

just occurred shall immediately notify the New Jersey State Police at 609-882-2000.

(b) The accident notification made pursuant to (a) above shall contain the following information if known:

1. The type, nationality, and registration marks of the aircraft;
2. The name of the owner, and the operator of the aircraft;
3. The name of the pilot in command;
4. The date and time of the accident;
5. The last point of departure and point of intended landing of the aircraft;
6. The position of the aircraft with reference to some easily defined geographical point;
7. The number of persons aboard, number killed, and number seriously injured;
8. The nature of the accident, weather and aircraft damage, so far as is known; and
9. A description of any explosives, radioactive materials, or other dangerous articles carried.

(c) The pilot or aircraft operator shall complete the New Jersey Department of Transportation Form DA-23, "Aircraft Accident/Incident Report," (see Appendix A, incorporated herein by reference) for any accident involving the operation of an aircraft, which occurs in the State of New Jersey. The form is available on the Department's website at: <http://www.state.nj.us/transportation/commuter/aviation/forms.shtm> or by mail from:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

The written report shall be submitted to the Division of Aeronautics within 72 hours after the accident by fax at 609-530-4549 or by mail to:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

Recodified from N.J.A.C. 16:60-2.2 and amended by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

In (a), deleted a comma following "occurred" and "the New Jersey Division of Aeronautics through" following "notify" and substituted "at 609-882-2000" for "by calling (609)-882-2000"; in the introductory paragraph of (b), inserted "made pursuant to (a) above"; and rewrote (c).

Former N.J.A.C. 16:60-2.1, Definitions, recodified to N.J.A.C. 16:60-1.2.

16:60-2.2 Aircraft incident and forced landing reporting requirements

(a) The operator of an aircraft involved in an incident shall immediately notify the New Jersey State Police at 609-882-2000.

(b) The operator of an aircraft involved in a forced landing shall immediately notify the New Jersey State Police at 609-882-2000.

(c) The incident or forced landing notification made pursuant to (a) or (b) above shall contain the following information if known:

1. The type, nationality, and registration marks of the aircraft;
2. The name of the owner, and the operator of the aircraft;
3. The name of the pilot in command;
4. The date and time of the incident;
5. The last point of departure and point of intended landing of the aircraft;
6. The position of the aircraft with reference to some easily defined geographical point;
7. The number of persons aboard; and
8. The nature of the incident or forced landing, weather and aircraft damage, so far as is known.

(d) The pilot or aircraft operator shall complete the New Jersey Department of Transportation Form DA-23, "Aircraft Accident/Incident Report," (see Appendix A) for any incident or forced landing involving the operation of an aircraft, which occurs in the State of New Jersey. The form is available on the Department's website at: <http://www.state.nj.us/transportation/commuter/aviation/forms.shtm> or by mail from:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

The written report shall be submitted to the Division of Aeronautics within 72 hours after the incident or forced landing by fax at 609-530-4549 or by mail to:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

Recodified from N.J.A.C. 16:60-2.3 and amended by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

In (a), substituted "immediately notify the New Jersey State Police at 609-882-2000" for "within 24 hours of the occurrence, notify the New Jersey Division of Aeronautics at 609-530-2908 or via fax to 609-530-4549"; in (b), substituted "shall immediately notify" for "in the State of

New Jersey, shall, immediately notify the New Jersey Division of Aeronautics through"; in (c), inserted "made pursuant to (a) or (b) above"; and rewrote (d).

Former N.J.A.C. 16:60-2.2, Aircraft accident reporting requirements, recodified to N.J.A.C. 16:60-2.1.

16:60-2.3 Notification of next of kin

Names of pilots or passengers who are seriously or fatally injured shall not be released until after positive notification of next of kin has been accomplished.

Recodified from N.J.A.C. 16:60-2.4 by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Former N.J.A.C. 16:60-2.3, Aircraft incident and forced landing reporting requirements, recodified to N.J.A.C. 16:60-2.2.

16:60-2.4 Preservation of aircraft wreckage, mail, cargo, and records

(a) The operator of an aircraft, or if the operator is incapable, the first law enforcement official on the scene, is responsible for preserving, to the greatest extent possible, any aircraft wreckage, cargo and mail aboard the aircraft, and all records pertaining to the operation and maintenance of the aircraft and to persons involved in an accident.

