



# National Transportation Safety Board Aviation Accident Final Report

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<b>Location:</b>	Newark, NJ	<b>Accident Number:</b>	ERA09CA227
<b>Date &amp; Time:</b>	04/02/2009, 1830 EDT	<b>Registration:</b>	N707AG
<b>Aircraft:</b>	PIPER PA-31-325	<b>Aircraft Damage:</b>	Substantial
<b>Defining Event:</b>	Loss of control on ground	<b>Injuries:</b>	2 None
<b>Flight Conducted Under:</b>	Part 91: General Aviation - Personal		

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## Analysis

The pilot aborted a previous takeoff because he was unable to maintain directional control of the airplane. He taxied the airplane to parking, inspected it visually, and elected to attempt another takeoff. During taxi, the control tower directed the pilot to complete a 180-degree turn. While turning, the pilot experienced a loss of brake pressure and directional control. He then applied asymmetrical engine power in an effort to complete the turn, but struck a fence post resulting in substantial damage to the left wing. Inspection of the airplane by the FAA revealed inoperative brakes on the airplane's right side.

## Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be: The pilot's decision to continue to operate the airplane with inoperative brakes on the airplane's right side.

## Findings

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<b>Aircraft</b>	Brake - Malfunction
<b>Personnel issues</b>	Decision making/judgment - Pilot (Cause)

## Factual Information

### History of Flight

Taxi-to runway	Sys/Comp malf/fail (non-power) Loss of control on ground (Defining event) Collision with terr/obj (non-CFIT)
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### Pilot Information

Certificate:	Flight Instructor; Commercial	Age:	69, Male
Airplane Rating(s):	Multi-engine Land; Single-engine Land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	Seatbelt, Shoulder harness
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	Airplane Multi-engine; Airplane Single-engine; Instrument Airplane	Toxicology Performed:	No
Medical Certification:	Class 2 With Waivers/Limitations	Last Medical Exam:	11/19/2008
Occupational Pilot:	Yes	Last Flight Review or Equivalent:	09/18/2008
Flight Time:	11800 hours (Total, all aircraft), 233 hours (Total, this make and model), 11574 hours (Pilot In Command, all aircraft), 36 hours (Last 90 days, all aircraft), 17 hours (Last 30 days, all aircraft), 1 hours (Last 24 hours, all aircraft)		

### Aircraft and Owner/Operator Information

Aircraft Manufacturer:	PIPER	Registration:	N707AG
Model/Series:	PA-31-325	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	No
Airworthiness Certificate:	Normal	Serial Number:	31-8012001
Landing Gear Type:	Retractable - Tricycle	Seats:	8
Date/Type of Last Inspection:	09/12/2008, Annual	Certified Max Gross Wt.:	6540 lbs
Time Since Last Inspection:	48 Hours	Engines:	2 Reciprocating
Airframe Total Time:	3482 Hours	Engine Manufacturer:	LYCOMING
ELT:	Installed, not activated	Engine Model/Series:	TIO-540 SER
Registered Owner:	EMERSUMS LLC	Rated Power:	310 hp
Operator:	EMERSUMS LLC	Air Carrier Operating Certificate:	None

## Meteorological Information and Flight Plan

Observation Facility, Elevation:	EWR, 18 ft msl	Observation Time:	1851 EDT
Distance from Accident Site:		Condition of Light:	Day
Direction from Accident Site:		Conditions at Accident Site:	Visual Conditions
Lowest Cloud Condition:	Thin Broken / 2500 ft agl	Temperature/Dew Point:	15°C / 9°C
Lowest Ceiling:	Overcast / 7000 ft agl	Visibility	8 Miles
Wind Speed/Gusts, Direction:	8 knots, 170°	Visibility (RVR):	
Altimeter Setting:	30 inches Hg	Visibility (RVV):	
Precipitation and Obscuration:			
Departure Point:	Newark, NJ (EWR)	Type of Flight Plan Filed:	Unknown
Destination:	Newark, NJ (EWR)	Type of Clearance:	Unknown
Departure Time:	EDT	Type of Airspace:	Class B

## Airport Information

Airport:	Newark Liberty Int. Airport (EWR)	Runway Surface Type:	
Airport Elevation:	18 ft	Runway Surface Condition:	
Runway Used:	N/A	IFR Approach:	None
Runway Length/Width:		VFR Approach/Landing:	None

## Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:	1 None	Aircraft Fire:	None
Ground Injuries:	N/A	Aircraft Explosion:	None
Total Injuries:	2 None		

## Administrative Information

Investigator In Charge (IIC):	Brian C Rayner	Adopted Date:	07/14/2009
Additional Participating Persons:	Kevin Zullo; FAA/FSDO; Teterboro, NJ		
Publish Date:	07/14/2009		
Note:	This accident report documents the factual circumstances of this accident as described to the NTSB.		
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 <a href="mailto:pubinq@ntsb.gov">pubinq@ntsb.gov</a> , or at 800-877-6799. Dockets released after this date are available at <a href="http://dms.nts.gov/pubdms/">http://dms.nts.gov/pubdms/</a> .		

The National Transportation Safety Board (NTSB), established in 1967, is an independent federal agency mandated by Congress through the Independent Safety Board Act of 1974 to investigate transportation accidents, determine the probable causes of the accidents, issue safety recommendations, study transportation safety issues, and evaluate the safety effectiveness of government agencies involved in transportation. The NTSB makes public its actions and decisions through accident reports, safety studies, special investigation reports, safety recommendations, and statistical reviews.

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.