a public hearing for Part 137 in June this year, after determining that the FAA was expected to adopt Part 137 as law by July 1, 1964.

The petition was followed up by several letters to the FAA Regulatory Council and further letters and a petition to the General Counsel of the FAA. Finally, the FAA General Counsel's office granted the hearing, which was requested by the State of North Dakota. A transcript was made of the hearing by a court reporter, which is available to any interested person at an estimated cost of $100.00. The FAA will now take the matter under further advisement.

GERHARD PIETSCH—MINOT WINS FAA MECHANIC AWARD

Gerhard Pietsch, Minot, owner of Pietsch Electronics at Minot International Airport, won the annual FAA mechanic safety award for 1964.

Harold G. Vavra, director of the N.D. Aeronautics Commission presented the FAA plaque award to Mr. Pietsch on behalf of Governor William L. Guy, in the Governor's office. Taking part in the ceremony were Lester Severance, Fargo, FAA Supervising Inspector; Everett Dunkin, Fargo, FAA Chief of Maintenance and Jack K. Daniels, Williston, Chairman of the State Aeronautics Commission.

The FAA has established an annual award, honoring aviation mechanics in each State, for outstanding contributions to air safety.

The State Committee for selecting the award winner this year, included Major James Grimstad, Bismarck, Jackson Riedesel, a Fargo contractor pilot and Harold G. Vavra.

The award plaque was earned by the Minot man for devising a compact radio switching device, which may be installed on any aircraft, which permits the pilot to control various radio units in an aircraft with maximum efficiency and without diversion from flying the plane. About 15 persons in the State submitted mechanical and radio improvements for increased safety in the contest. Pietsch is eligible to participate in FAA regional and national competition.

COMMISSION DISTRIBUTES REGISTRATION FUNDS TO COUNTIES

The Aeronautics Commission mailed checks to 51 County Treasurers, a total of $11,440.44, which represents the counties' apportionment of aircraft and aerial spraying license fees collected in the State. A total of 911 aircraft were registered in the State. The County Treasurer is required by law to remit the funds to approved publicly owned and operated airports in the County. The County gets 75% of each aircraft registration fee and 50% of each spray plane license fee, which is earmarked for airport improvements. Top Counties in the State were Cass - 91; Ward 73; Grand Forks 59; Williams 46; Burleigh 41; Stutsman 38; Adams 33, Richland 32; Ramsey and Barnes 28.
FIRST HEAVY FATALITY OF YEAR

Pilot: Dr. Duane Donald Rubbert, LaMoure, N.D.
Time & Place: November 1, 1964 - 10:25 a.m. - 4 miles South of Verona, N.D.
Pilot Time & Ratings: 10:25 TT including fatal flight - Student - Age 33
Aircraft & Damage: Cessna 150, 100 HP - Totally destroyed.

Investigation revealed: Dr. Rubbert had soloed on the preceding Friday, Oct. 30th, and on the morning of the accident, had gone out to the Airport very early, 7:00 a.m. to make a solo flight, he returned to the hospital because of fog, picking up some manuals to study while he waited for the fog to lift. According to local people at LaMoure, the sun broke through at about 8:30 and by 8:45, someone heard an aircraft take off. The aircraft was later seen by farmers, doing turns and rectangular patterns in the practice area. A farmer in the same area said, that when he woke in the morning, the sun was shining and it was clear, but to the south, east and west, were what to him appeared like very low clouds. While he was doing chores, it suddenly began to get dark and the fog seemed to grow right on the ground.

It is surmised that as Dr. Rubbert was doing his practise maneuvers, local atmospheric suddenly generated the fog underneath him, cutting him off from the Airport. At 10:00 a.m. temperature & dew point were both at 45 degrees at Jamestown, while at Aberdeen, the temperature was 45 and the dewpoint being 44. Jamestown gave the ceiling as indefinite 300' with 1 1/2 miles fog, while Aberdeen gave indefinite '0' 1/2 mile fog.

Dr. Rubbert was observed flying at a very low altitude several miles to the southeast of the crash site by some hunters. The hunters were in a valley and they observed the plane flying in and out of clouds. Just prior to the crash, witness heard the plane in the fog, but did not see it. The engine was functioning but it appeared that the pilot was gliding the plane.

