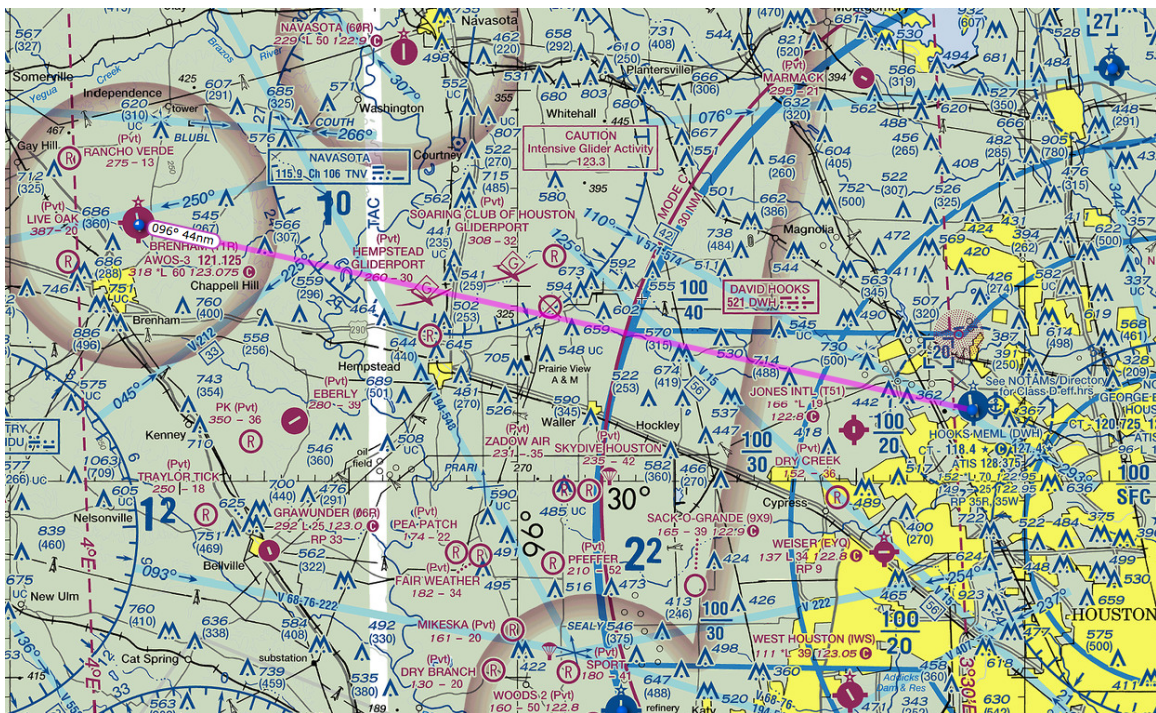


The short 44 nm flight from Brenham (11R) to Hooks Memorial (KDWH) had been fine. (See route below) Sunshine and clear air all the way with a rapidly moving high-pressure system coming into the area. You flew under the outer shelf at 2,900 MSL and then dropped down to 1,900 MSL for the inner shelf. You noted upon landing that the altimeter was reading 020' MSL instead of the field elevation of 157' MSL – Whoops, you forgot to reset your altimeter ever since you took off from KHYI that morning. Oh well, no big deal, you were in ridiculous VFR all the way. But wait, read a little more.

As you secure the airplane one of the linemen passes you a note; you are to call Houston ARTCC – they noted you violated the Class B airspace.

The controller is not happy and doesn't accept any excuses. He says he intends to file a complaint since you violated the Class B airspace twice and caused him to reassign aircraft to different altitudes that were landing at KIAH coming in from the northwest. That high pressure had caused your altimeter to read lower than you actually were so you violated both the outer and lower shelf altitude limits.



What to do? Does this mean your pilot license will be revoked? Perhaps not. You reach into your flight bag and pull out your iPad. A potential get out of jail card is just a few keystrokes away.

NASA's **Aviation Safety Reporting System** allows a pilot to file a confidential report within 10 days of notification of the incident or notification by the FAA that they intend to take action against you.

AOPA legal says; "... the ASRS enables pilots to do is to possibly avoid the imposition of a sanction. In FAA Advisory Circular 00-46E, the FAA says that it will waive the penalty in an enforcement action if the pilot can show that he or she filed a timely NASA report and has otherwise satisfied the criteria for a waiver. To qualify for the waiver, the pilot must be able to show that the report was filed within 10 days of the flight event. The identification strip that you receive back in the mail or the



confirmation page that you get on the Internet can demonstrate the timely filing. In December 2011, the FAA relaxed this 10-day requirement a little bit by providing that the report be submitted within 10 days of when the pilot became aware or should have been aware of the violation. This change allows the program to apply in those instances where a pilot simply did not know that something had occurred during a flight until the FAA contacts that pilot. Also, to qualify for the waiver, the conduct must have been inadvertent and not deliberate, and it must not involve a lack of qualifications or competency. Finally, the pilot must not have been found in a prior FAA enforcement action to have committed a violation within the preceding five years."

So what you might do is explain in your report that you learned to get timely altimeter updates to ensure you are flying at the correct altitude.

But remember, this is only going to get you out of jail once in a 5-year period. AOPA goes on to clarify the program; "When investigating or bringing an enforcement action against a pilot, the FAA may not inquire about whether a pilot has filed a report. The information you provide is meant to be confidential so that it is not used against you. This allows you to elaborate in the report as much as may be needed to fully describe the safety concern. Do not provide the inspector with the NASA report.

A very common misunderstanding about NASA reports is the belief that a pilot can only file a report once in five years. Not true! A pilot can file as many reports as he or she wants to, for as many concerns that he or she may have about the system. The only restriction that applies is that a pilot may not take advantage of the program to waive the penalty if the pilot has had another enforcement action and been found to have violated the regulations within the preceding five years. File as many reports as you want to file, but we would advise against filing a report that involves an accident or criminal behavior."

So how might this play out? Assuming the controller does file against you and the FAA contacts you, simply show them the receipt you have for the incident. Do not show them the report, as this is a confidential report you gave to the NASA reporting system. Likely it will stop there with an admonishment to be more diligent in updating your altimeter. However, the FAA can, at any time, take action if they believe pilot competency is an issue. Is forgetting to reset the altimeter a competency issue? Maybe/maybe not...

Also, do not file a report in the case of an accident or any criminal behavior on your part.

Here is the website to ASRS including online reporting: <http://asrs.arc.nasa.gov/>