UNITED STATES OF AMERICA
CIVIL AERONAUTICS BOARD
WASHINGTON, D. C.

Regulations
Serial Number 138

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 17th day of January, 1941

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205(a) and 601(a) of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board hereby amends the Civil Air Regulations as follows:

TITLE: REPORT AND NOTIFICATION OF ACCIDENTS

Amendment No. 92 to C. A. R., amending Sections 01.36, 01.37, and 01.38.

Insert after p. 4 of Part 01

Effective: February 1, 1941

Effective February 1, 1941, Part 01 of the Civil Air Regulations is amended by striking out section 01.36 thereof and the footnote appended thereto and inserting in lieu thereof the following:

"01.36 Report and notification of accidents. A written report shall be made without delay to the Civil Aeronautics Board at its nearest branch office of every accident involving a civil aircraft which occurs within the United States* and every accident involving a certificated aircraft of the United States, without regard to where it occurs. Such report shall be made upon an accident report form furnished by the Civil Aeronautics Board. In addition, the Civil Aeronautics Board, or the Administrator of Civil Aeronautics, shall be notified immediately in person or by cable, telegraph, telephone, or radio, of the occurrence of any air carrier accident, or accident resulting in serious or fatal injury to any person, or accident known or believed to have resulted from a structural failure in flight. This requirement of immediate notification shall apply to every such accident involving civil aircraft which occurs within the United States and every such accident involving air carrier aircraft without regard to where it occurs. The pilot in command of a non-air carrier aircraft involved in the accident shall make the report and notification of the accident as required by this section unless he is incapacitated, in which event the operator** of the aircraft shall make such report and notification. The operator of an air carrier aircraft involved in an accident shall make such report and notification.

"01.37 Removal.

"(a) No aircraft or part thereof, involved in an air carrier accident or in an accident resulting in serious or fatal injury to any person, or accident known or believed to have resulted from structural failure in flight shall be moved or disturbed, except:

"(1) When necessary for giving assistance to persons injured or trapped in the wreckage;

"(2) When necessary in the interest of public safety;

"(3) When specific permission shall have been granted by an officer or employee of the Civil Aeronautics Board or of the Administrator of Civil Aeronautics;

"(4) When prompt movement of the aircraft is necessary to protect it from further serious damage and it is impossible to secure immediate communication with any person authorized in (3) to direct the removal.

"(b) Any movement of the aircraft or any part thereof under subsections (a)(1), (a)(2), or (a)(4) shall be so accomplished as to entail the minimum possible disturbance of the material concerned until such time as further or permanent disposition may be directed by the person in charge of the investigation of the accident for the Civil Aeronautics Board. In the event of any movement of the aircraft under subsection (a)(4), or under subsection (a)(2) except when the danger to public safety is such as to permit of no delay whatever, the movement of the aircraft shall be preceded by the making of a record, as complete and accurate as possible under the circumstances, of the original position and condition of the wreckage.

"(c) The requirements of this section shall be applicable with respect to all accidents as described in subsection (a) hereof, which occur within the continental United States (including Alaska) and with respect to all air carrier accidents without regard to where they occur.

"01.38 Preservation of wreckage. An aircraft, aircraft engine, propeller or appliance, or any part or parts thereof, shall, when directed by the Civil Aeronautics Board or any authorized representative thereof, be preserved and removed to such place or places as directed for purposes of safekeeping, inspection, testing, or any other purpose consistent with the powers and duties granted the Civil Aeronautics Board under section 702(a) of the Civil Aeronautics Act of 1938, as amended. This requirement shall be applicable with respect to any civil aircraft involved in an accident occurring within the United States and to any certificated aircraft of the United States involved in an accident wherever it occurs."

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* "United States", as used in these regulations, means the States, the territories and possessions, and the territorial waters surrounding them unless a different meaning is specifically indicated.

** "Operator" includes the owner or lessee or any other person that causes or authorizes the operation of the aircraft.

By the Civil Aeronautics Board:

/s/ *Thomas G. Early*

Thomas G. Early
Secretary

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