



National Transportation Safety Board Aviation Accident Final Report

Location:	NEW SMYRNA BCH, FL	Accident Number:	MIA87FA020
Date & Time:	11/01/1986, 1230 EST	Registration:	N3059
Aircraft:	BUSHBY MM-1	Aircraft Damage:	Destroyed
Defining Event:		Injuries:	1 Fatal

Flight Conducted Under: Part 91: General Aviation - Personal

Analysis

WITNESSES, INCLUDING THE VICTIM'S SON RIDING AS A PAX IN ANOTHER ACFT FLYING AT 800 FT, OBSERVED THE MIDGET MUSTANG COMING UP FROM THE RIGHT, BEHIND AND BELOW THEM. WHILE STILL BELOW THEIR ALT, THE MUSTANG WAS OBSERVED TO ROLL TO THE RIGHT, AWAY FROM THEM, ROLL INVERTED AND ATTEMPT A 'SPLIT-S' MANEUVER. THE 'SPLIT-S' WAS NOT COMPLETED BEFORE THE ACFT STRUCK THE TOP OF A TREE ABOUT 50 FT HIGH AND CRASHED TO THE GROUND. THE PLT WITNESS, A FRIEND OF THE DECEASED PLT, STATED THAT ON PAST OCCASSIONS HE HAD OBSERVED THE PLT PULL UP IN THE VICINITY OF HIS ACFT AND PERFORM A ROLL.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

Findings

Occurrence #1: IN FLIGHT COLLISION WITH OBJECT
Phase of Operation: MANEUVERING

Findings

1. (F) OBJECT - TREE(S)
2. (F) AEROBATICS - PERFORMED - PILOT IN COMMAND
3. (C) PROPER ALTITUDE - NOT ATTAINED - PILOT IN COMMAND
4. (C) ALTITUDE - MISJUDGED - PILOT IN COMMAND
5. (C) JUDGMENT - POOR - PILOT IN COMMAND

Factual Information

Pilot Information

Certificate:	Airline Transport	Age:	60, Male
Airplane Rating(s):	Multi-engine Land; Single-engine Land	Seat Occupied:	Unknown
Other Aircraft Rating(s):	None	Restraint Used:	Seatbelt, Shoulder harness
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	None	Toxicology Performed:	Yes
Medical Certification:	Class 3 Valid Medical--w/ waivers/lim.	Last FAA Medical Exam:	11/01/1984
Occupational Pilot:		Last Flight Review or Equivalent:	
Flight Time:	30000 hours (Total, all aircraft), 300 hours (Total, this make and model)		

Aircraft and Owner/Operator Information

Aircraft Make:	BUSHBY	Registration:	N3059
Model/Series:	MM-1 MM-1	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	Yes
Airworthiness Certificate:	Experimental	Serial Number:	389
Landing Gear Type:	Tailwheel	Seats:	1
Date/Type of Last Inspection:	Unknown	Certified Max Gross Wt.:	1500 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	LYCOMING
ELT:	Not installed	Engine Model/Series:	O-235-C1
Registered Owner:	JOSEPH G. SCHULTE	Rated Power:	115 hp
Operator:	JOSEPH G. SCHULTE	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual Conditions	Condition of Light:	Day
Observation Facility, Elevation:	DAB, 35 ft msl	Distance from Accident Site:	12 Nautical Miles
Observation Time:	1251 EST	Direction from Accident Site:	345°
Lowest Cloud Condition:	Unknown / 1300 ft agl	Visibility	7 Miles
Lowest Ceiling:	Broken / 1300 ft agl	Visibility (RVR):	0 ft
Wind Speed/Gusts:	12 knots /	Turbulence Type Forecast/Actual:	/
Wind Direction:	360°	Turbulence Severity Forecast/Actual:	/
Altimeter Setting:	30 inches Hg	Temperature/Dew Point:	27° C / 22° C
Precipitation and Obscuration:			
Departure Point:	NEW SMYRNA BCH, FL (X50)	Type of Flight Plan Filed:	None
Destination:	DAYTONA BEACH, FL (44J)	Type of Clearance:	None
Departure Time:	0000	Type of Airspace:	Class G

Wreckage and Impact Information

Crew Injuries:	1 Fatal	Aircraft Damage:	Destroyed
Passenger Injuries:	N/A	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	1 Fatal	Latitude, Longitude:	

Administrative Information

Investigator In Charge (IIC):	RONALD W BIRD	Report Date:	
Additional Participating Persons:			
Publish Date:			
Investigation Docket:	NTSB accident and incident dockets serve as permanent archival information for the NTSB's investigations. Dockets released prior to June 1, 2009 are publicly available from the NTSB's Record Management Division at pubinq@ntsb.gov , or at 800-877-6799. Dockets released after this date are available at http://dms.nts.gov/pubdms/ .		

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The Independent Safety Board Act, as codified at 49 U.S.C. Section 1154(b), precludes the admission into evidence or use of any part of an NTSB report related to an incident or accident in a civil action for damages resulting from a matter mentioned in the report. A factual report that may be admissible under 49 U.S.C. § 1154(b) is available [here](#).