INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY CONCERNING AN ACCIDENT ON THE NEW YORK, ONTARIO AND WESTERN RAILWAY AT SUMMITVILLE, N. Y., ON JULY 24, 1933.

November 28, 1933.

To the Commission:

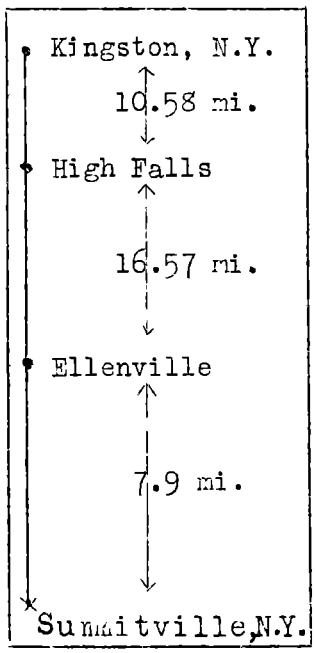
On July 24, 1933, there was a collision between a passenger train and an automobile truck at a grade crossing on the New York, Ontario and Western Railway at Summitville, N. Y., which resulted in the death of 1 employee, and the injury of 1 employee and the driver of the truck.

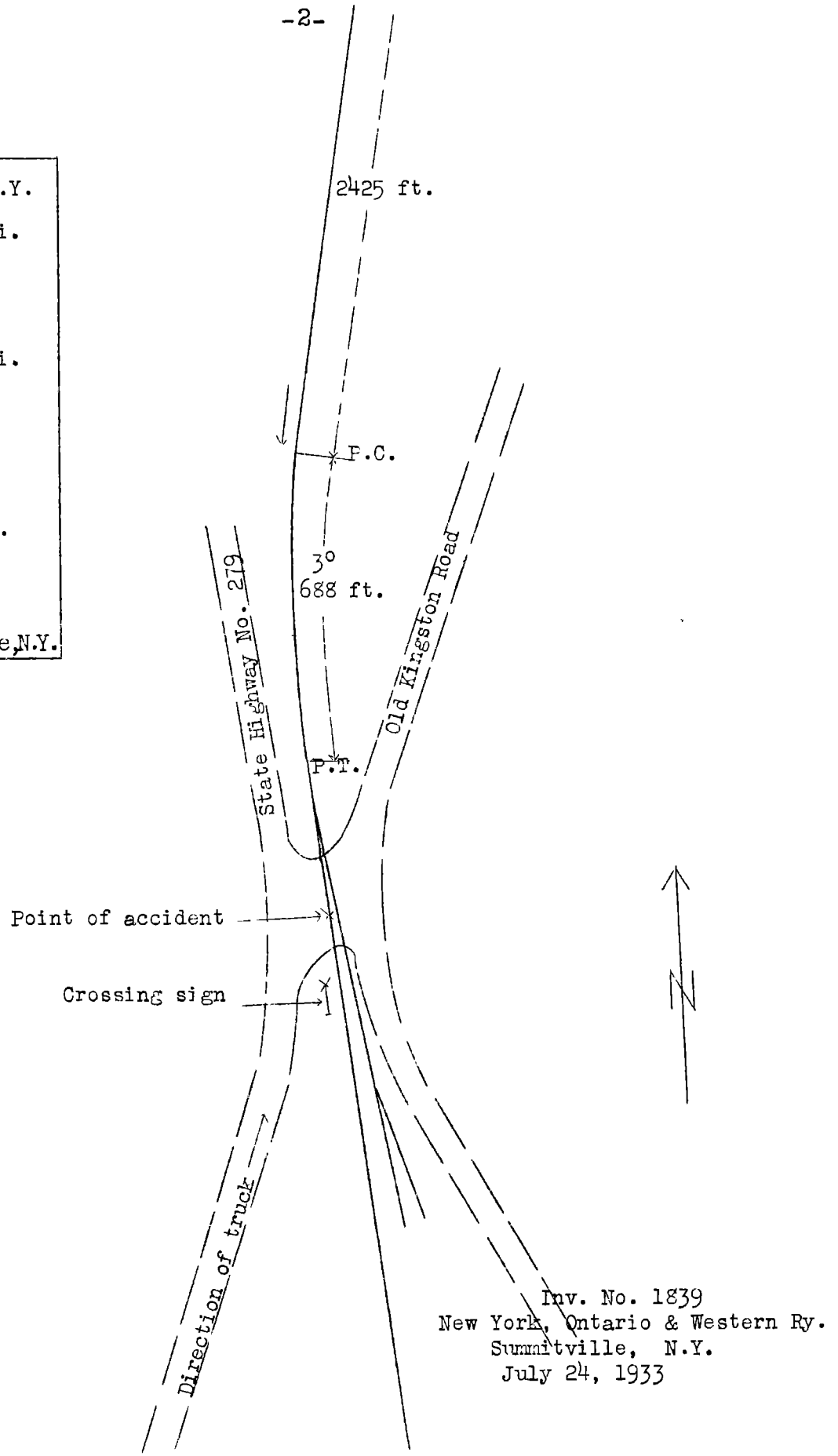
Location and method of operation

This accident occurred on that part of the Port Jervis, Monticello and Kingston District of the Southern Division which extends between Kingston and Summitville, N. Y., a distance of 35.05 miles, which is a single-track line over which trains are operated by time table and train orders, no block-signal system being in use. The point of accident was at a highway crossing about 1,170 feet north of the station at Summitville. Approaching the crossing from the north, the track is tangent for a distance of 2,405 feet, followed by a 3° curve to the left 688 feet in length and then tangent track to the crossing, a distance of about 440 feet, and for a considerable distance beyond that point. The grade at the point of accident is 1 percent ascending for south-bound trains. The maximum authorized speed for trains hauled by engines of the class involved in the accident is 30 miles per hour.

There is a siding on the east side of the main track, the north switch being located 200 feet north of the center line of the crossing. There were no cars on this siding north of the crossing and it was in no way involved in the accident.

In the vicinity of the point of accident state highway no. 279 is located on the west side of the railroad and approaches the track from the southwest, curving to the left and continuing northward on the same side of the track. Old Kingston Road leads off from highway no. 279 to the right at a point approximately 35 feet from the railroad and crosses the tracks in a northeasterly direction at an angle of about 45°. The grade for vehicular traffic is practically level. A diamond-shaped crossing sign, is located on the east side of the tracks and on the south side of Old Kingston Road and the view of this sign is unobstructed when approaching the crossing from the south on the highway. An advertising sign partially obscures the view to be had of a train approaching from the north, but when a vehicle is close to the crossing a south-bound train can be seen for a distance of 950 feet; a clear view of the crossing can be had from the engineman's side of a south-bound train





Inv. No. 1839
New York, Ontario & Western Ry.
Summitville, N.Y.
July 24, 1933

for a distance of 711 feet and from the fireman's side a distance of 880 feet.

The weather was clear at the time of the accident, which occurred about 2 p.m.

Description

South-bound passenger train no. 404 consisted of 1 steel-underframe milk car, 2 wooden coaches, and 1 steel-underframe mail car, in the order named, hauled by engine 240, of the double-cab type, and was in charge of Conductor Titus and Engineman Jackson. This train departed from High Falls, 24.47 miles north of Summitville, at 12:33 p.m., on time, left Ellenville, 16.57 miles beyond, at 1:40 p.m., also on time, and was approaching the station at Summitville when it collided with the motor truck at Old Kingston Road crossing while traveling at a speed estimated to have been between 25 and 30 miles per hour.

