



AVIATION



HIGHWAY



MARINE



RAILROAD



PIPELINE

Aviation Investigation Final Report

Location:	Ft. Lauderdale, Florida	Accident Number:	ERA23LA189
Date & Time:	April 9, 2023, 16:11 Local	Registration:	N404PJ
Aircraft:	Cessna 402	Aircraft Damage:	Substantial
Defining Event:	Runway excursion	Injuries:	7 None
Flight Conducted Under:	Part 135: Air taxi & commuter - Non-scheduled		

Analysis

The pilot of the multi-engine airplane was attempting to land on an 8,000-ft-long runway at the conclusion of an on-demand air taxi flight. He stated that the airplane touched down on the wet runway about midfield and the left brake did not work. The airplane subsequently travelled off the end of the runway into an engineered materials arresting system, where it came to rest upright.

A postaccident examination of the airplane occurred in the pilot's hangar 2 days after the accident. By that time, the pilot had begun repairs without authorization. The pilot stated that he removed and shipped the left brake assembly out for service; however, he could not provide the location of where the left brake assembly was sent. The examination also found that the left main landing gear tire displayed a large flat spot. Because left brake was not available for examination, its condition and functionality could not be evaluated. However, the large flat spot observed on the tire suggested that the brake was functioning, and that the wheel was likely skidding on the wet runway during the roll, and thus not able to effectively slow the airplane.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's ineffective use of the airplane's brakes, which resulted in a runway overrun.

Findings

Personnel issues

Aircraft control - Pilot

Aircraft

Landing gear brakes system - Incorrect use/operation

Factual Information

History of Flight

Landing-landing roll	Runway excursion (Defining event)
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On April 9, 2023, about 1611 eastern daylight time, a Cessna 402C, N404PJ, was substantially damaged when it was involved in an accident near Fort Lauderdale, Florida. The airline transport pilot and six passengers were not injured. The airplane was operated as a Title 14 *Code of Federal Regulations* Part 135 on-demand air taxi flight.

The flight originated from Lynden Pindling International Airport (MYNN), Nassau, Bahamas, about 1450, under visual flight rules, to Fort Lauderdale/Hollywood International Airport (FLL), Fort Lauderdale, Florida. The pilot reported that he was attempting to land on runway 10R, which was 8,000 ft long. He stated that the airplane touched down on the wet runway about midfield (between taxiways J5 and J7). The left brake “did not work,” and he did not want to apply too much right brake and lose directional control. The airplane subsequently travelled off the end of the runway into an engineered materials arresting system, where it came to rest upright.

A Federal Aviation Administration (FAA) inspector stated that he traveled to FLL 2 days after the accident to examine the wreckage in a hangar. By that time, the pilot had begun repairs without authorization. The pilot stated that he removed and shipped the left brake assembly out for service; however, he could not provide the location of where the left brake assembly was sent. The inspector observed substantial damage to the airplane’s lower forward fuselage. He also noted a large flat spot on the left main landing gear tire and several cuts on the side walls of the tire. He observed that the left main landing gear brake hose was capped. It contained fluid and no evidence of leaks were observed.

Pilot Information

Certificate:	Airline transport	Age:	70,Male
Airplane Rating(s):	Single-engine land; Single-engine sea	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	Airplane	Second Pilot Present:	No
Instructor Rating(s):	Airplane single-engine; Instrument airplane	Toxicology Performed:	
Medical Certification:	Class 1 With waivers/limitations	Last FAA Medical Exam:	March 14, 2023
Occupational Pilot:	Yes	Last Flight Review or Equivalent:	September 26, 2022
Flight Time:	19269 hours (Total, all aircraft), 14850 hours (Total, this make and model), 19126 hours (Pilot In Command, all aircraft), 227 hours (Last 90 days, all aircraft), 104 hours (Last 30 days, all aircraft), 2 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Cessna	Registration:	N404PJ
Model/Series:	402 C	Aircraft Category:	Airplane
Year of Manufacture:	1981	Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	402C0513
Landing Gear Type:	Retractable - Tricycle	Seats:	10
Date/Type of Last Inspection:	August 11, 2022 100 hour	Certified Max Gross Wt.:	7210 lbs
Time Since Last Inspection:	50 Hrs	Engines:	2 Reciprocating
Airframe Total Time:	11075 Hrs as of last inspection	Engine Manufacturer:	Continental
ELT:	C91A installed, not activated	Engine Model/Series:	TSIO-520-VB
Registered Owner:	FIRST CLASS AIR CHARTER LLC	Rated Power:	325 Horsepower
Operator:	FIRST CLASS AIR CHARTER LLC	Operating Certificate(s) Held:	On-demand air taxi (135)

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	KFLL, 65 ft msl	Distance from Accident Site:	0 Nautical Miles
Observation Time:	16:15 Local	Direction from Accident Site:	0°
Lowest Cloud Condition:	Few / 1300 ft AGL	Visibility	2.5 miles
Lowest Ceiling:	Broken / 3800 ft AGL	Visibility (RVR):	
Wind Speed/Gusts:	9 knots /	Turbulence Type Forecast/Actual:	None / None
Wind Direction:	10°	Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	29.96 inches Hg	Temperature/Dew Point:	22°C / 21°C
Precipitation and Obscuration:	Moderate - None - Mist		
Departure Point:	Nassau, OF (MYNN)	Type of Flight Plan Filed:	VFR
Destination:	Ft. Lauderdale, FL	Type of Clearance:	VFR
Departure Time:	14:50 Local	Type of Airspace:	Class C

Airport Information

Airport:	Fort Lauderdale/Hollywood International Airport FLL	Runway Surface Type:	Concrete
Airport Elevation:	65 ft msl	Runway Surface Condition:	Wet
Runway Used:	10R	IFR Approach:	None
Runway Length/Width:	8000 ft / 150 ft	VFR Approach/Landing:	Full stop; Traffic pattern

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:	6 None	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	7 None	Latitude, Longitude:	26.071667, -80.149694(est)

Administrative Information

Investigator In Charge (IIC):	Gretz, Robert
Additional Participating Persons:	Michael Torrent; FAA/FSDO; Miramar, FL
Original Publish Date:	June 12, 2024
Last Revision Date:	
Investigation Class:	Class 3
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.nts.gov/Docket?ProjectID=107043

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).