(b) Wreckage shall be disturbed only to the extent necessary:

1. To remove the person injured or trapped;
2. To protect the wreckage from further damage; and
3. To protect the public from injury.

(c) When aircraft wreckage, mail, or cargo must be disturbed or moved, sketches, descriptive notes and photographs shall be made, if possible, of the accident scene, including original position and condition of wreckage and any significant impact marks.

(d) The aircraft wreckage shall be released for the period of the investigation to the first official that appears on the scene from the New Jersey Division of Aeronautics, Federal Aviation Administration or the National Transportation Safety Board. In the event officials from both State and Federal governments are present, the Federal representatives shall take precedence.

Recodified from N.J.A.C. 16:60-2.5 and amended by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Section was "Preservation or aircraft wreckage, mail, cargo, and records". In (a), substituted "official" for "agent"; and rewrote (c).

Former N.J.A.C. 16:60-2.4, Notification of next of kin, recodified to N.J.A.C. 16:60-2.3.

16:60-2.5 Statements of witnesses

When determined necessary by a law enforcement official, New Jersey Department of Transportation Form DA-25, "Statement of Witness," (see Appendix B, incorporated herein by reference) shall be completed by any person or persons who observed the actual aircraft accident or incident, or any events prior to or immediately following said accident or incident. The form is available on the Department's website at: <http://www.state.nj.us/transportation/commuter/aviation/forms.shtm> or by mail from:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

The witness shall return the completed form to a law enforcement official at the scene or return it to the Division of Aeronautics within 72 hours after the accident or incident by fax at 609-530-4549 or by mail to:

New Jersey Department of Transportation
Division of Aeronautics
P.O. Box 610
Trenton, NJ 08625

Recodified from N.J.A.C. 16:60-2.6 and amended by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Rewrote the section.

Former N.J.A.C. 16:60-2.5, Preservation or aircraft wreckage, mail, cargo, and records, recodified to N.J.A.C. 16:60-2.4.

16:60-2.6 Forced landings

In the event of a forced landing on other than a licensed aeronautical facility, no person shall cause a subsequent take-off of the aircraft without the express authorization of the Division of Aeronautics, which shall only be granted after a representative of the Division has adjudged the site to be safe for the type of aircraft and pilot experience involved. This permission cannot be granted by Federal or local officials.

Recodified from N.J.A.C. 16:60-2.7 and amended by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Substituted "no person shall cause a subsequent take-off of the aircraft" for "for example, a highway, farm or field, a subsequent take-off is not permitted"; inserted a comma following "Aeronautics"; and deleted the last sentence.

Former N.J.A.C. 16:60-2.6, Statements of witnesses, recodified to N.J.A.C. 16:60-2.5.

16:60-2.7 (Reserved)

Recodified to N.J.A.C. 16:60-2.6 by R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Section was "Forced landings".

DA-25 (7-07)

APPENDIX B

NEW JERSEY DEPARTMENT OF TRANSPORTATION
 DIVISION OF AERONAUTICS
 INSPECTION & AIRCRAFT OPERATIONS
<http://www.state.nj.us/transportation/commuter/aviation/>
 Phone: 609-530-2900/Fax: 609-530-4549

ACCIDENT/INCIDENT STATEMENT OF WITNESS

<u>1. PLACE OF ACCIDENT/INCIDENT:</u>		<u>DATE:</u>	<u>TIME:</u>
<u>2. MAKE/MODEL OF AIRCRAFT:</u>		<u>TAIL #:</u>	
<u>3. YOUR NAME:</u>			
<u>4. YOUR ADDRESS:</u>			
CITY: _____		STATE: _____	ZIP: _____
<u>5. PHONE #: () _____</u>		<u>EMERGENCY #: () _____</u>	
<u>6. OCCUPATION: _____</u>		<u>EMPLOYER: _____</u>	
<u>7. Where were you at the time of the accident/incident?</u>			
<u>8. Tell in your own words what you saw before and at the time the accident/incident occurred:</u>			

Signature

Date.....

(Use reverse side of sheet for diagram and additional statement)

Repeal and New Rule, R.2007 d.343, effective November 5, 2007.

See: 39 N.J.R. 2612(a), 39 N.J.R. 4860(a).

Section was "Statement of Witness".