



Chapter 569

NEWS LETTER

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JUNE 1990 NEWS LETTER

The next meeting of Chapter 569 will be our annual picnic. It will be held on Sunday, July 8, 1990 at Pester Airport 112th & Holdrege. Come as early as your clock awakens you, and stay as late as your wife will let you. The club will furnish hamburgers, buns and soft drinks. You will need to bring your cups, plates and other eating utensils. Also bring a salad and dessert. Chairs and tables will be furnished compliments of Jim Fix and his son and Duane Hamilton has volunteered to use a Boomer Printing truck to deliver them. Come rain or shine, as we have a canopy to eat under. Plan for a big day, and in the meantime pray for a nice sunny day. If you fly in, bring your own tiedowns.

MINUTES OF JUNE 5th Meeting

Don Shoemaker gave us a report on the "Lindberg Day." They did a good job, and people came from as far away as Alliance to participate. Don represented the Southeast Aviation Council and Dick Miller represented EAA Chapter 569. Next year, lets plan for a larger number of our chapter members to make it more interesting for those in attendance. It would also be nice to have it at someone's hangar to get out of the wind.

We have added the following new member to your membership roster: Mr Duane Hamilton, 3430 Daniel Road, Lincoln, Nebraska. (You will note that as soon as he joined, we put him to work on the picnic committee.)

Don Shoemaker reported on the new proposed airport. He says that despite the setback, we are not done yet! There are three classes of airports allowed in the proposed area. #1 - Single family airports (No problem); #2 - Airports open to the public (City Attorney has been asked to write an opinion on it.); #3 - FID State Authorized. (Huntzinger is working on it. We can re-file again next May.)

13 books, "AOPA Airports USA" were raffeled off. The \$9.00 received will go to the Chapter 569 treasury.

Refreshments were served at 9:00 PM, and following refreshments, Andy Bajc, an

e x p e r i m e n t a l a i r c r a f t a s s o c i a t i o n

WITTMAN AIRFIELD, OSHKOSH, WI 54903-3086 • PHONE: 414/426-4800 • FAX: 414-426-4828

R-4 builder, presented an interesting program on sheet metal work covering basically riveting. He gave out a paper covering the proper technique for riveting and a very good demonstration on dimpling for flush riveting. He showed the good, better and best methods and the necessity for proper distribution of load from one piece of skin to the next. He mentioned the necessity for removing burrs from holes to allow for close fit and removal of nicks which might lead to stress cracking.

The meeting adjourned at 10:30 PM.

FLIGHT BREAKFASTS, FLY-INS, AIR SHOWS, ETC.

July 1 ----- Bloomfield, Ne - Centennial
 July 4 ----- Seward, Nebraska
 July 14 ----- Wayne, Ne - Chicken Days
 July 15 ----- Alliance Airshow - 10:00 AM
 July 20 ----- River-Cade, Sioux City, Iowa
 July 21-22 -- Grand Island, Ne - 2nd Annual Central Nebr Airshow
 July 23-26 -- Waterloo, Ia - Fly-ins receive free admission to the tractor show of restored John Deere tractors. Commemorative awards to planes built prior to 1960 staying 24 hours. Phone (319)232-3402. No charge for tiedowns.
 July 26 ----- Burwell - Rodeo.
 July 27 ----- Dodge City Days - Dodge City, Iowa
 July 27 thru Aug 2 - Oshkosh, Wisconsin - 38th Annual fly-in and convention. (You won't want to miss the big one. The Concorde is scheduled to be there, and you can even ride it if you have the chips.)
 July 29 ----- Crete, Nebraska Flyin
 Aug 8-12 ---- Byron's Originals Exposition, Ida Grove, Iowa (There will be an extra sheet enclosed telling about a planned bus trip from Lincoln if they can obtain at least 43 people who are willing to go. I personally feel it is well worth the money, although I probably will fly in instead of taking the bus, as they have a nice airport there. Reservations for the bus need to be sent in as soon as possible, and in no case later than July 25th.)
 Aug 19 ----- NFFR Lexington Queen's Fly-in, Lexington, Nebraska
 Aug 25-26 --- Wahoo, Nebraska - Flyin and Breakfast on Sunday
 Sept 7 ----- Hastings Flyin
 Sept 15-16 -- Superbatics - Topeka, Kansas

There may be other fly-ins of which I am not aware. If you know of any, please let me know so I can list them in the newsletter. We would like to know about those in Nebraska, and in the adjoining edge of South Dakota, Iowa, Kansas, and probably Colorado.

