

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN
ACCIDENT ON THE CHICAGO, ST. PAUL, MINNEAPOLIS & OMAHA
RAILROAD AT OMAHA, NEBR., ON JANUARY 1, 1934.

March 6, 1934.

To the Commission:

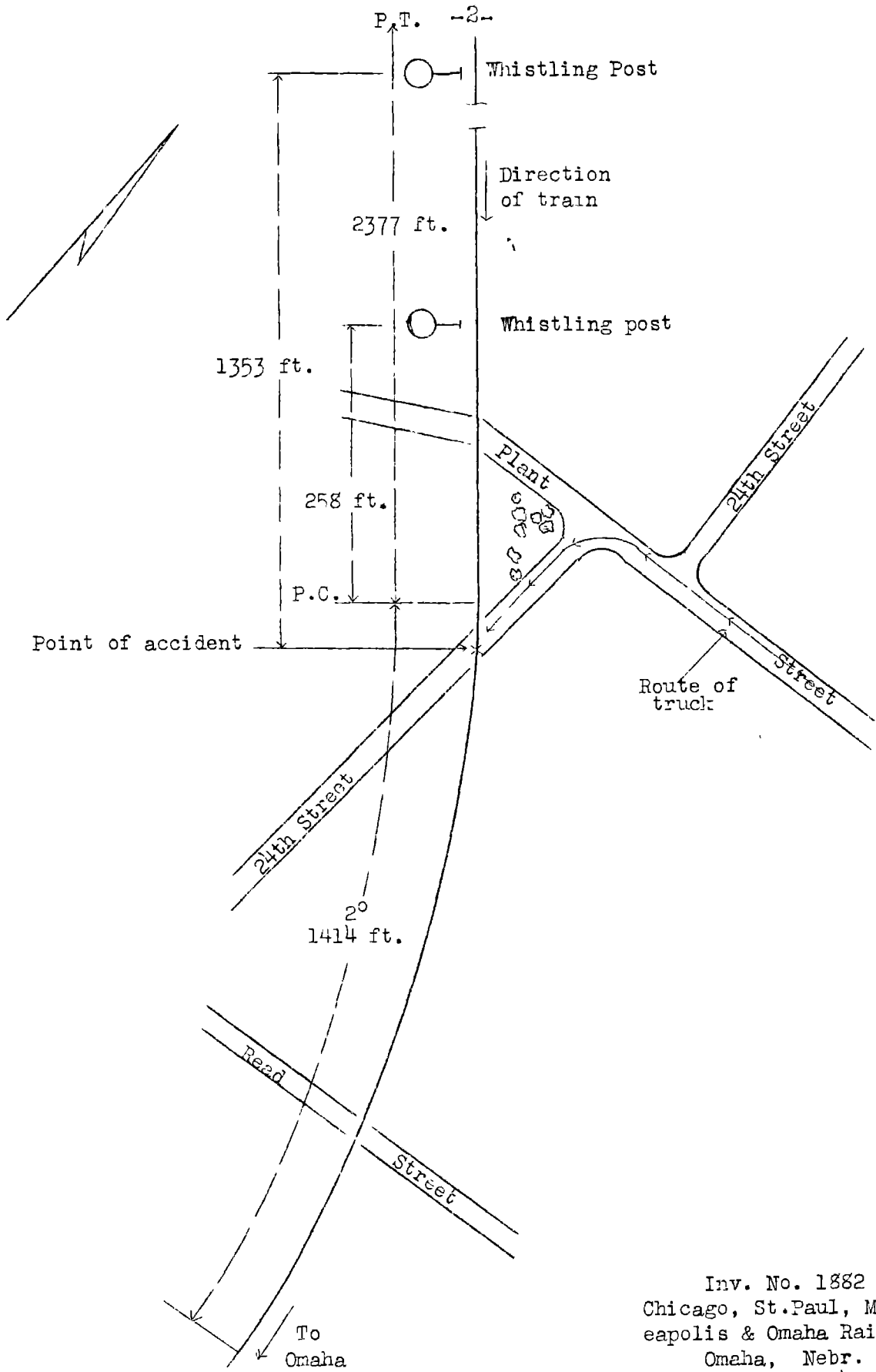
On January 1, 1934, there was a derailment of a passenger train as a result of striking a motor truck at a grade crossing on the Chicago, St. Paul, Minneapolis & Omaha Railroad near Omaha, Nebr., which resulted in the death of 1 employee, the truck driver and his helper, and the injury of 1 employee.

Location and method of operation

This accident occurred on the Omaha Sub-division of the Western Division, which extends between Sioux City, Ia., and Omaha, Nebr., a distance of 123.4 miles; in the vicinity of the point of accident this is a single-track line over which trains are operated by time table, train orders, and a manual block-signal system. The point of accident was within the city limits of Omaha at the point where 24th Street crosses the track at an angle of 50°. Twenty-fourth Street extends north and south by compass direction and time-table directions also are north and south; these latter directions are used in this report, thus making it appear that 24th Street extends east and west. Approaching the point of accident from the north, the track is tangent for a distance of 2,377 feet, followed by a 2° curve to the right 1,414 feet in length, the crossing being located on this curve at a point approximately 20 feet from its northern end. The grade for south-bound trains is 1.2 percent descending approaching the point of accident.

