

DATE: 8/7/69



ADVISORY CIRCULAR

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION

SUBJECT: FIRE DEPARTMENT RESPONSIBILITY IN PROTECTING
EVIDENCE AT THE SCENE OF AN AIRCRAFT ACCIDENT

1. PURPOSE. This circular furnishes general guidance for employees of airport management and other personnel responsible for fire fighting and rescue operations, at the scene of an aircraft accident, on the proper preservation of evidence. It explains the need for preservation of evidence and points out some destructive action which may be necessary if performed in the interest of preserving life.
 2. REFERENCES.
 - a. Copies of the National Transportation Safety Board's (NTSB) Investigation Regulation, Part 430, Rules Pertaining to Aircraft Accidents, Incidents, Overdue Aircraft and Safety Investigations, may be obtained for five cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.
 - b. Copies of the paper, Guidelines for State or Local Law Enforcement Authorities Regarding Preliminary Custody of Civil Aircraft Accident Wreckage, Records, Mail, and Cargo at the Scene before the Bureau of Aviation Safety (BAS) Representative Arrives, may be obtained from the Bureau of Aviation Safety, National Transportation Safety Board, Department of Transportation, 601 East 12th Street, Room 625, Kansas City, Missouri 64106.
 - c. Additional copies of this circular may be obtained from the Department of Transportation, Distribution Unit, TAD-484.3, Washington, D.C. 20590.
 3. GENERAL.
 - a. The cause of an aircraft accident has often been determined from a detailed analysis of the wreckage and the relationship of the various aircraft parts and occupants. Therefore, it is important that wreckage should not be indiscriminately moved or damaged during rescue operations. This is not to imply that during rescue or fire fighting operations wreckage should not be disturbed if a life
-

8/7/69

is involved or if fire can be further suppressed or extinguished by judicious removal of the wreckage. NTSB Regulation, Part 430, Subpart C, Preservation, Access to and Release of Aircraft Wreckage, Mail, Cargo, and Records, Paragraph 430.10b, allows for the removal of aircraft wreckage, mail, and cargo aboard the aircraft to the extent necessary to:

- (1) Remove persons injured or trapped.
- (2) Protect the wreckage from further damage.
- (3) Protect the public from injury.

It further states that, "Where it is necessary to disturb or move aircraft wreckage, mail or cargo, sketches, descriptive notes, and photographs shall be made, if possible" This is not intended to imply that rescue and fire fighting operations should be delayed pending the preparation of sketches or photographs. However, to the best of his ability, the fire fighter or rescue personnel should attempt to remember the original location of any wreckage, human bodies, mail or cargo removed from the accident scene.

- b. Paragraph 2 of reference 2b outlines typical activities of law enforcement authorities at an accident scene and is quoted in part for information.

Set up security so as to allow no one inside the wreckage area other than those necessary for occupant removal, fire fighting, or adjusting and removing something from the wreckage to prevent it from becoming lost or further damaged. In such case, request the individuals involved to document (by photographing or other means) what has been done and why. Example: Removal of battery from aircraft to prevent fire.

If fire is present, after it has been extinguished by the firemen they should be cautioned to keep their activities around the wreckage to a minimum to prevent unnecessary disturbance of the wreckage and eradication of valuable evidence, such as ground scars.


- c. When entry doors or emergency exits are jammed or blocked and cannot be used for aircraft occupant escape or rescue, forcible entry into the fuselage is not considered destruction of evidence. Forcible entry includes such actions as forcing exit door or cutting exits in the fuselage.

