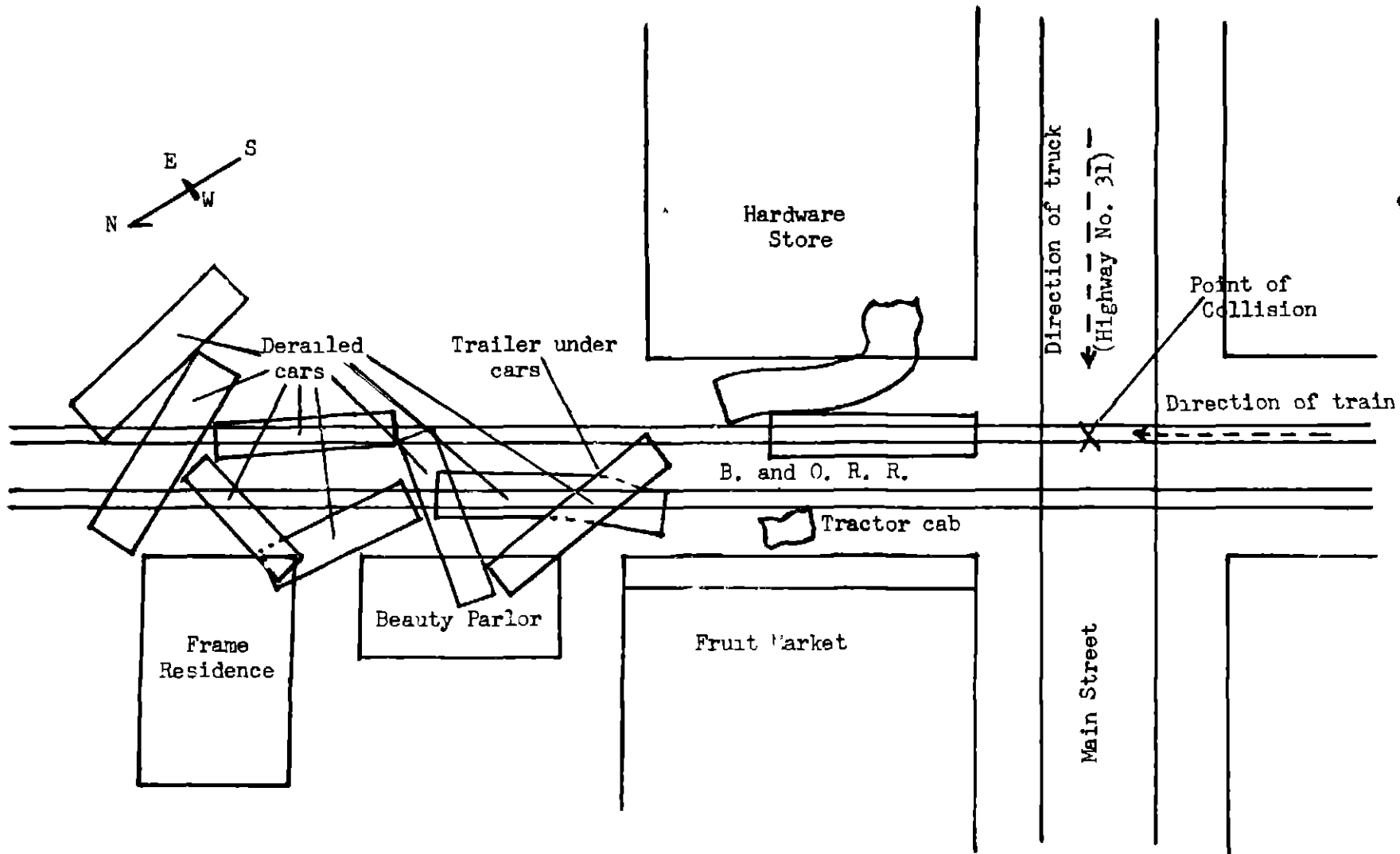


INTERSTATE COMMERCE COMMISSION  
WASHINGTON

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REPORT NO. 3665  
MOTOR CARRIER INVESTIGATION REPORT NO. 13  
BALTIMORE AND OHIO RAILROAD COMPANY  
SOPHIE LINES, INCORPORATED  
IN RE ACCIDENT  
AT WEST NEWTON, PA., ON  
OCTOBER 4, 1955.