Twenty-fourth Street is a dirt road with the approaches to the crossing covered with cinders, and planked on each side of the rails, with cinders filled in between the inside planks. The grade for west-bound traffic is practically level to within 50 feet from the crossing from which point there is a slight ascending grade to the crossing. This was built a short time ago as a private crossing and there are no signs of any kind protecting it.

The view had by the driver of a west-bound vehicle approaching the crossing was obscured by trees until a point 50 feet from the track was reached, at which point a train could



Inv. No. 1882
 Chicago, St. Paul, Minne-
 eapolis & Omaha Railroad
 Omaha, Nebr.
 Jan. 1, 1934

have been seen for a distance of 1,500 feet.

The weather was partly cloudy at the time of the accident, which occurred about 12:34 p.m.

Description

South-bound passenger Train No. 209 consisted of 1 mail car, 1 baggage car, 2 coaches, and 1 Pullman sleeping car, all of steel construction, hauled by engine 381, and was in charge of Conductor McDonald and Engineman Buxton. This train passed Florence, the last open office, 5.1 miles north of Omaha, at 12:31 p.m., according to the train sheet, 5 minutes late, and collided with the motor truck on the 24th Street crossing at Omaha while traveling at a speed variously estimated to have been between 30 and 50 miles per hour.

The motor truck involved was a 3½ ton GMC truck, 1928 model, with an enclosed cab and open body, equipped with four-wheel brakes and solid tires; it was owned and operated by the City of Omaha. This truck, driven by Charles DeFord, was empty at the time of the accident; it entered 24th Street from Plant Street, about 200 feet from the crossing, and proceeded at a speed of about 6 miles per hour to the track, where it was struck by Train No. 209.

The engine, tender, first two cars, and one wheel of the front truck of the third car were derailed; the engine stopped on its right side to the left of the track in reverse position, about 1,100 feet south of the crossing, with the tender on the road bed in line with the track about 40 feet beyond the engine; the first car remained upright opposite the engine, while the second car remained coupled to the first car leaning slightly to the left. The motor truck was demolished, parts of it being strewn from a point 150 feet south of the crossing to the point where the engine stopped. The employee killed was the engineman and the employee injured was the fireman.

Summary of evidence

Fireman Stark, of Train No. 209, stated that after leaving Florence he left his seat box to put in a fire but resumed his position on the seat box about the time they reached a bridge located about 1,000 feet north of 24th Street crossing. The engineman was already sounding the whistle signal for the crossings at Plant and 24th Streets, Plant Street crossing being located about 250 feet north of 24th Street, and he continued sounding the whistle signal up to the time of the accident, there being several road crossings in this vicinity. The engine bell had been turned on at 30th Street, which is about 1 mile north

of the point of accident, and was still ringing at the time of the accident. Fireman Stark stated that his side window was closed but he had a clear view of the track ahead through the front window. He saw the truck approaching from the east when his train was about 500 or 600 feet from the crossing, the truck being about 30 feet from the crossing. He thought its speed was about 5 or 6 miles per hour and noticed that it came close to the crossing but thought it was going to stop; when it was about 10 feet from the track he realized that it was not going to stop and called a warning to the engineman, but due to the noise of the whistle the engineman did not hear him until he called to him a second time, at which time the engineman applied the brakes in emergency. When he first called the warning his engine was about 100 feet from the crossing, and when he called the second time the truck had reached the first rail. Fireman Stark stated that he had not noticed any reduction in the speed of the truck, the cab windows of which appeared to be closed. As the engine struck the truck it burst into flames, the flames coming back on his side of the engine, and he jumped to the deck and remained there until the engine turned over. He estimated the speed of his train to have been 45 or 50 miles per hour when the emergency application was made and he thought the train had practically stopped when the engine turned over. Fireman Stark further stated that the air brakes had been properly tested before leaving Sioux City and had functioned properly en route, the last application being made on approaching 30th Street at Florence, when the speed was reduced to 15 miles per hour.

Approaching the point of accident Conductor McDonald was standing in the west door of the baggage car; he heard the engineman sound the whistle signals for the crossings, and felt an emergency application of the air brakes when the train was about 50 or 75 feet from the crossing, at which time the speed was about 30 miles per hour.

Roadmaster Daugherty stated that the first mark of derailment was at a point about 29 feet south of the crossing and from this point southward there were indications of oil on the left rail for a distance of nine rail lengths. He understood that 24th Street was not a public crossing, it being constructed similar to a private crossing; the approaches were somewhat rutted by traffic, but he did not find any marks of wheels sliding.

