U. S. DEPARTMENT OF COMMERCE
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CIVIL AIR REGULATIONS

91.—AIRCRAFT ACCIDENT INVESTIGATIONS

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CIVIL AIR REGULATIONS

91.—AIRCRAFT ACCIDENT INVESTIGATIONS

91.0—PROVISION FOR ISSUANCE.—Pursuant to the provisions of the Air Commerce Act requiring the Secretary of Commerce to foster air commerce and study the possibilities for the development of the same, to investigate accidents in civil navigation and to hold hearings for such purpose, and to make such regulations as are necessary to execute the functions vested in the Secretary by the Act, the following regulations are hereby prescribed.

91.1—IMMEDIATE REPORT BY PILOT AND OWNER.

91.10—Injury to Person or Property.—When in the operation of civil aircraft death or serious injury to person or to property results, a report shall be made immediately by the pilot and by the registered owner to the Secretary, or to the nearest known inspector of the Bureau of Air Commerce, by telegraph or by telephone stating the registered number of the aircraft and the time and the place of the accident.

91.11—Injury to Aircraft.—All accidents in the operation of civil aircraft which cause injury to the aircraft shall be reported without delay by the registered owner or by the pilot to the Secretary on the form provided for the purpose, and furnished by the Secretary or a Bureau inspector upon request.

91.12—Glider Accidents.—CAR 91.11 and 91.12 shall apply to accidents to gliders only when death or serious injury to person has resulted.

Note.—For the regulations forbidding flight of a damaged aircraft until repaired, see CAR 01.71.

91.13—Notification to Public Officers.—An inspector of the Bureau upon receiving information of an accident at a place within his jurisdiction will notify the appropriate State officers charged with the regulation of aeronautics and the law enforcement officers of the vicinity in which the accident occurs and will request their aid in securing assistance to injured persons, policing the place of the accident and in determining the cause thereof.

91.14—Interference by Bystanders with Material.—No person, except the Secretary or other person authorized by him, or the head public officer of those described in CAR 91.13, shall remove from the place of the accident any material pertaining thereto, nor shall enter upon the place except for the purpose of giving assistance to injured persons.

91.2—ACCIDENT INVESTIGATION BOARD.

91.20—Appointment.—For the purpose of investigating accidents in civil air navigation, the Secretary will, from time to time, appoint an Accident Investigation Board consisting of 3 officers or employees of the Department of Commerce together with 2 disinterested persons, as advisory members, who are experienced in aeronautics and not officers or employees of the Department of Commerce or of any company or other person directly concerned in the particular accident, *provided,* that where the circumstances of the accident do not, in the opinion of the Secretary, require the services of so many persons, then any 3 such persons only may be designated for the purpose.

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91.21—Duties.—The Accident Investigation Board, or as many members as can be reasonably assembled, will proceed promptly to the place of the accident, and will there inspect the visible circumstances, provide for the preservation of evidential material pertaining to the accident, and may hear testimony given orally or by depositions or by affidavits, and will record such testimony.

91.3—HEARINGS.

91.30—Chairman of Board.—At any hearing, the officer or employee designated by the Secretary will act as Chairman of the Board and will conduct the hearing.

91.31—Time and Place.—The time and place of any hearing of testimony will be such as the Chairman of the Board may direct.

91.32—Public Nature.—Any hearing of testimony will be open to the public.

91.33—Witnesses, Subpenas, etc.—At any hearing the provisions of CAR 93 will be applicable.

91.34—Report.—At the conclusion of an investigation, or as soon thereafter as circumstances permit, the Board will forward its findings, with the testimony and other evidence received at a hearing, to the Secretary.

91.35—Disclosure.—The Secretary, if he deems it to be in the public interest, will make public a statement of the probable cause or causes of the accident; *except* that when the accident has resulted in serious or fatal injury, the statement will in every case be made public.

91.36—Report or Statement as Evidence.—No report or statement resulting from an investigation or hearing conducted by the Board upon an accident in civil air navigation, or any part thereof, will be admitted as evidence or used for any purpose in any suit, action, or proceeding growing out of any matter referred to in any such statement, investigation, hearing, or report thereof; *except* in case of criminal or other proceedings instituted by or in behalf of the Secretary or any other duly authorized public officer under the provisions of the Air Commerce Act or of the regulations duly issued thereunder.

91.37—Testimony of Investigators.—No member of the Board, or other official or employee of the Department of Commerce, shall testify to any facts ascertained in, or information gained by reason of, his official capacity as an expert witness or otherwise, in any suit, action, or proceeding growing out of any matter referred to in any investigation or hearing conducted upon an accident in civil air navigation; *except* in case of criminal or other proceedings instituted by or in behalf of the Secretary or any other duly authorized public officer under the provisions of the Air Commerce Act or of the regulations duly issued thereunder.

Any and all rules or regulations made, established, and issued by the Secretary of Commerce pursuant to law as are inconsistent with the provisions of the above specified civil air regulations are hereby repealed.

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