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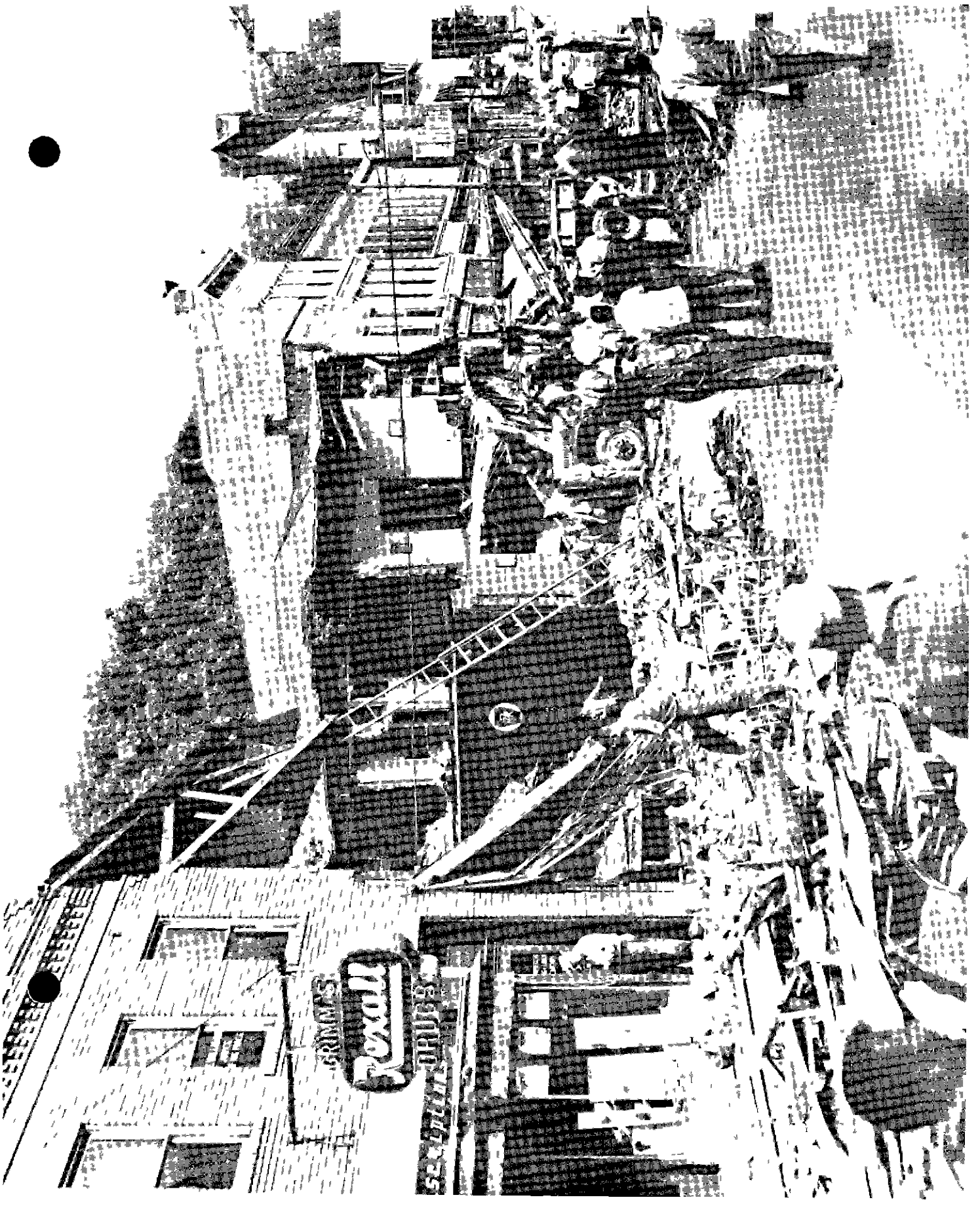


REPORT NO. 3665

MOTOR CARRIER INVESTIGATION REPORT NO. 13

Accident in West Newton, Pa.

