

## Aftermath Of Wichita State Crash

# FAA Moves To Put More Responsibility On Rented Plane Users

By DICK BARNES

WASHINGTON (AP) — In the month since the Wichita State football plane crash, the Federal Aviation Administration has moved to place more responsibility for such rent-a-plane flights on the users—who often are ignorant of air regulations. So far, the firms which lease out the planes—and know about aircraft regulation—have not been moved against. But they may ultimately be required to warn their customers if the FAA follows a precedent set in a recent court action.

A two-engine plane carrying Wichita State University players and personnel crashed into the Rockies Oct. 2, killing 31. The disaster focused attention on the hazy world of air operations in which a plane from one source and a crew from another is provided to a user unfamiliar with air operations.

The FAA revoked the certifi-

cate of the aviation firm which provided the crew for Wichita State, fined the owner of the plane which crashed and revoked the certificate of a mechanic who inspected it.

The FAA also has acted against four firms indirectly linked to principals in the Wichita case for allegedly violating FAA rules on other flights—some of which involved football teams.

While FAA and National Transportation Safety Board investigations of the Wichita State crash continue, along with action in two other cases the broader question of how to prevent future tragedies like the Wichita State crash also has been under study.

The FAA has proposed rule changes which would specify that a university or other group which leases a large airplane from one source and hires a crew from another is the opera-

tor of the plane—and would be required to have an FAA certificate.

At the heart of the Wichita case is the question of who was operating the plane. The Martin 404 was owned by Jack Richards Aviation Inc. of Oklahoma City. The crew was from Golden Eagle Aviation Inc. of Oklahoma City.

The FAA says Golden Eagle was the operator of the plane. FAA Administrator John Shaffer said the separate crew and plane arrangements were merely a facade to evade FAA regulations for commercial air operators. Golden Eagle, as a firm, was not certified to fly a plane as large as the Martin 404.

Golden Eagle contends that Wichita State was the operator of the plane and that the crew was hired as individuals by the school.

The Wichita State athletic officials who made the deal were

killed in the crash. But the university's president said the school certainly had no idea it was assuming any responsibilities as an aircraft operator.

Most schools which charter big planes for athletic trips use certificated supplemental air carriers, which also supply the crews.

A firm which provides only the plane—"dry leases" the

craft—is not regulated as is an air carrier. The FAA is concerned that such a firm may evade regulation as an air carrier by the device of providing crews through a supposedly separate firm.

For a school to be certified as an operator under the proposed regulations, it would have to, in part, develop a comprehensive operations manual and have a director of operations. It would be primarily responsible for the airworthiness of its airplanes, and for the performance of inspections. These requirements probably would make some schools or organizations decide not to get involved in leasing at all.

The proposed rules put no responsibility on the firm leasing out the plane.

In a current case in Wisconsin, however, the government took one step toward putting some responsibility on the lessor.

The case in U.S. District Court in Milwaukee, charged that three firms—Business Aircraft Inc., Green Bay; G. C. Landry, doing business as Beechcraft Sales and Charter, East Troy, and Basler Flight Service, Inc., Oshkosh, operated large aircraft for compensation or hire without proper certification.

In one case, the University of Wisconsin football team was carried to a game at Iowa through arrangements with the firms in an airplane owned by Jack Richards Aviation.

The government is seeking

\$39,000 in fines against the firms, and has placed \$14,000 in liens against three aircraft. Two of these planes are Martin 404s once owned by Jack Richards Aviation as part of the same batch that included the plane which crashed Oct. 2.

Last month the government and the defendants agreed that all lease agreements offered by the firms must include a clause under which the group or institution leasing the plane expressly recognizes it is assuming full responsibility for the plane's operation.

In the other enforcement action since the Wichita crash, the FAA levied a \$4,000 civil penalty against Aire Internationale Inc. of Louisville, Ky.

The FAA alleged the company operated a Martin 404 on four flights for compensation when it did not have a commercial operator's certificate. The flights carried the Murray State University football team between Paducah, Ky., and Ottumwa, Iowa.

The penalty letter also alleged that the pilot in command did not have the appropriate rating to fly a Martin 404. The plane had been leased from Executive Investment Corp. The FAA said Executive's status is unclear and is being investigated.

The Martin 404 was also formerly owned by Jack Richards Aviation.

A special task force established by Secretary of Transportation John A. Volpe to investigate the airplane leasing industry will consider whether some sort of standard lease form should be required which would put the lessee of an aircraft on notice that it is responsible as an operator. That task force,



Conducted by: Charles Lombardo Hopewell Gallery

## Anniversary Special

# Mary Livingston Leaving Retirement For One Show

By BOB THOMAS

HOLLYWOOD (AP) — The wry, faintly sardonic tones of Mary Livingstone once again will be heard on television next month, but it took a major campaign to get her back.

She's making an appearance on television for the first time in 14 years Nov. 16 on the Jack Benny 20th TV Anniversary Spe-

a different song every week and I did everything in his show.

"Later, when we went into radio, I began thinking about how many people were listening—millions upon millions! It began to get to me. I became terrified about entertaining. For the last two years of the radio show, I taped my part of the script at home. I couldn't face the audience."

doing a one-night show, I go along with him.

"I like our life. Jack is a very easy man to live with. People think he's nervous about his work. He isn't. He's a perfectionist, that's all. He simply wants every show to be his best."

For his 20th anniversary, Jack wanted to assemble all his old gang, and that included Mary.

Child

Fric

900 East Main St.,  
Exhibit: 7 p.m.