

NATIONAL HEADQUARTERS CIVIL AIR PATROL

CAP REGULATION 62-2

DRAFT

Safety



MISHAP REPORTING AND INVESTIGATION

This regulation outlines mishap reporting and mishap board investigation procedures. The overall purpose of mishap reporting and investigation is mishap prevention. Prompt notification and reporting of all CAP safety mishaps in accordance with the procedures in this regulation is mandatory. When serious injury or death is involved, there will be no formal or informal investigation conducted by CAP unless authorized by the National Headquarters General Counsel's office. Note: This regulation is revised in its entirety.

SUMMARY OF CHANGES.

Provides procedures and guidance for the use of the on-line reporting system Form 78, Safety Mishap Report, and Form 79, Safety Mishap Report of Investigation, adds formal mishap definitions, removes the requirement for units to maintain a safety log, and makes all mishaps reportable. This regulation no longer provides for pecuniary liability or suspension of operator privileges, which are governed by other CAP regulations.

TABLE OF CONTENTS ... PAGE
1. Definitions... 1
2. Mishap Classification... 2
3. Reporting CAP Mishaps ... 2
4. Investigating CAP Mishaps ... 4
5. Suspension of CAP Flying or Driving Privileges Following a Safety Mishap... 5
Attachment 1 – Aircraft Safety Mishap Definitions ... 6
Attachment 2 – Vehicle Safety Mishap Definitions ... 8
Attachment 3 – Bodily Injury Safety Mishap Definitions ... 9
Attachment 4 – Mishap Reporting Flow Chart... 10
Attachment 5 – Form 78 Mishap Account Block ... 11

1. Definitions. As used in this regulation, the following words will have the definition indicated:

a. "Mishap" means any unplanned or unsought safety event, or series of events, that result in death, injury, or damage to equipment or property. Specific categories/classifications of mishaps are listed below.

b. "Accident" means a mishap that results in death, serious bodily injury, or major damage to, or loss of, equipment or property. See attachments 1 through 3 for guidelines for determining whether a mishap should be classified as an accident.

c. “Incident” means a mishap other than an accident, that results in bodily injury or damage to equipment or property. See attachments 1 through 3 for guidelines for determining whether a mishap should be classified as an incident.

d. “Minor Mishap” means a mishap that interrupts normal procedures or activities but is not counted in the tally of accidents and/or incidents. See attachments 1 through 3 for guidelines for determining whether a mishap should be classified as a minor mishap.

e. “First Aid” within the Civil Air Patrol Safety Reporting System, means the immediate and temporary physical aid provided to a sick or injured person until a higher level of medical treatment can be provided by a licensed doctor, registered nurse, physician’s assistant, or emergency medical technician. First Aid generally consists of a series of simple medical techniques that an individual who does not have formal medical training can be trained to perform with minimal equipment.

## 2. Mishap Classification.

### a. Aircraft.

(1) **Flight.** Mishaps involving aircraft authorized to participate in CAP activities, which take place between the time any person boards the aircraft with the intention of flight until such time as all persons have disembarked. (See attachment 1.)

(2) **Ground.** Mishaps involving aircraft, authorized to participate in CAP activities, with no intent of flight; example of this type mishap may include, but not be limited to, aircraft damaged while being moved after refueling; aircraft is run into by a tug while parked; etc. (See attachment 1.)

b. **Vehicle.** Mishaps involving corporate vehicles, or pre-approved member-owned vehicles in accordance with CAPR 77-1, during authorized CAP activities, including damage to structures such as buildings, fences, light poles, etc. (See attachment 2.)

c. **Bodily Injury.** Mishaps involving personal injuries sustained during authorized CAP activities. This classification of mishap does not include injuries due to aircraft or vehicle accidents or incidents. (See attachment 3.)

d. **Other.** Mishaps involving CAP personnel and property (not real property) that do not meet the criteria for one of the above classifications.

e. **Equipment.** Damage to, or loss of, equipment not resulting from a safety mishap will be reported and accounted for in accordance with CAPR 67-1, *Civil Air Patrol Property Regulation*.