October 4, 1955.



GRIMM'S  
**Royal**

SEATTLE  
HOTELS

SEATTLE  
HOTELS

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SUMMARY

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Date: October 4, 1955.

Railroad: Baltimore and Ohio

Motor carrier: Sophie Lines, Incorporated

Location: West Newton, Pa.

Kind of accident: Collision

Equipment involved: Freight train : Truck-tractor  
: and semitrailer

Train number: Extra 829 West

Locomotive number: Diesel-electric units  
829-A, 833-X and 829-0

Consist: 70 cars, caboose

Speeds: 30 m.p.h. : Undetermined

Operation: Signal indications

Tracks: Double; tangent; level

Highway: Two-lane

Weather: Clear

Time: 1.03 p.m.

Casualties: 5 killed; 2 injured

Cause: Failure to stop truck-tractor and  
semitrailer short of train moving  
over a rail-highway grade crossing

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## INTERSTATE COMMERCE COMMISSION

REPORT NO. 3665

IN THE MATTER OF MAKING ACCIDENT INVESTIGATION REPORTS UNDER  
THE ACCIDENT REPORTS ACT OF MAY 6, 1910, AND THE MOTOR  
CARRIER ACT OF AUGUST 9, 1935, AS AMENDED.

BALTIMORE AND OHIO RAILROAD COMPANY  
SOPHIE LINES, INC., WASHINGTON, D. C.

January 9, 1956.

Accident at West Newton, Pa., on October 4, 1955, caused by  
failure to stop a motor-truck and trailer short of a  
train moving over a rail-highway grade crossing.

REPORT OF THE COMMISSION

1/ 2/

CLARKE and TUGGLE, COMMISSIONERS:

On October 4, 1955, there was a collision between a  
freight train on the Baltimore and Ohio Railroad and a motor-  
truck and trailer at a rail-highway grade crossing at West  
Newton, Pa., which resulted in the death of the driver of the  
motor-truck and four other persons, and the injury of two  
persons.

1

Under authority of section 17 (2) of the Interstate Commerce  
Act the above-entitled proceeding was referred by the Commis-  
sion to Commissioner Clarke for consideration and disposition.

2

Authority to issue and release motor carrier accident in-  
vestigation reports (except those in which testimony is taken at  
a public hearing) was delegated to Commissioner Tuggle, December  
20, 1954.

### Location of Accident and Method of Operation

This accident occurred on that part of the Pittsburgh Division extending between Connellsville and Pittsburgh, Pa., 57.8 miles. In the vicinity of the point of accident this is a double-track line, over which trains moving with the current of traffic are operated by signal indications. The main tracks from north to south are designated as No. 1, westward, and No. 2, eastward. The accident occurred on track No. 1 at a point 24.38 miles west of Connellsville and 538 feet west of the station at West Newton, where the railroad is crossed at grade by Main Street (Pennsylvania Highway No. 31). From the east on the railroad there are, in succession, a tangent 371 feet in length, a 3° curve to the right 395 feet, and a tangent 495 feet to the point of accident and 175 feet westward. At the point of accident the grade is practically level.