Investigation of the wreckage revealed that the aircraft struck with the nose down about 70 degrees and was not rotating at the time of Impact. The engine was delivering power. It appears that the aircraft stalled from a low altitude (about 50' - 100') and struck the ground shortly after the break of the stall, before flying speed was picked up. The impact killed the pilot instantly. Visibility was zero at the crash scene according to farmers in the area.

(Editors note:) This accident is a good example why a pilot should always pay close attention to the spread between temperature and dew point, conditions can change very rapidly in the space of minutes. Don't venture into an area such as this, under VFR conditions. Specifically, a dew point value, relatively close to the air temperature, is indicative of the probability of fog, low clouds, or precipitation.

FILMS AVAILABLE

Films are available from the North Dakota Aeronautics Commission on a loan basis. Indicate first and second choice and allow at least a week for films to arrive, before they are needed. They are the following:

(1) 'The Flying Businessman' - running time about 14 minutes, 16mm, color and sound. This film is about the business use of the airplane and shows the extent of business flying. It also shows the airplane and how it functions and takes up the business of learning to fly.

(2) 'Agricultural Aviation' - running time 14 minutes, 16mm, color and sound. This film takes a comprehensive look at the aerial application of insecticides, herbicides and fertilizers on America's most stable crops. It shows insect control, defoliation of cotton, aerial spraying of wheat and grains.

(3) 'Flight Decision' - running time 14 minutes, 16mm, color and sound. A safety film applicable to general aviation and brings in clear analysis to the pilot the fact that it isn't so much the elements, as it is the pilot's decision, to fly or continue into such elements or circumstances.

(4) 'To Save A Life' - running time 15 minutes, 16mm, black and white, sound. AOPA 180° course. A safety film showing basic techniques using rudder and trim in making a 180 degree turn to extricate yourself in an inadvertent weather penetration. This method not designed to take the place of instrument flying, but relies on the basic stability of the aircraft in keeping the occupant alive.

(5) 'Man In Space' - running time 30 minutes, 16mm, color and sound, animated Walt Disney production relative to placing a man in space and the problems he will encounter. This film of course is dated now with our vast information, but it is humorous and still educational in a sense.

(6) 'Best Investment We Ever Made' - running time 20 minutes, color and sound. This film was produced by the Federal Aviation Agency and narrated by Arthur Godfrey. It is designed to show community leaders that an airport or air strip is a means of ingress and egress to their community and that everyone benefits from a good airport or strip. The film also depicts how a businessman uses an aircraft to move top plant personnel about, choose new industrial sites and the use of aircraft in the movement of goods and repairs.
ACCIDENTS - continued

Pilot: A.G. Andrlikopoulos, Box 56, Cheyenne, Wyoming
Time & Place: July 27, 1964 - 1:20 p.m. - Bismarck Municipal Airport
Pilot Time: 125 hrs. TT - Student, age 32
AirCraft & Damage: Bonanza K - Gear-up landing, under carriage, prop bent, engine
mount and front gear box and engine compartment damaged.
Injuries: None
Pilot Statement: Control tower instructed me to land on runway; "02r or to the
Northeast, I made final approach, then tower instructed me that I could not land on
taxi-strip but should land to the Northeast. I immediately advanced the mixture
and retracted the flaps and landing gear. I was about 200 ft. above the ground when
the engine lost power. I then pulled the mixture control from full rich to lean to
full rich, then the engine started again. At this point, I started to trim the
airplane nose down, then the engine quit again. Then started for an instant, then
quit or lost power again. By this time I had contacted the ground in a level attitude
with gear up. The aircraft slid on the pavement for 30 or 40 ft. before I ran out of
runway and slid off into the grass beyond the runway. There was no fire. I cut the
switches and the aircraft stopped.