3. **Reporting CAP Mishaps.** While some mishaps may not qualify for statistical reporting purposes, there may be lessons to be learned from them or they may help in identifying safety mishap trends. Additionally, some mishaps appear to be minor in nature at first, but that may change with time. For that reason, all mishaps (accidents, incidents and minor mishaps) must be reported using the on-line reporting system. A mishap reporting flow chart is at attachment 4.

a. **Accidents.** In all cases of mishaps arising out of CAP activities that can be classified as an accident (see attachments 1, 2, and 3), an appropriate CAP member will:

(1) **Immediately notify the CAP National Operations Center (NOC)** toll-free at 888-211-1812, Ext 300, (24 hrs/day). The NOC will, in turn, notify the CAP National Commander (National Vice Commander if the National Commander is unavailable), National Safety Officer, Executive Director, General Counsel's office, the CAP-USAF Commander and Director of Safety. Do not delay notifying the NOC until completing the Form 78. Complete the on-line report as soon as possible (within 48 hours in accordance with paragraph 3b, below).

(2) For mishaps involving **Death or Serious Bodily Injury**, coordinate with the National Headquarters General Counsel's office (you may contact the General Counsel through the NOC at 888-211-1812, Ext 300) on the preparation of the on-line Form 78. **DO NOT accomplish an on-line Form 78 without prior coordination with General Counsel.** The final responsibility for the timely completion of the on-line Form 78 after coordination rests with the appropriate unit or activity commander.

(3) **National Transportation Safety Board (NTSB) Report.** It is the responsibility of the pilot-in-command (PIC) to immediately report an aircraft accident as defined by NTSB Part 830, *Accident Reporting*. Wing commanders will ensure that this report occurs in a timely manner. NTSB notifications must be noted on the on-line Form 78.

**b. Safety Mishap Report.** Unit/activity commanders are responsible for ensuring an on-line Form 78 is accomplished within 48 hours of a mishap. The on-line Form 78 is an important legal document that must be completed correctly. Failure to complete an on-line Form 78 could result in the member being held personally responsible for damages or medical expenses incurred, and loss of government or corporate provided insurance benefits.

(1) The entry in the "ACCOUNT" block of the on-line Form 78 has a limited number of characters it can accept. However, there is sufficient space to enter a logical sequence of events that led up to the mishap, a description of the mishap, and what, if any, actions followed the mishap. It should also describe the damage/injury(s) incurred. The account of the mishap should not include any reference to fault or blame. Attachment 5 gives examples of both insufficient mishap accounts and proper mishap accounts.

(2) Costs should be as close an estimate as available at the time.

(3) The on-line system will report the creation of the Form 78, by e-mail to the appropriate CAP (squadron, wing, region) commanders, safety officers, NHQ CAP staff, CAP-USAF State Director, and the HQ CAP-USAF staff.

**c. Safety Mishap Report Worksheet.** This worksheet is an optional form used to collect safety mishap information when access to the on-line reporting system is not immediately available. The information on the worksheet is in the same order as it will be entered into the on-line reporting system. The worksheet is available through the mishap on-line reporting system. Commanders and activity directors should pre-print a supply of the worksheet and place them in their mission/activity planning kits.

**d. Classification of Mishap.** Upon notification that a new on-line Form 78 has been submitted, the NHQ CAP Safety Administrator will review the information on the form. The Safety Administrator will determine which Forms 78 meet the criteria to be classified as minor mishaps. When a mishap is classified as a minor mishap, the person filing the report, along with the wing commander and wing safety officer, will be notified by e-mail that no further action (no investigation and no on-line Form 79) is required.

#### 4. Investigating CAP Mishaps.

**a. Death or Serious Bodily Injury.** No CAP formal or informal investigation shall be conducted in cases involving death or serious injury that occurred during CAP activities without the prior approval of National Headquarters General Counsel's office.