In the vicinity of the point of accident, west-bound trains by timetable direction move generally from south to north by compass directions. Pennsylvania Highway No. 31 runs generally east and west, and crosses the rail line at right angles. Both Main Street and the P. & C. tracks are flanked by sidewalks with commercial structures fronting upon them. These buildings prevent the engineer of a west-bound train from seeing traffic approaching on Main Street, until he actually enters the intersection, although he has an unobstructed view of the intersection for more than 700 feet. Similarly, the driver of a highway vehicle approaching from the east, as did the Sophie Lines truck, cannot see an approaching train until it reaches the intersection although he has a clear line of vision of the intersection for about 700 feet.

The crossing is well marked with standard railway signs, and a crossing watchman is on duty there 24 hours a day. There is a whistle post approximately 1000 feet south of the crossing.

Approaching the location from the east, as did the motor vehicle, a 5% upgrade 550 feet in length is encountered at a distance of .7 mile from the rail crossing. Near the bottom of this grade is a sign warning truck drivers of the steep hill leading into West Newton. This sign reads "DAVEY HILL - All Trucks Shift to Low Gear". At the top of this hill the highway enters a curve of nearly 40 degrees to the right, 275 feet in length, and begins to descend into West Newton on a grade of more than 9%, 400 feet beyond the curve is a sign reading "SLOW". Four hundred feet farther down the hill is a sign warning all truck drivers to stay in low gear. At short intervals other warning signs appear. They read "35.00 FINE Trucks Must Stay in Low Gear"; "SPEED TRAP - Speed Trap in Operation"; "TRAFFIC SIGNAL AHEAD", and "NO PASSING ZONE".

The descending grade reaches a maximum of 10.5% about 500 feet from the crossing. From this point it decreases, and is level at the grade crossing. About 4 of a mile east of the crossing, the roadway widens from 22 to 32 feet. At the crossing the pavement measures 32 feet in width.

The rail carrier's operating rules read in part as follows

#### ENGINE WHISTLE SIGNALS

14. \* \* \*

Note. -- The signals prescribed are illustrated by "o" for short sounds and "—" for longer sounds. \* \* \*

Sound.

Indication.

\* \* \*

(1) — — o —

approaching public crossings at grade, to be prolonged or repeated until crossing is reached.

\* \* \*

18. The headlight will be displayed to the front of every train by day and night. \* \* \*

The maximum authorized speed for freight trains is 45 miles per hour, but is restricted to 30 miles per hour in the vicinity of the point of accident

Ordinance No 1954-3 of the Borough of West Newton requires that all trucks descend the grade on Main Street east of the crossing in low gear.

#### The Motor Carrier

Sophie Lines, Inc., incorporated under the laws of the District of Columbia and using a Washington, D. C. mailing address is actually operated from Henderson, N. C. The company holds no authority to transport property for hire in interstate commerce, but frequently leases its three tractor-semitrailer combinations to lumber dealers for interstate runs and to certificated motor carriers for return trips. This use of the Sophie Line equipment by authorized motor carriers has been an important factor in continuing these vehicles in operation over the highways. At the time of the accident the vehicle was being operated by Sophie Lines, Inc. transporting 13,451 board feet of pine lumber, for hire, from Taylor and Thayer, Louisburg, North Carolina, consigned to a customer in Elizabeth, Pennsylvania. The vehicle was loaded at Louisburg on the morning of October 3rd, and was weighed at the Hi-Way Terminal one mile north of Henderson, North Carolina, in the

early afternoon of that date. No record of the weight, however, has been found. Based on data in Marks Handbook, if the lumber was "well seasoned", this cargo weighed over 43,000 pounds. If "shipping dry" it weighed 45,733 pounds; and if green, 60,529 pounds. It was not learned into which category this shipment fell.

