



Aviation Investigation Final Report

Location:	Ennis, Montana	Accident Number:	WPR23LA331
Date & Time:	August 31, 2023, 11:00 Local	Registration:	N92NJ
Aircraft:	Beech N35	Aircraft Damage:	Substantial
Defining Event:	Landing gear not configured	Injuries:	2 None
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot reported that during the landing approach he forgot to extend the airplane's landing gear. The airplane subsequently touched down on the runway and the fuselage was substantially damaged. The pilot reported that there were no preimpact mechanical malfunctions or failures of the airplane that would have precluded normal operation.

Probable Cause and Findings

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

The pilot's failure to extend the landing gear before landing.

Findings

Personnel issues	Forgotten action/omission - Pilot
Personnel issues	Use of equip/system - Pilot
Personnel issues	Attention - Pilot
Aircraft	Gear extension and retract sys - Not used/operated

Factual Information

History of Flight

Landing	Landing gear not configured (Defining event)
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Pilot Information

Certificate:	None	Age:	60
Airplane Rating(s):	Single-engine land	Seat Occupied:	Left
Other Aircraft Rating(s):	None	Restraint Used:	3-point
Instrument Rating(s):	None	Second Pilot Present:	
Instructor Rating(s):	None	Toxicology Performed:	
Medical Certification:	Class 3 With waivers/limitations	Last FAA Medical Exam:	February 26, 2023
Occupational Pilot:	No	Last Flight Review or Equivalent:	September 17, 2022
Flight Time:	504 hours (Total, all aircraft), 391 hours (Total, this make and model), 504 hours (Pilot In Command, all aircraft), 38 hours (Last 90 days, all aircraft), 27 hours (Last 30 days, all aircraft), 5 hours (Last 24 hours, all aircraft)		

Aircraft and Owner/Operator Information

Aircraft Make:	Beech	Registration:	N92NJ
Model/Series:	N35	Aircraft Category:	Airplane
Year of Manufacture:	1960	Amateur Built:	
Airworthiness Certificate:	Normal	Serial Number:	D-6604
Landing Gear Type:	Retractable - Tricycle	Seats:	4
Date/Type of Last Inspection:	September 15, 2022 Annual	Certified Max Gross Wt.:	3125 lbs
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:	4615.71 Hrs at time of accident	Engine Manufacturer:	Continental
ELT:	C91 installed, not activated	Engine Model/Series:	IO-529 BA
Registered Owner:	REGISTRATION PENDING	Rated Power:	285
Operator:	REGISTRATION PENDING	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	KDLN, 5199 ft msl	Distance from Accident Site:	38 Nautical Miles
Observation Time:	07:53 Local	Direction from Accident Site:	
Lowest Cloud Condition:		Visibility	
Lowest Ceiling:		Visibility (RVR):	
Wind Speed/Gusts:	/	Turbulence Type Forecast/Actual:	/
Wind Direction:		Turbulence Severity Forecast/Actual:	/
Altimeter Setting:		Temperature/Dew Point:	0°C / 0°C
Precipitation and Obscuration:			
Departure Point:	Portland, OR (KTTD)	Type of Flight Plan Filed:	None
Destination:	Ennis, MT (KEKS)	Type of Clearance:	VFR
Departure Time:	11:00 Local	Type of Airspace:	Class E

Airport Information

Airport:	Ennis Big Sky Airport KEKS	Runway Surface Type:	Asphalt
Airport Elevation:	5432 ft msl	Runway Surface Condition:	Dry
Runway Used:	16	IFR Approach:	None
Runway Length/Width:	7600 ft / 100 ft	VFR Approach/Landing:	Straight-in

Wreckage and Impact Information

Crew Injuries:	1 None	Aircraft Damage:	Substantial
Passenger Injuries:	1 None	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	2 None	Latitude, Longitude:	45.275725,-111.64891

Administrative Information

Investigator In Charge (IIC):	Basti, Paymaun
Additional Participating Persons:	John Portillo; FAA; Helena, MT
Original Publish Date:	January 4, 2024
Last Revision Date:	
Investigation Class:	Class 4
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.nts.gov/Docket?ProjectID=192980

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](#).