**b. Investigation Procedures.**

(1) Subject to the restrictions outlined in paragraph 4a, region/wing commanders must ensure incidents or accidents that arise out of CAP activities within their regions/wings are investigated. The investigation may be delegated to the group or squadron commander level. One member or, in appropriate and more serious cases, a board of three or more members, may be appointed to conduct the investigation. If the commander appoints an investigating officer or board chairperson, the commander will designate that person on the on-line Form 78. The system will notify that individual by e-mail that he/she has been appointed. The member(s) designated to complete the safety investigation will be appointed in writing by a corporate officer. The most qualified member(s) available should be used to conduct an investigation. Qualified means a member who has the experience, knowledge and training relevant to the mishap. Whenever feasible, the member(s) selected to conduct the investigation should not be a member of the same unit(s) as the person(s) involved in the mishap.

(2) The primary purpose of mishap investigations should be to determine how to prevent similar mishaps from recurring. Investigations will be conducted as quickly as possible and the investigator or board member(s) will use common sense and judgment throughout the process. The investigation will determine the sequence of events leading to the mishap (findings), and the events or acts of commission or omission which, done differently, could have prevented the mishap (causes). Investigations will not involve attempts to determine liability, disciplinary actions or pecuniary assessments, but may recommend remedial training.

(3) Records/documentation relating to safety mishap investigations will be retained in accordance with CAPR 10-2, *Files Maintenance and Records Disposition*.

**c. Mishap Investigation Report.** Safety mishap investigation reports will be submitted using the on-line Form 79. Investigation reports will state recommendations that directly address the causes and would prevent a similar mishap in the future. Vehicle mishap investigation reports should include a copy of the local police report, if available. The on-line investigation report is due at National Headquarters within 60 days of the mishap. An extension of up to 30 days may be requested from the CAP National Safety Officer when circumstances require additional time for completion or actual cost figures or other unexpected delays. The extension must be requested by e-mail or letter prior to the 60-day expiration.

(1) The individual noted as the investigator or board chairperson on the on-line Form 78 is the person responsible for completing the on-line Form 79. After the investigator or board chairperson has electronically signed the report it will be automatically forwarded to the wing commander for his or her endorsement. Intermediate level commanders will automatically be notified by e-mail when this occurs.

(2) The wing commander will review the on-line report and will return the report for further action or approve it with comments, as needed. After wing commander approval, the on-line system will forward the on-line report to the CAP region commander with notification to all intermediate levels. The region commander will review the on-line report and will approve it or

return the report with comments to the wing for further action as needed. After the region commander has approved the report, a notification of his or her approval will go to all appropriate echelons within the scope of action for the mishap. The report will automatically be forwarded to the CAP National Safety Officer.

(3) All actions taken against CAP personnel when damage estimates exceed \$500 will be made available to the CAP-USAF Commander through the on-line system.

d. If a member involved in the mishap disagrees with the validity of the findings of a mishap investigation, he/she may request that the region safety officer review the case. Requests for review involving region-level personnel will be submitted to the National Safety Officer for review. This request must occur within 30 days of receiving the results of the investigation. Results of the review will be sent to the requester within 60 days of the date of the request for review. This review process may only be elevated one level. Simply disagreeing with the findings will not constitute sufficiency for a review. The request must be in writing, give specific reasons why the member(s) believes the original investigation was not valid or adequate, and provide additional information to justify a higher level review.

**5. Suspension of CAP flying or driving privileges** following a safety mishap is covered in CAPRs 60-1, *CAP Flight Management*, or 77-1, *Operation and Maintenance of CAP Vehicles*, as appropriate.

## Attachment 1 – Aircraft Safety Mishap Definitions

**1. Aircraft accident (requires Form 78 and Form 79)** means an occurrence associated with the operation of an aircraft authorized to participate in CAP activities in which:

- a. Any person
  - (1) suffers death due to injuries sustained in the mishap within 30 days of the event;
  - (2) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
  - (3) receives a fracture of any bone (except simple fractures of fingers, toes, teeth or nose); suffers severe hemorrhages, nerve, muscle, or tendon damage;
  - (4) suffers severe hemorrhages, nerve, muscle, or tendon damage;
  - (5) injures any internal organ;
  - (6) suffers second- or third-degree burns, or any burns affecting more than 5 percent of the body surface or
- b. The aircraft receives substantial damage adversely affecting the structural strength, performance, or flight characteristics of the aircraft, which would normally require major repair or replacement of the affected component (Reference CFR Title 49 Part 830) or
- c. The total cost to CAP resulting from the mishap, including payments to third parties, exceeds \$5,000.