4. OPERATIONS.

- a. The saving of aircraft occupants' lives is of paramount importance. All other considerations, such as preservation of wreckage, must be subordinate to the rescue operations. Therefore, fire fighting and rescue personnel in the performance of their primary mission of fire suppression or extinguishment, and rescue should not be hampered or restrained with restrictions governing the preservation of evidence. However, when rescue and fire fighting operations are in the final stages, exercise care to avoid unduly disturbing any evidence that may aid in determining the cause of the accident. Carefully preserve cockpit instruments, controls, areas of primary structural failure or damage, etc., in their original position, and note any changes made.
- b. To assure complete extinguishment of the fire and that all persons are accounted for, fire fighters are expected to make a thorough examination of the aircraft cabin and storage compartments. These examinations are considered as important assets in preserving evidence. During these cleanup or securing operations make special notes or photographs of any moved items.
- c. Airport fire departments and security personnel should establish procedures, whereby:
 - (1) Photographic coverage of the accident scene may be accomplished. If airport personnel includes a professional or capable amateur photographer, he should be alerted at the same time as the fire department. Otherwise, it may be desirable to prearrange with a commercial photographer for the photographic coverage.
 - (2) Security of the accident scene is provided until the operator of the aircraft or investigation agency takes custody.
 - (3) Voice and flight data recorders are located and protected. These items are of vital importance to accident investigations; therefore, if found, their location should be carefully noted. If attached to the aircraft they should not be removed except to preserve them from further fire damage.
 - (a) One type of flight data recorder is shown in Appendix 1, Page 1. Another type is enclosed in spherical containers.
 - (b) One type of voice recorder is shown in Appendix 1, Page 2. Another type is enclosed in spherical containers.
 - (c) As a general rule, the voice and flight data recorders are located in the rear of the fuselage.

8/7/69

- d. Airport management should insure that all airport fire department personnel are thoroughly familiar with the reference material listed under Paragraph 2, and the principles in this circular should be reflected in departmental operating instructions and included in training programs.