Pilot: Dennis A. Hawes, 225-11th Ave. N.E., Jamestown, N.D.
Time & Place: August 16, 1964 - 10:55 p.m., Jamestown, N.D.
Pilot Time: 9 hrs. TT, Student, ASEL, age 19
AirCraft & Damage: Cessna 150, Bent propeller and bent stabilizer. Injuries: None
Pilot Statement: I left from Washburn, N.D. at about 9:00 p.m. Sunday the 16th, with
a destination of Jamestown, N.D. Somewhere enroute, my radio failed, for when I
connected on to Jamestown radio, I was receiving only static. I decided that since I was
only flying at three thousand feet, this was the reason for only static. At about
ten miles out of Jamestown, I began broadcasting to Jamestown Airport. After about
calling four calls, I stated that I was receiving only static and then signed off. I had de-
cided that I would wait until I was directly over the Airport to radio again. When
I reached the Airport, I began to reduce my altitude. As I brought the throttle back,
I began receiving the last of the Jamestown Airport weather report. As soon as
Jamestown signed off, I began calling the Airport again, leaving no hint that I was
destined for Jamestown. After a few passes, over the airport at six hundred feet,
I decided that I would shoot a landing on the road leading to the Airport from
Highway 25. I remembered that the weather report said that the wind speed was eight
miles per hour and the wind was from the right direction for a landing. As I began
to approach the road, I began to worry about the lamp posts, not on the road side of
the road. Because of this, I went into the ditch which was on the right side. In doing
this, I damaged the propeller and the stabilizer.

Pilot: Jack Lindemann, Lucca, N.D.
Time & Place: August 25, 1964 - 7:45 p.m. - Lindemann Private Airport, Lucca, N.D.
Pilot Time: 2262 hrs. TT, Commercial, ASEL - Age 37
AirCraft & Damage: Piper J-3 - No aircraft damage. Injuries: None to pilot, serious injuries to young fellow riding motorcycle.
Pilot Statement: I had completed landing roll to the northwest on a 2200 ft. NW-SE
runway. I was about two thirds of the way down the runway, taxiing northwest at
6 to 7 mph, with navigation lights on, when I saw a single small light coming straight
at me. I knew that I was moving too slow to accomplish an effective change in direc-
tion, so I took the only possible course of action, which was to apply brakes and turn
the ignition off. At point of impact with motorcycle, the airplane had no forward
motion. However, the prop was still coasting and struck the motorcycle just ahead
of the handle bars. The prop apparently stopped about three or four feet later, with
blade in front of the young man riding the motorcycle. As his body surged forward,
I believe his forehead hit the flat surface of the prop, causing head and neck injuries
The people who were observing from the hangar, saw the airplane and at least one of
them yelled to the cycle rider to stay off the runway. He did not hear because of
cycle engine noise and did not see the airplane in time because he was probably look-
ing back toward the hangar, expecting a young cycle rider friend to join him.

Pilot: Lawrence Ahmann, 1904-3rd St. N.W., Minot, N.D.
Time & Place: September 2, 1964 - 11:15 a.m. - 7 miles north of Stanley, N.D.
Pilot Time: 1600 hrs. TT, Commercial, Flight Instructor, ASEL - Age 30
AirCraft & Damage: Cessna Skyplane, Damaged nose gear, both wings and cowl.
Injuries: None
Pilot Statement: While making a low approach looking over a possible landing site,
a gust of wind dropped the aircraft about 10 feet, causing the left wing to strike
top branches on a tree, was unable to maintain control so pulled power off and
settled in.

FOR IMMEDIATE SALE: 1944 B-75 Stearman; 1957-180 Cessna; 1962-250 Comanche; 1958-180
Comanche; 1947-180 Cessna; 1955-172 Cessna; 1952 - G-Model Bonanza; 1964 Champ Chal-
lenge; 1963 Cherokee 180; 1965-180 Cherokee C; 1960-150 Pawnee; 1963-235 hp Pawnee;
1964-235 Pawnee; 1955-PA18A; 1951 PA18-105; 2, 1953-PA 18's 125; 1950 PA-18-95; 1 day
Engine Exchange. Contact MID-State Aviation, Box 517, Mandan, N. Dak.
EXPERIMENTAL AVIATION ASSOCIATION

Valley City, N.D.

A group of four people, equipped with propeller drives, were flying in the vicinity of Valley City, N.D., when one of their aircraft crashed. The aircraft, a single-engine, single-place plane, reportedly crashed near the airport, killing four people.

The aircraft was a small, single-engine plane. The flight was reportedly en route from Valley City to a nearby airport.

At the time of the crash, the aircraft was flying at a low altitude, likely due to mechanical failure or pilot error.

The crash site was located near the airport, and rescue efforts were initiated immediately.

The investigation is ongoing, and further details will be provided as they become available.

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Experimenter's Handbook, N.D.

Herschel's Flyer, Experimental, Midway Airport, Denver, Colorado


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