How many noticed the exceptionally fine article in the June 26th morning Star concerning the airplane ride which one of our members, Lester David, gave to Lori Beckmann, a staff reporter for the Lincoln Star. This is an excellent way to promote flying and to erase the negative attitude of many journalists. Not many 74-year olds can interest those as young and pretty as Lori to fly with them, much less risk the ire of their wives by letting them write and tell about it. Lester, they apparently not only taught you how to fly in the Hungarian Air Force, but also how to court the young ladies. Thanks for a job well done. It would be nice if several of our members will write to thank the Star and Lori for the excellent presentation regarding home-built planes.

TREASURER'S REPORT FOR JULY 1990 MEETING

Checking Account Balance brought forward - - - - - \$ 2,288.99

Income:

1990 Dues - - - - - 1 @ \$20.00 - - - - - \$ 20.00
 AOPA Airport Directories - - - - - 9.00
 Coffee Kitty - - - - - 6.30

TOTAL INCOME - - - - - \$ 35.30 - - - - - \$ 35.30

Expenses:

News Letter expenses Les Christiansen - - - \$ 70.84
 Total Expenses - - - \$ 70.84

\$ 70.84

Checking Account Balance - - - - - \$ 2,253.49

After a rough start, plane ride was 'great'



Lester David built his plane utilizing space in his cellar, an empty garage and his kitchen table.

Eric Gregory/Lincoln Star

\$1.00 New York
12/2

SHD P-1

12:00
3:00 pm

SEP 23

The following members have paid their 1990 dues

NAME	ADDRESS	HOME	WORK	SPOUSE
Roger Aspergren	Rt. 1, 4001 SW 84 Denton	797-5825		
Andy Bajc	2746 D' Street	474-4606	475-2611	Charlotte
Dave Bulen	2400 North Cheshire			
Jerold Carlson	2545 North 60th	464-4077	464-8211	
Clayton Champoux	840 West Stockwell	423-3798	475-6000	Carol
A.L. Cherry	Rt. 1, Box 101 E, Firth	798-7808		
Les Christiansen	885 So. 46th	488-1779		Iris
Jeff Clausen	1320 Beechcraft Rd.	488-9224		Mary
Art Curtiss	128 No. 13th, #1005	466-9164	475-1075	Helen
Ken Dahle	Rt. 1 Box 15, Milford	761-2602	761-3448	Maria
Lester David	3251 So. 76th	489-8227		Judith
Lonnie Davis	345 11th Str, David City	367-4184	367-3240	Judith
Jim Debus	5601 Bancroft	489-1205	467-8426	Lee
Kenneth Donland	510 Lakewood Drive	488-0066		
Charles Ferguson	4340 So. 84th	483-2614		Jean
Jim Fix	3710 Airpark Rd.	470-2346	470-2346	Mary
Ed Garner	Rt. 1 Box 93, Adams	788-2748		Leah
Dale Greene	1101 North 51st	466-1150		
Bill Hamilton	1222 Beechcraft Rd.	467-1222		
Duane Hamilton	3430 Daniel Rd.	483-4928		Carol
Richard Hanson	8000 Maplewood Dr.	488-4017		Beverly
Wilbur Hanson	1300 Beechcraft Rd.	466-1414	423-3855	June
Terry Holclaw	14340 Castlwood, Waverly	786-3161	786-7488	MaryAnn
Janice Jackson	1320 W. Ryons	476-1861	423-6625	
Michael Jiskra	664 West B	475-6171	473-8741	Debra
Eldon Kreimer	1510 Regency Drive	488-3206	488-2375	Barbara
Tom Lutzl	Rt. 6 Box 60-D, Lincoln	474-5300		
Terry Majewski	3620 L Street	477-1368	471-5549	Terri Parson
Wayne Martin	1601 Ridgeway Rd.	488-6821	472-2387	Janet
Harlo McKinty	1310 Idylwild Dr.	464-0570	472-1295	Shirley
Richard Miller	3001 So. 51st Str #4409	488-6123		
Bill Mueller	5100 Rosebriar Ct.	421-1509		
Ken Mueller	423 Village View, Hickman			
Floyd Olson	Box #8, Roca	423-3338		Helen
Jan Perrin	201 Redwood Lane	488-4890	488-4890	Janet
Gary Petersen	30 Bishop Square	421-3450		
Wallace Peterson	4549 South Street	489-4316		
Elden Portschey	Roca, Ne.			
Norman Sell	3511 Fiene Circle	488-7333	483-2418	Joyce
Gerald Severson	Box 96, Roca	423-5017		Pauline
William Sheahan	823 Manes Court	464-6476		Dawn
Don shoemaker	3935 Folsom	423-3928	475-4800	Yvonne
Dwight Snyder	1530 Brighton Ave.	489-4027	489-0381	Gloria
Jim Stephens	1221 Beechcraft Rd.	489-6495	466-1961	Doris
George Stout	6231 Inverness Rd.	423-4619		
Ray Supalla	2201 West Foothills Rd.	423-5297	472-1792	
Jim Troidl	3427 Dudley	462-8970	473-1615	Katherine
Kermit Wenger	6621 Park Crest Dr.	488-2514		
Tom Werner	421 So. 47th			
Ivon Wiebke	4824 SouthWood Dr.	423-0817		
Rottie Woodruff	2645 P Street	488-3150	476-2034	Mary
George Wright	8215 Chestnut Lane	488-1429	475-3902	Brenda