The motor truck involved was a $\frac{3}{4}$-ton Sanford truck, 1925 model, equipped with an enclosed cab, and had an open body with removable side boards; at the time of the accident the truck was being driven by Ira Terbush. This truck entered state highway no. 279 about 225 feet south of the entrance to Old Kingston Road and proceeded northward to the intersection, where it entered Old Kingston Road and then continued to the crossing where it was struck by the engine of train no. 404.

The engine, tender, the first two cars, and the forward truck of the third car were derailed, the engine, tender and first car being overturned on their left sides. The engine stopped about 250 feet south of the crossing on the west side of the track, headed north; the leading car stopped opposite the engine on the east side of the track, and the tender, with its cistern torn from the frame, was between the engine and first car; the second and third cars were practically in line with the track. The motor truck was thrown to the south of the roadway and stopped on the west side of the track on its left side with the front end badly damaged and the motor torn out of the frame. The employee killed was the engineman and the employee injured was the fireman.

Summary of evidence

Fireman Scales stated that his train approached the road crossing at a speed of about 25 miles per hour, which was the usual speed in that locality. The engineman sounded the station whistle signal, beginning at the whistling post located approximately 3,325 feet north of the crossing, followed by the usual crossing whistle signal, the last blast of which was sounded when the engine was about 100 feet from the crossing; also the engine bell was ringing. He was riding on the seatbox on the left side of the fireman's cab and was looking ahead, but was unable to see very far on account of the forward cab interfering

with the view and did not see the motor truck approaching the crossing from the opposite side of the track, his first knowledge of anything wrong being when the brakes were applied, followed almost immediately by derailment of the engine.

Conductor Titus said that the brakes were tested after the train was made up and were in proper working order before it departed from the initial terminal, while all station stops en route were made without difficulty. Approaching Summitville he was riding in the rear coach and heard the whistle sounded for the crossing but did not hear the engine bell ringing. He estimated the speed of the train at 25 miles per hour while approaching Summitville and thought he felt a light brake application before the accident occurred, this being made at the usual point preparatory to making the station stop. After the accident he examined the crossing and found a hole gouged out of it, but was unable to determine whether it was caused by the head end of the engine or the motor of the truck being rolled along at this point.

The statements of Trainmen Davison and Kelder, who were in the first coach, were to the effect that the train was traveling between 25 and 30 miles per hour and that they heard the crossing whistle signal sounded at about the usual place. Trainman Kelder felt the brakes apply at a point which he judged was about when the engine reached the north side of the crossing. There was no jar from the impact and he did not know that anything was wrong until the car in which he was riding became derailed after it passed over the crossing. Shortly after the train stopped he got off on the west side; there were no automobiles parked on the east side of the state highway north of the crossing, nor any trains or engines nearby, to interfere with the truck driver's view of the train as it was approaching the crossing.