Assistant Foreman Pullis, under whom Truck Driver DeFord worked, stated that DeFord had been employed as a truck driver by the City of Omaha since May, 1933. He was said to have had 14 years' experience in driving trucks, was a licensed

driver, and had taken a physical and visual examination, within 4 months preceding the date of the accident. He was familiar with this locality and had been engaged in hauling material over the crossing for 3 weeks, averaging three trips daily, although this was his first trip with the particular truck involved. Assistant Foreman Pullis further stated that drivers are required to report anything wrong with the trucks and that the trucks are not permitted to be used until inspected by a mechanic; the brakes were last inspected 2 weeks previously. Mr. Pullis also said the truck involved was in good condition and had run 7,000 miles, and that the other occupant of the truck, Glenn Price, who was also killed, was a CWA worker, acting as a helper on the truck. These statements from Assistant Foreman Pullis were obtained by the Commission's inspectors at a hearing held in the office of the city attorney at City Hall, Omaha, at which a representative of the railroad and H. C. Linahan, assistant city attorney, also were present. Mr. Linahan refused to allow Mr. Pullis to answer two important questions; one had to do with the position of the gears as shown by examination of the transmission subsequent to the accident, while the other concerned the instructions issued to city drivers as to how they are to operate their trucks when passing over railroad crossings.

H. G. Watkins and J. W. Walker, eyewitnesses of the occurrence of the accident, stated that as the train approached the crossing the whistle signal was being sounded and the speed of the train was 35 or 40 miles per hour. Mr. Watkins also stated that it appeared to him that no effort was made to stop the truck which was struck about at its cab; he also heard the engine bell ringing. Mr. Walker also said there were tire marks beginning about 10 feet from the track.

General Foreman Welch stated that on his arrival at the scene of the accident he inspected the wheels and brake shoes on the engine and tender and did not find any oil on them nor any flat spots on the tires. The flanges of the wheels were in good condition.

Section Foreman Gradberg stated that the crossing involved was constructed about 2 years prior to the time of the accident; it was put in at the request of a private resident for the use of his horses, and due to the fact that it was a private crossing, no warning signs were installed. From the time it was built, however, the public had used it.

Examination of the track showed the first flange mark on the ties at a point $9\frac{1}{2}$ inches inside of the right rail, beginning about 29 feet south of 24th Street crossing and continuing for about 800 feet to Read Street, where the planks on

this crossing were encountered and the final derailment occurred. This mark probably was made by an engine-truck wheel, and as there were no corresponding marks on the opposite side of the track it is possible that the mate to this wheel may have been supported by some part of the wreckage wedged under the engine truck.

Conclusions

This accident was caused by a motor truck being driven upon a grade crossing directly in front of an approaching train.

Fireman Stark, of Train No. 209, said the truck approached the crossing at a low rate of speed but did not stop, although the engine bell was ringing and the whistle was being blown almost continuously for the various crossings in the vicinity; other evidence supported the fireman's statements. This was a left-hand drive truck and owing to the angle at which the road crossed the track the driver would have had to look to the right in order to see an approaching south-bound train, but after reaching a point 50 feet from the track, he could have had a clear view of the train for a distance of 1,500 feet. He was an experienced driver, familiar with the crossing, and should have realized the necessity for taking adequate precautions before attempting to pass over any railroad crossing at grade.

The Nebraska state law provides as follows:

"Drivers of all trucks shall immediately before crossing any railroad tracks bring their vehicles to a complete stop and carefully look in both directions for approaching trains before crossing said railroad tracks."

The legal department of the City of Omaha advised the Commission's inspectors that the provisions of this law did not apply within the corporate limits of Omaha, and owing to the refusal of the assistant city attorney to allow Assistant Foreman Pullis to state what instructions had been issued to city drivers in connection with the operation of their trucks over railroad crossings, it is not known whether these instructions are in line with the state law or whether they are adequate to provide for the safe operation of the city's vehicles.

This accident adds one more to the already long list of disastrous accidents involving motor vehicles being struck by trains at grade crossings. This particular crossing was not protected in any way, having been installed as a private

crossing although used by the public to some extent. But the Commission's findings in some of its investigations have not indicated that even the most elaborate protective devices that can be provided by a railroad are a successful substitute for the exercise of common sense and good judgment upon the part of the drivers of motor vehicles. The old familiar warning to "Stop, look, and listen," still is sound advice, and its observance by the driver of the truck involved in this accident would, as in practically all the other similar accidents investigated by the Commission, have prevented the occurrence of a serious accident. The unfortunate part of the situation, however, is that accidents of this kind occur all too frequently throughout the country, as evidenced by investigations now being made of similar accidents on the Reading in Pennsylvania and on the Oregon Short Line in Utah; such accidents may be expected to continue to occur until an aroused public opinion prompts the enactment and rigid enforcement of measures which are adequate to put an end to such occurrences.

Respectfully submitted,

W. J. PATTERSON,

Director.