### The Motor Vehicle

The tractor of the highway combination was a 1950 Chevrolet, 3100 Series, with two-speed rear axle. The brakes on this vehicle were vacuum over hydraulic. The tractor was also equipped with an air compressor and a compressed air reservoir. This unit was so completely demolished that inspection after the accident revealed little information as to its mechanical condition. Brake linings on the front wheels were found to be in good condition with from 70 to 80 percent of the original thickness remaining. The brake drums on these wheels also were in good condition. The semitrailer was a 1948 Black Diamond with tandem axles and air brakes. This unit was much less severely damaged than the tractor, the tandem axle assembly, with brake equipment attached to it, remaining intact. Brake linings and drums were in good condition and brake adjustment appeared satisfactory. Between 70 and 80 percent of the original thickness of brake linings remained unworn. Examination of this vehicle-combination did not disclose failure of any specific part, such as may have caused loss of brakes and so resulted in the accident.

Although exact weights are not available, it is known that the gross weight of the vehicle and its cargo was at least 56,000 pounds and may have exceeded the Pennsylvania limit of 50,000 pounds. This is an excessive load for so light a tractor to handle safely, especially on steep grades.

### The Driver

The driver of the truck had been employed by Sophie Lines as a driver only since September 8, 1955. He held a chauffeur's license issued by North Carolina in 1952, and last renewed on September 3, 1955. He was examined on September 24, 1955, by a physician and found physically qualified to drive in interstate commerce, under Section 191.2 of our Motor Carrier Safety Regulations. It is not known whether or not he was experienced in driving through country in which steep grades are encountered. However, that he was not familiar with Pennsylvania Highway No. 31, on which this accident occurred, is evident from the fact that he found it necessary to ask directions of another truck driver just east of West Newton, Pennsylvania.

The President of Sophie Lines, Inc., employed this driver on the recommendation of another driver. He made one trip with the new man, he said, and upon learning that he could find his way through Washington and Baltimore, was satisfied that he was a sufficiently experienced driver. From then on, he sent him out alone.



The Warrenton Court records have several entries relating to the driver. In 1954 he was found guilty on an assault charge. On June 14, 1955, he was charged with careless and reckless driving. On July 30, 1955, he was involved in an accident in Warren County. The investigating patrolman made the notation "driving on wrong side of road".

There is nothing to show that the President of Sophie Lines, Inc., inquired into this record before hiring him as a driver.

#### Description of Accident

Extra 829 Vest, a freight train west-bound by timetable direction, consisted of Diesel-electric units 829-A, 833-X, and 829-O, coupled in multiple-unit control, 70 cars, and a caboose. The brakes of the train had been tested and had functioned properly when used en route. This train passed NS Tower, 11.1 miles east of West Newton and the last open office, at 12.44 p.m. As the train approached Main Street in West Newton the headlight was lighted, the locomotive bell was ringing, and the grade-crossing whistle signal was sounded. The members of the crew on the locomotive said they saw the crossing watchman at Main Street displaying stop signals for highway traffic. The engineer said that after the locomotive entered the crossing he saw a motor-truck approaching from his right at a distance which he thought was 450 or 500 feet. He was unable to estimate the speed of the vehicle. As the train was moving over the crossing at a speed of 30 miles per hour, as indicated by the tape of the speed-recording device, the second car was struck by the tractor-semitrailer.

It has been developed that, as the tractor-semitrailer approached the crest of the hill on Highway 31 about 3,000 feet east of the grade crossing, it had been necessary to stop behind a bus and two cars which had come to a stop at a regular bus stop. When the other vehicles had moved on, the Chevrolet tractor of the Sophie Lines vehicle had failed to start the heavy load up the 5 percent grade. A start was made, only when the steel-laden vehicle immediately behind the Sophie Lines rig, gave it a push. While stopped at this point, the Sophie driver inquired his way to Elizabeth, indicating his unfamiliarity with the route he was driving. Having passed the hill crest, he started down the other side in low gear range. He made some use of his brakes, but allowed his speed to increase to an estimated 10 or 12 miles per hour. The vehicle rounded a curve to its right, and overtook a road grader traveling 5 miles per hour, followed by three cars, several hundred feet farther down the grade.