But 212

12:11

CA...

Drive 5116

MORE to FEAR than the FEDS

Pilots can
also get
into trouble
with civil authorities

STEPHEN CHRISTOPHER

Like greatness, some people are born to trouble, while others have trouble thrust upon them. Unfortunately the aviation industry is no exception. This is the story of how a routine training flight turned into a nightmare for one unsuspecting flight instructor. Also, how to recognize one pitfall that could result in an abrupt loss of license.

The trouble begins: From a small airport near Toledo, an instructor and student practice touch and goes. As the sun sets, the CFI motions for a full-stop landing. Upon touchdown, the aircraft is met by an Ohio State Patrol car.

"I'm citing you for reckless flying," the patrolman says. The instructor struggles for words. Like a schoolyard bully, the state patrolman brushes against the CFI. "If you touch me again, I'll knock your teeth out!"

The instructor retreats in shock, trying desperately to pry an explanation from the policeman. Commanded to produce his certificate, the instructor does. After suspiciously examining the license, questioning its validity, the officer demands, "Are you drunk?"

He shines his flashlight into the pilot's eyes. After several failed attempts to question the officer as to the nature

of the charges, the instructor wisely falls silent. The patrolman states that he will return in the morning with a citation. The instructor is released.

Two miles from the airport, the CFI is pulled over by the same patrolman for "lane straddling." (A tire need only touch either the yellow or white line to be violated.)

After the mandatory driver's license check, the officer asks the pilot to step out for an intoxication test. The CFI passes to the officer's satisfaction and is released again. The next morning, the patrolman returns to the airport and serves the citation. One week later, the instructor appears before a judge for reckless flying, and lane straddling.

The reality: Here is a situation, where a pilot, while exercising his rights as an airman, has unwittingly found himself in a critical situation. What authority does a police officer have over an airman? What role do states play in the enforcement? How can a situation like this be avoided? Unfortunately, the answers to questions cannot be found in the Federal Air Regulations (FARs), but rather in the dusty law books of each state.

In the state of Ohio, and many others, any peace officer, administrator, or

the state aviation department or duly-appointed representative has the authority to cite a pilot for violations against the codes of that state. Simply put, some FARs have found their way into state statutes, which make any such violations a state crime, subject to the same enforcement as any other law.

A popular misconception is that the FAA is the sole enforcement agency. The reality is that in most states, the local or state police are more likely to be the arresting agents. Consider them as an extension of the FAA.

But most police officers don't know what the FARs are, so how can they enforce them? For the most part, they cannot and will not. Although there are two important regulations that they do know quite well: careless or reckless operations and low-level flying. For obvious reason, they are the most violated and detectable of all.

For example, 4561.15(b) of the Ohio Civil Code states, "No person shall ... operate an aircraft on the land or water or in the airspace over this state in a careless or reckless manner that endangers any person or property, or with willful or wanton disregard for the right or safety of others." If this sounds familiar, it should. It was taken from FAR 91.7.

If convicted, the instructor could face a maximum penalty of \$500 or 90 days in prison, or both. But that may be only the beginning of the pilot's problems. Up to this point, the FAA hasn't raised an eyebrow. It isn't even aware of the infraction, although a guilty verdict will change that dramatically. Upon conviction, most states, though not required to notify the Feds, will do so anyway; the key word is *most*.