**2. Aircraft incident (requires Form 78 and Form 79)** means an occurrence associated with the operation of an aircraft authorized to participate in CAP activities that does not meet the criteria for an accident but in which:

- a. Any person requires medical intervention above the level of first aid treatment that must be furnished by a licensed doctor, registered nurse, physician's assistant, or emergency medical technician or
- b. The aircraft receives damage which involves bent fairings or cowling, dented skin, damage to propeller blades resulting from contact with the ground, damage to landing gear, wheel rims, flaps, engine accessories, brakes, or wingtips requiring maintenance repair or replacement (Reference CFR Title 49 Part 830) or
- c. The total cost to CAP resulting from the mishap, including payments to third parties, exceeds \$500 or
- d. The mishap involves an unplanned, off-airport landing of a powered aircraft or
- e. An event is deemed important enough to trend for mishap prevention despite the fact it does not meet the criteria of an incident. Such mishaps include:
  - (1) loss of thrust sufficient to prevent level flight at a safe altitude;
  - (2) emergency or precautionary landing;
  - (3) unintentional departure from a runway or taxiway;
  - (4) unintentional departure from controlled flight;
  - (5) in-flight loss of any pitot-static instrument indications;
  - (6) in-flight loss of all attitude instrument indications; or

(7) any physiological episode that affects the pilot's ability to safely complete the flight.

**3. Aircraft minor mishap (requires Form 78 only)** means a mishap associated with the operation of an aircraft authorized to participate in CAP activities which does not meet the minimum criteria to be classified as an accident or incident.

## Attachment 2 – Vehicle Safety Mishap Definitions

**1. Vehicle accident (requires Form 78 and Form 79)** means an occurrence associated with the operation of a CAP vehicle authorized to participate in CAP activities in which:

- a. Any person
  - (1) suffers death due to injuries sustained in the mishap within 30 days of the event;
  - (2) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
  - (3) receives a fracture of any bone (except simple fractures of fingers, toes, teeth or nose);
  - (4) suffers severe hemorrhages, nerve, muscle, or tendon damage;
  - (5) injures any internal organ;
  - (6) suffers second- or third-degree burns, or any burns affecting more than 5 percent of the body surface or
- b. The vehicle receives damage
  - (1) that causes the vehicle to not be drivable;
  - (2) which would require repair or replacement of a component critical to the safe operation of the vehicle costing \$500 or more;
  - (3) which renders the CAP vehicle uneconomical to repair or
- c. The total cost to CAP resulting from the mishap, including payments to third parties, exceeds \$5,000.

**2. Vehicle incident (requires Form 78 and Form 79)** means an occurrence associated with the operation of a CAP vehicle authorized to participate in CAP activities that does not meet the criteria for an accident but in which:

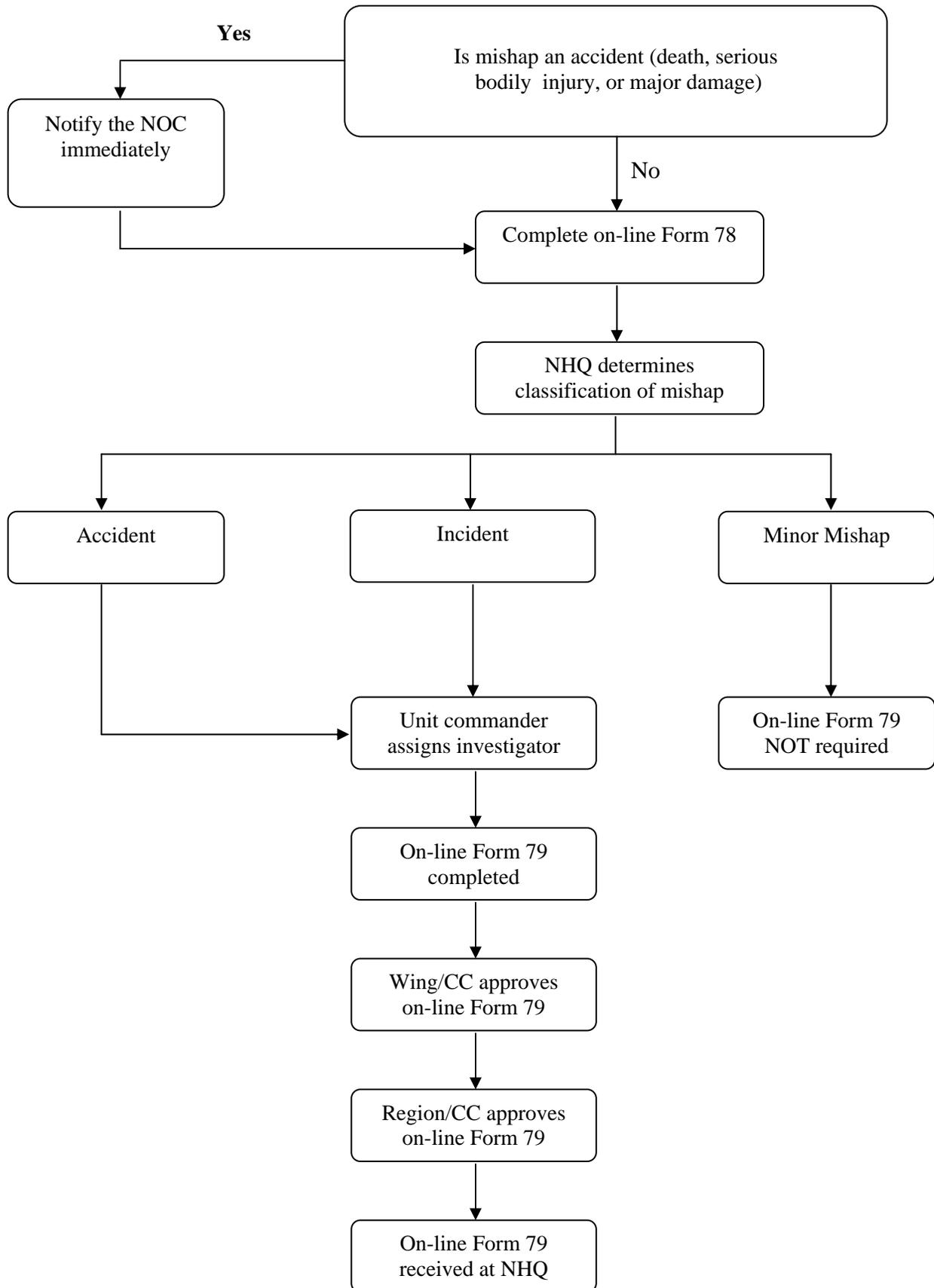
- a. Any person requires medical intervention above the level of first aid treatment that must be furnished by a licensed doctor, registered nurse, physician's assistant, or emergency medical technician; or
- b. The vehicle receives damage which negatively effects the value of the vehicle by \$500 or more; or
- c. The mishap involves a non-CAP vehicle or
- d. The total cost to CAP resulting from the mishap, including payments to third parties, exceeds \$500.

**3. Vehicle minor mishap (requires Form 78 only)** means a mishap associated with the operation of a vehicle authorized to participate in CAP activities which does not meet the minimum criteria to be classified as an accident or incident.