The Sophie driver sounded his air horn and pulled to his left, to pass these vehicles. Whether he did this by choice, or because he was unable to check the increasing speed of his vehicle is not known. An east-bound tractor-semitrailer was ascending the hill a short distance west of the road grader, and it was immediately apparent that the Sophie driver was in danger of colliding

with this vehicle before he could clear the grader and return to his own side of the road. Sounding his air horn he released his brakes, shifted to a higher gear, and increased his speed. Although the road grader pulled to its extreme right, the Sophie driver narrowly missed both this vehicle and the oncoming tractor-semitrailer. His speed at this point has been estimated as about 40 miles per hour. The air horn sounded continuously, and the burning stop light indicated that the driver was attempting to check his speed with the brakes. But the heavily laden vehicle continued to accelerate. It held the center of the roadway, and without swerving, crashed into the second car of the freight train.

The train was traveling at 30 miles per hour as shown by its speed-recorder tape. The second to the eleventh cars, inclusive, and the front truck of the twelfth car of the train were derailed. A separation occurred between the first and the second cars, the locomotive and the first car stopped with the front end 595 feet north of the crossing. The derailed cars stopped in various positions on or near the tracks throughout a distance of approximately 200 feet immediately north of the crossing. Derailed equipment struck adjacent buildings. The cab of the motor-truck was torn off and stopped on the west side of the tracks north of the crossing and adjacent to it. The motor-truck and trailer were demolished. The cars crashed into buildings north of the main Street crossing, demolishing a hardware store, a fruit market, and a beauty parlor. Four persons in and near these establishments and the truck driver were killed; two persons were injured.

The weather was clear at the time of the accident which occurred about 1.03 p.m.

During the 30-day period preceding the day of the accident the average daily movement over the crossing was 46.23 trains. During the 24-hour period beginning at 12.01 a.m. October 7, 1955, 7,762 automobiles, 55 buses, and 1,333 motor-trucks passed over the crossing.

#### Discussion

It has not been established by this investigation whether or not some part of the motor vehicle's braking system failed, depriving it of its normal braking action. It has been developed, however, that the gross weight of the vehicle and its load was in excess of 55,000 pounds, much too great to be handled safely by the light tractor being used. That the vehicle was inadequate to its task is shown by the fact that it was unable to start under its own power on a 5% upgrade. It also has been developed that the driver neither held his vehicle to a low speed and in a low gear as he entered the steep down grade, nor steered for the ditch when he found that he could not control his speed, but that he shifted to a higher gear and increased the speed of his heavy rig beyond the possibility of regaining control.

This excessive loading of light equipment, and the use of an unqualified or irresponsible driver, are symptoms of the basic lack of responsibility with which the operation was conducted. Sophie Lines, Inc., was unlawfully transporting lumber in interstate commerce for hire, although its president was aware of the legal requirements and of his company's lack of authority from this Commission to perform such service. Required records relative to driver qualifications, hours of service of drivers, and maintenance of vehicles, were not being kept. Such irregular practices invariably breed unsafe conditions on the highway.

### Conclusions

This tragic accident serves to illustrate the fact that safety cannot be dissociated from other phases of a motor carrier's operations. The contempt for sound regulation which prompted this company to perform unlawful transportation service also led to use of an unqualified driver, to unsafe excesses in loading light equipment, and to failure systematically to maintain its vehicles and its records.

The only course of action which promises a degree of success in our efforts to prevent recurrence of such accidents, is the elimination of irresponsible operations through strict enforcement of all regulations of the Commission against all carriers subject to them. To the extent that this has not been effectively done in the past, it has been due to inadequate staff in our Bureau of Motor Carriers. The Commission will continue to pursue this course to the limit of its facilities and will seek such additional facilities as the task requires.

### Cause

This accident was caused by failure to stop a truck-tractor and semitrailer short of train moving over a rail-highway grade crossing.

Dated at Washington, D. C., this ninth  
day of January, 1956.

By the Commission, Commissioners Clarke and Tuggle.

(SEAL)

HAROLD D. McCOY,  
Secretary.