Minnesota, which has one of the most stringent and comprehensive aviation codes is obligated by law to notify the FAA of any convictions. In states that require state registration of pilot certificates, such as Minnesota or New Hampshire, state flying privileges could be suspended for up to one year for the first offense.

Lastly, there was little this instructor could have done to avoid the charges against him short of not being in the air

Every Good Pilot is Always Training!

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at that moment. The officer, regardless of his motives, was operating within Ohio law. Even though he admits to being three miles from the airport, at dusk, and never having operated or flown in a light aircraft, he — like any other officer — is considered to be an expert in determining when a criminal act has been committed.

Should a pilot find himself in a similar situation, full cooperation with the authorities is the best line of defense. Use tact. No one has ever won a shouting contest with an officer. Right or wrong, he's the man with the badge, and as you now know, he can put ugly blemishes on the ticket you've worked so long and hard to obtain. Remember, if he asks to see your certificate, you are required to show it to any law enforcement official. Above all, if you never fly recklessly, chances are you will never have a problem.

The outcome: As for the instructor, in a weak case at best, the judge dismissed the reckless flying charge in exchange for a guilty plea for lane straddling (maximum fine \$200). All told, the CFI's cost was nearly \$1,000, which included five hours of a lawyer's services at \$100 per hour, court costs and the moving violation fine.

After vindication, the instructor considered litigation to recover lost legal fees. His lawyer's advice was simple, "It was the cost of doing business." A high price to pay, to say the least. Like most instructors, he had neither the money nor the resources to recover his losses.

It would be easy to end with the injustice that this pilot had to face. And no one should be subjected to frivolous legal assaults while performing duties as an airman. Though an isolated case, the possibility that it could happen to any pilot is very real.

On a positive note, though, this story has a happy ending. I am the unfortunate instructor, and I managed a narrow escape with my certificate intact. But if trouble comes knocking again, I may not be so fortunate.



STATE NAME	LAWS against careless & reckless operation of an aircraft?	MAXIMUM FINE/PENALTY
Alabama	Yes	\$100/1 Month/Both
Alaska	Yes	\$500
Arizona	Yes	\$500/1 Year/Both
Arkansas	Yes	\$1,000/1 Year/Both
California	Yes	\$1,000/6 Months/Both
Colorado	No*	
Connecticut	Yes	\$100/60 Days/Both
Delaware	Yes	\$500/1 Year/Both
Florida	Yes	\$500/6 Months/Both
Georgia	No	
Hawaii	Yes	\$1,000/1 Year/Both
Idaho	Yes	1-Year Loss of State Flying Privileges
Illinois	No	
Indiana	Yes**	\$250/6 Months/Both
Iowa	Yes	\$100 or 30 Days
Kansas	No**	
Kentucky	No	
Louisiana	Yes	\$200/90 Days/Both
Maine	Yes	6 Months County Jail
Maryland	Yes	\$500 or 90 Days
Massachusetts	Yes	\$500 or 6 Months
Michigan	Yes	\$500/90 Days/Both
Minnesota	Yes	\$100/90 Days/Both
Mississippi	Yes	\$500/6 Months/Both
Missouri	No	
Montana	Yes	\$500/6 Months/Both
Nebraska	No	
Nevada	Yes	\$2,000/1 Year/Both
New Hampshire	Yes	\$100/1 year state flying suspension on judge's discretion
New Jersey	Yes	
New Mexico	No	
New York	Yes	\$100/90 Days/Both
North Carolina	Yes	\$500/1 Year/Both
North Dakota	Repealed	
Ohio	Yes	\$500/90 Days/Both
Oklahoma	No	
Oregon	Yes	\$500
Pennsylvania	No	
Rhode Island	No	
South Carolina	Yes	\$100/30 Days/Both
South Dakota	Yes	\$1,000/1 Year/Both
Tennessee	Yes	\$500 or 30 Days jail or workhouse
Texas	No	
Utah	No	
Vermont	Yes	\$500/90 Days/Both
Virginia	Yes	\$100/1 Month/Both
Washington	Yes	\$1,000/1 Year/Both
Washington, D.C.	Yes**	\$300/90 Days/Both
West Virginia	Yes	\$500/1 Year/Both
Wisconsin	Yes	\$100
Wyoming	Yes	\$500/6 Months/Both

* Currently considering legislation ** Unverified

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PICKUP POINT: South end of Penney's Parking Lot, Gateway Shopping Center,
Lincoln

SEND RESERVATIONS TO: FUN TOURS, PO Box 94904, Lincoln, NE 68509

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