Clyde W. Pace, Jr.
Acting Director
Airports Service

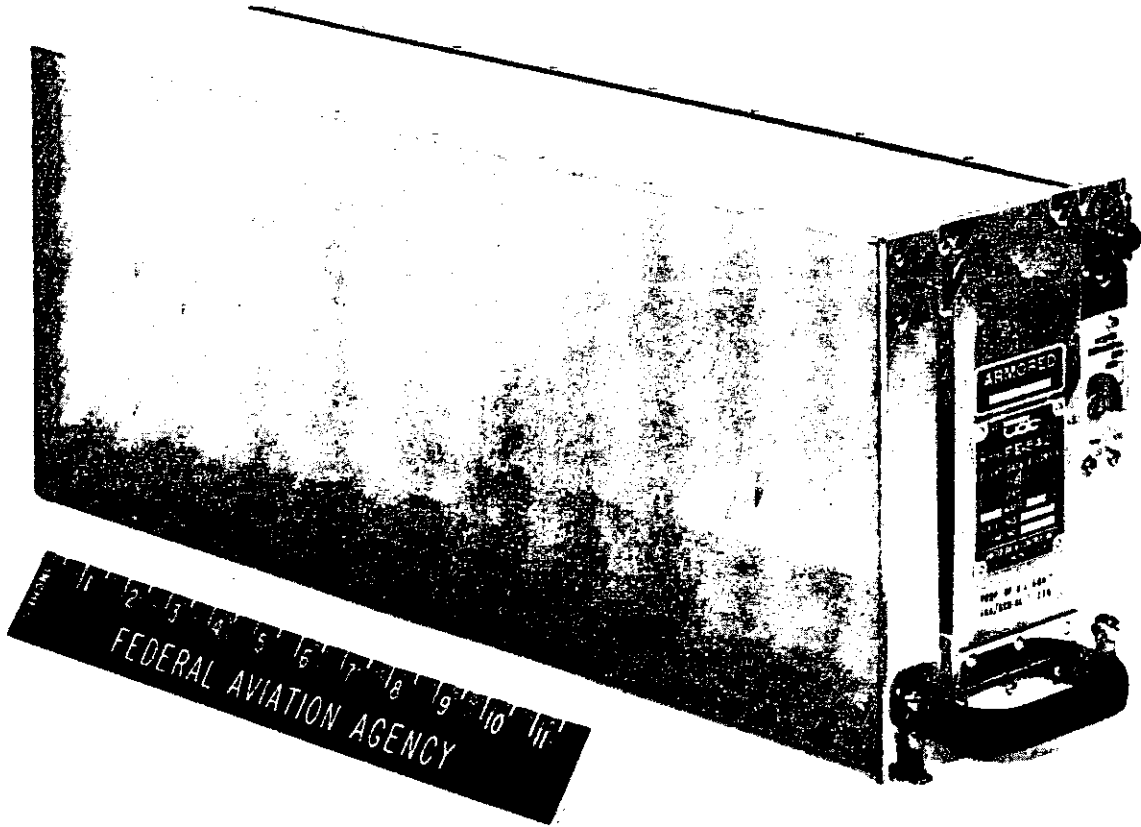


FIGURE 1. FLIGHT DATA RECORDER

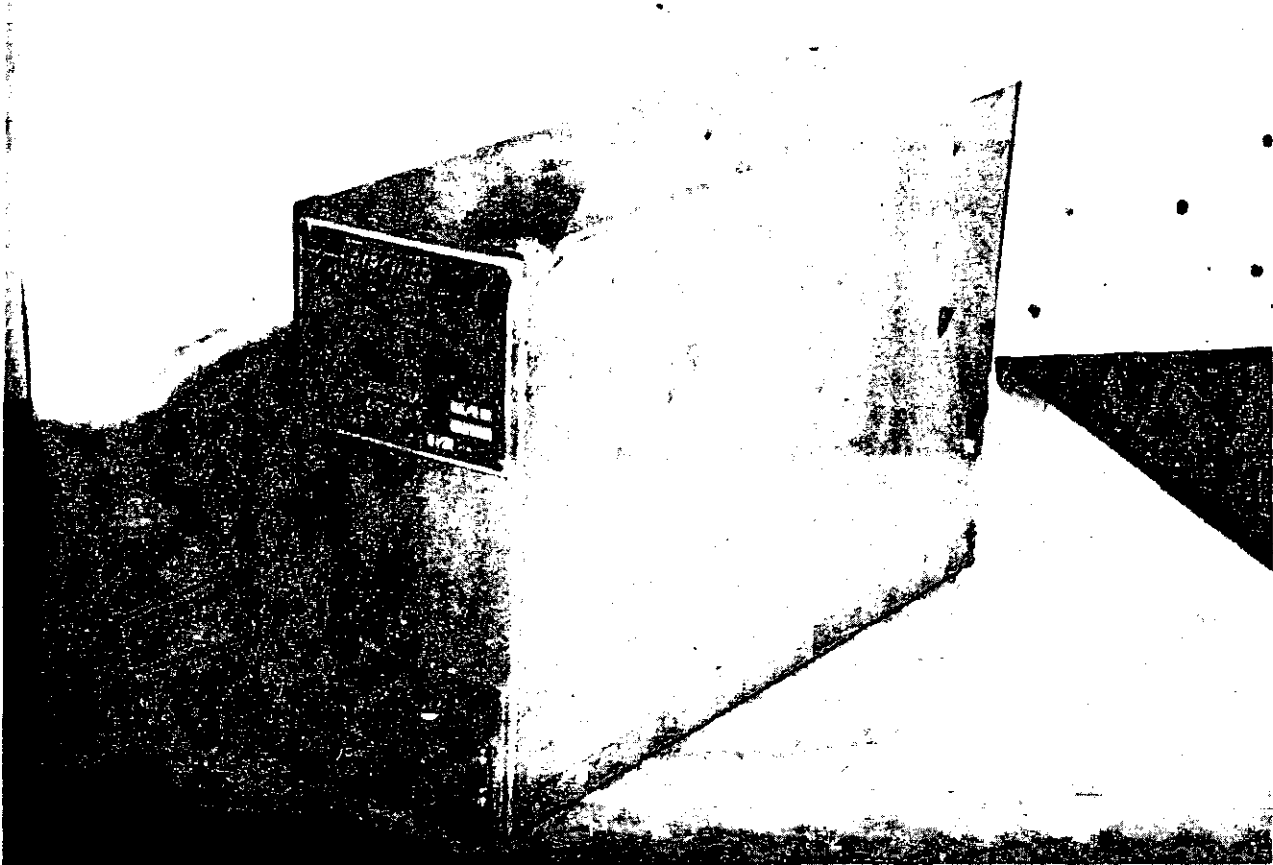


FIGURE 2. VOICE RECORDER