Truck Driver Terbush stated that he had been driving for the owner of the truck involved in the accident for the past 6 years, and also had had previous experience in driving trucks. He had passed over Kingston Road crossing frequently, sometimes five or six times daily and also was familiar with train schedules. When he entered the state highway on the day of the accident he followed a large moving van to the entrance to Kingston Road, this moving van shutting off his view of the track north of the crossing. As soon as he turned into Kingston Road he looked in both directions but saw no train approaching, and as the view then was obscured he did not look again towards the north until his truck was 4 or 5 feet from the track when he observed the engine of the approaching train not more than 15 feet from the crossing. Realizing that at the speed the truck was traveling, about 10 miles per hour, he would be unable to cross the track ahead of the train he immediately applied the brakes and brought the truck to a stop with its forward end on the track, and then started backing up, but the truck had moved a distance of only about 2 feet before it was struck by the engine. He did not

hear the engine whistle sounded or the bell ringing while approaching the crossing, and there was nothing unusual to attract his attention except to look out for the heavy traffic on the highway.

Daniel P. Adams, owner of the truck involved, said Mr. Terbush had been in his employ for 6 or 7 years as a truck driver, and he considered him a very capable and careful driver. He said Mr. Terbush passed over the crossing with the truck several times each week and should be familiar with conditions existing at that point, as well as the schedules of trains. He further stated that while he did not consider this to be a particularly dangerous crossing, yet the driver of a vehicle has to be careful in passing over it as the traffic on the highways on both sides of the track requires additional attention on the part of a driver, and it was his idea that better protection at the crossing should be provided.

Harry G. Wohlmacher stated that a short time before the occurrence of the accident he was approaching from the south on the state highway when a truck was driven out on the highway from the D. B. Adams store and started moving northward ahead of him. Upon reaching a point about opposite the store he heard an engine whistle and a short time later heard an engine bell ringing. He followed the truck until it turned into Kingston Road and at that time he observed the train approaching about 50 feet from the crossing. The truck continued without stopping and just about the time the front end of the truck moved upon the crossing the train struck it. He could not estimate the speed of the train, but thought the truck was moving at a speed of about 15 miles per hour at the time of the accident.

Emma Galloway stated that she was near the crossing at the time of the accident and saw the truck approaching and also heard the engine whistle being sounded. The truck continued without reducing speed and just as it reached the crossing the front ends of the engine and truck came together. She said the train approached the crossing at the usual rate of speed, and estimated that the truck was traveling about 20 or 25 miles per hour. Several other residents in the vicinity, none of whom had seen the train or truck prior to the accident, said they heard the engine whistle sounded while the train was approaching the crossing.

An inspection of the equipment and track after the accident disclosed marks on the outside edge of the bracket that supports the steps back of the engine pilot beam, on the right side, indicating that this bracket had struck the right forward end of the frame of the motor truck, causing the frame to spread, which in turn broke the castings holding the motor, allowing the motor to drop and be forced out against the pilot of the engine. The pilot was bent back under its beam and a large hole was made in the dirt at about the center of the crossing, evidently followed by the derailment of the pony-truck wheels; the first

flange marks appeared on the ties about 77 feet from the point of collision and from this point southward the track was badly damaged by the derailed equipment.

Conclusions

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

The evidence indicates that as the train was approaching the crossing, a crossing whistle signal had been sounded and that the engine bell was ringing, but for some reason these warnings were not heard by the driver of the truck. He said he followed a large moving van while on highway no. 279, this van obstructing his view to the north until he turned into Old Kingston Road, where he had to observe traffic from several angles and did not see the train approaching until his truck had almost reached the crossing. He said he applied the brakes immediately and stopped the truck with its forward end across the track, and then began backing up but was unable to clear the crossing in time to avert the accident; other witnesses, however, stated that the truck did not stop before the collision occurred.

The driver of this truck had had several years of experience and was thoroughly familiar with the surroundings in the vicinity of the crossing, as well as with the time of scheduled trains and the somewhat obscured view; under these conditions he should have ascertained beyond any question, stopping if necessary, whether a train was approaching before attempting to cross the track.

During the 30-day period prior to the accident there was an average of slightly more than eight trains passing over this crossing daily. Physical characteristics and highway traffic conditions at this point are such that at times the driver of a vehicle must use more than ordinary precaution, and the use of grade crossing devices which would indicate when a train was approaching the crossing would materially increase safety. The view of the track toward the north was partially obscured by an advertising sign which, according to one of the prints furnished by the carrier, is located on the railroad right-of-way. In a location such as this where safety depends principally upon users of the highway observing whether or not a train is approaching, the view of the track from the highway approaches to the crossing should be kept free from unnecessary obstructions. At this crossing the view could be materially improved by removal of the advertising sign.

Respectfully submitted,

W. P. BORLAND,

Director.