

702 CMR: AERONAUTICS DIVISION

702 CMR 6.00: AIRCRAFT ACCIDENTS

Section

6.01: Reporting and Notification of Accidents

6.02: Removal of Wreckage

6.01: Reporting and Notification of Accidents

(1) The pilot or other person in command of the aircraft involved in an accident or emergency landing shall, within seven days, make a report and notification of the accident or emergency landing as required by 702 CMR 6.01(2) through (4) if the accident or emergency landing occurred in Massachusetts or if the pilot or aircraft is required to be registered pursuant to 702 CMR 3.00: *Licensing and Registration*, unless the pilot or other person in command of the aircraft is incapacitated, in which event the operator, owner, lessee or other person that causes or authorizes the operation of the aircraft, shall make such report and notification.

(2) A person required to submit a report under 702 CMR 6.01 shall immediately notify the division and the Massachusetts State Police in person, by telephone, or by means of electronic communication, of the occurrence of any accident:

- (a) resulting in serious or fatal injury to any person; or
- (b) known or believed to have resulted from a mechanical defect or failure of an aircraft or from a defect in the fuel used in the aircraft.

(3) A person required to submit a report or other notice of an accident pursuant to 49 C.F.R. Part 830 shall also submit a copy of any such report or notice to the division.

(4) The division shall act on any report of an accident provided to it in accordance with the provisions of M.G.L. c. 90, §§ 49B through 49T.

6.02: Removal of Wreckage

(1) 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 a mechanical defect or failure of an aircraft, or from a defect in the fuel used in the aircraft, shall be moved or disturbed, except:

- (a) When necessary for giving assistance to persons injured or trapped in the wreckage;
- (b) When necessary in the interest of public safety;
- (c) When specific permission shall have been granted by the FAA, other competent federal authority, or by an authorized representative of the division;
- (d) 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 702 CMR 6.02(1)(c) to direct the removal; or
- (e) When otherwise required by law.

(2) Movement of all or part of an aircraft pursuant to 702 CMR 6.02(1) shall be accomplished as to entail the minimum possible disturbance of the aircraft. Prior to such movement a record of the original position and condition of the aircraft wreckage shall be made, unless immediate movement of the aircraft wreckage is necessary to protect persons or property from immediate danger, or unless the FAA or other appropriate federal authority has directed otherwise. A copy of the above-mentioned record shall be submitted to the division along with all reports required pursuant to 702 CMR 6.01.

REGULATORY AUTHORITY

702 CMR 6.00: M.G.L. c. 90, §§ 39, 40 and 49B through 49T.