**Attachment 3 – Bodily Injury Safety Mishap Definitions**

- 1. Bodily injury accident (requires Form 78 and Form 79)** means the individual
  - (a) suffers death due to injuries sustained in the mishap within 30 days of the event;
  - (b) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
  - (c) receives a fracture of any bone (except simple fractures of fingers, toes, teeth or nose);
  - (d) suffers severe hemorrhages, nerve, muscle, or tendon damage;
  - (e) injures any internal organ;
  - (f) suffers second- or third-degree burns, or any burns affecting more than 5 percent of the body surface or
  
- 2. Bodily injury incident (requires Form 78 and Form 79)** means non-serious injuries, which may include:
  - a. Any person requires medical intervention above the level of first aid treatment that must be furnished by a licensed doctor, registered nurse, physician's assistant, or emergency medical technician; or
  - b. simple fractures of nose, fingers or toes;
  - c. lacerations requiring sutures (other than hemorrhage);
  - d. all injuries that result in a loss of consciousness (not including fainting);
  - e. insect bites that result in adverse reactions;
  - f. injuries to the eyes, ears, throat, or head, including foreign objects in the eye;
  - g. back injuries caused by improper lifting, twisting, etc;
  - h. all cases of injuries caused by inhalation, absorption, ingestion or contact of hazardous materials;
  - i. poisoning of any kind
  - j. all cases of heatstroke, sunstroke, heat exhaustion, frostbite, or hypothermia;
  - k. dislocated bones/joints; or
  - l. injuries involving internal organ damage.
  
- 3. Bodily injury minor mishap (requires Form 78 only)** means a bodily injury which does not meet the minimum criteria to be classified as an accident or incident. These injuries may include:
  - a. fainting where there is no lasting trauma, i.e., fainting during drill exercises, etc;
  - b. simple sprains, muscle pulls, muscle spasms;
  - c. intentionally self-inflicted injuries, i.e., hitting the wall with the fist, fighting, etc;
  - f. minor sports or activity injuries such as black eyes, bruises, sore muscles, bloody nose, skinned knees, scrapes, minor cut lips, fishhook in finger, etc;
  - d. crushing injuries to fingers or toes where no bone is broken, i.e., mashing finger in car door, etc;
  - e. asthma attacks; or
  - f. other minor injuries of similar nature to those listed above.

**Attachment 4 – Mishap Reporting Flow Chart**



**Attachment 5 – Form 78 Mishap Account Block**

Insufficient Account	Proper Account
Propeller tips damaged. Unknown culprit.	Lt John Smith went to Capital Airport and conducted a preflight of AC N9987L. During the preflight, Lt Smith noticed that there was damage to both propeller tips. No flying took place that day. The damage evidently took place during a previous flight.
AC hit hangar door. Bent static tab and a 4” dent to right aileron.	The pilot was steering & pushing with the AC while the IP was pushing on the right wing strut. The aircraft entered the hangar at a slight angle with the tail to the inside of the hangar door when the right aileron hit the north hangar door. The damage was a bent static tab and a 4” dent to the aileron.
Civilian aircraft hit the right wingtip of CAP aircraft.	CAP aircraft was stopped, shut down, awaiting fuel when civilian aircraft, pulled by a towbar, hit the right wingtip of the CAP aircraft.
Hurt foot	Cadet was participating in a mile run when he stepped on a curb along the mile course and twisted his ankle. Ace bandage applied by CAP EMT member. No further treatment required.
Cadet hurt hip.	Cadet slipped while completing navigation activity and stated that her hip started hurting while walking afterward, but that it did not hurt while sitting still. Sent to emergency room for evaluation.
Cadet injured arm lifting luggage.	Cadet with preexisting injury re-injured arm lifting luggage upon arrival at activity. Transported to hospital; diagnosed as a sprain.
Driver hit planter/barricade.	Driver swerved when pedestrian stepped out in front of vehicle, thus hitting planter/barricade. Dented passenger side rear door.
CAP van was hit by a Ford SUV causing damage to engine and front end areas of CAP van.	CAP van was on Rt2 south. Just after crossing the Rt 2/Rt 214 intersection under a full green light, CAP van was cut off by a Ford SUV that turned right off Rt214 onto Rt2. SUV did not yield as marked and cut across the merge lane into 2 <sup>nd</sup> lane causing damage to engine and front end areas of CAP van. SUV was cited for failing to yield right-of-way to CAP van.