

INTERSTATE COMMERCE COMMISSION
WASHINGTON

INVESTIGATION NO. 2492
THE PENNSYLVANIA RAILROAD COMPANY
REPORT IN RE ACCIDENT
AT WEST TERRE HAUTE, IND., ON
MARCH 27, 1941

SUMMARY

Railroad: Pennsylvania
Date: March 27, 1941
Location: West Terre Haute, Ind.
Kind of accident: Collision at highway grade-crossing
Equipment involved: Passenger train : Motor-truck
Train number: 6
Engine number: 5381
Consist: 11 cars
Speed: 60-70 m. p. h. : 15-35 m. p. h.
Operation: Timetable, train orders and
automatic block system
Track: Double; tangent; level
Highway: Tangent; crosses tracks at angle of
96°22'30"; 2.9 percent ascending
grade southward
Weather: Clear
Time: About 4:52 a. m.
Casualties: 3 injured
Cause: Accident caused by motor-truck being
driven upon highway grade crossing
immediately in front of approaching
train

INTERSTATE COMMERCE COMMISSION

INVESTIGATION NO. 2492

IN THE MATTER OF MAKING ACCIDENT INVESTIGATION REPORTS UNDER
THE ACCIDENT REPORTS ACT OF MAY 6, 1910.

THE PENNSYLVANIA RAILROAD COMPANY

July 9, 1941

Accident at West Terre Haute, Ind., on March 27, 1941, caused
by motor-truck being driven upon highway grade crossing
immediately in front of approaching train.

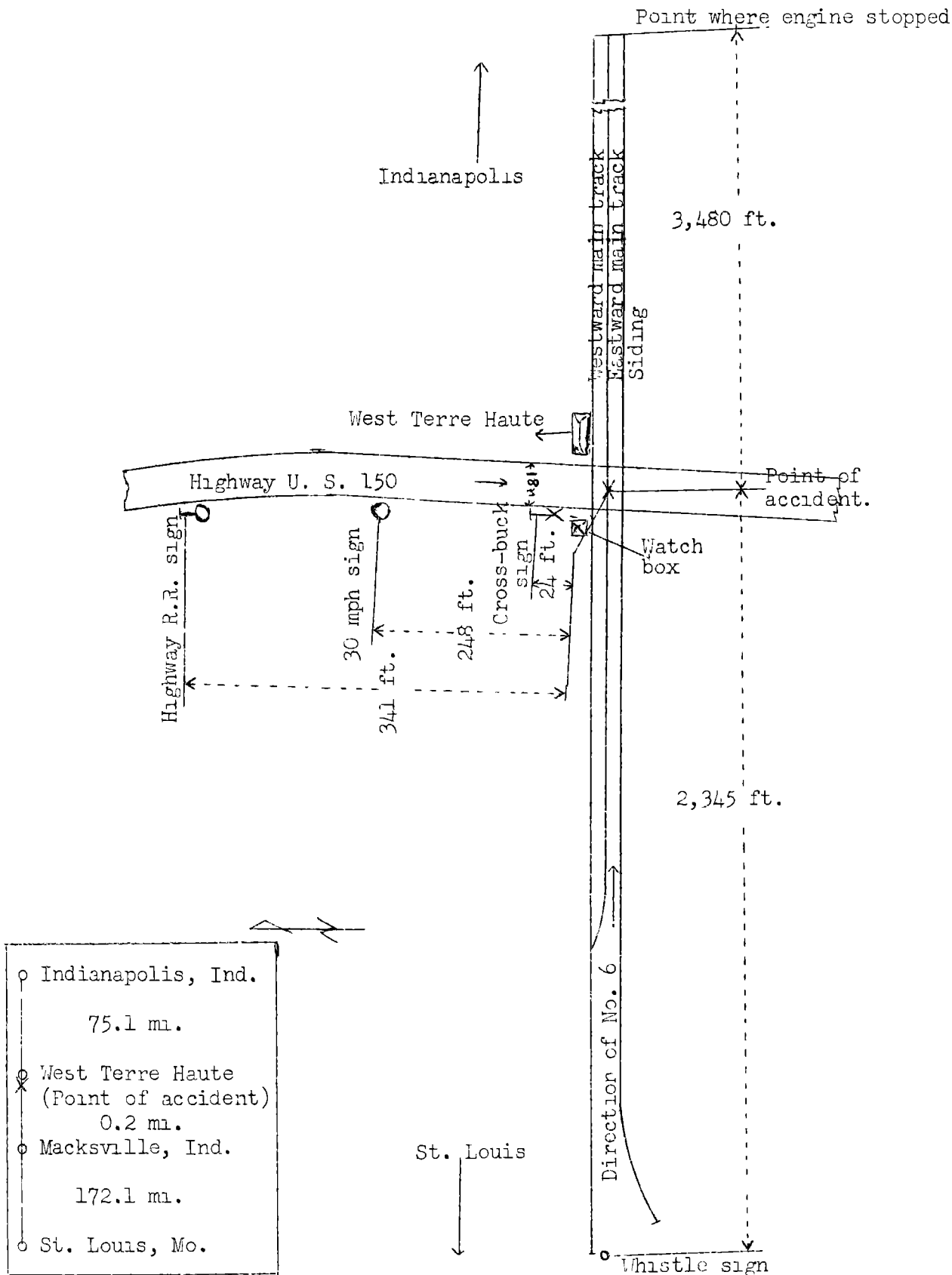
REPORT OF THE COMMISSION¹

PATTERSON, Commissioner:

On March 27, 1941, there was a collision between a passenger train and a motor-truck on the Pennsylvania Railroad at a highway grade crossing at West Terre Haute, Ind., which resulted in the injury of two railroad employees and the driver of the motor-truck. This investigation was made in conjunction with a representative of the Public Service Commission of Indiana.

¹

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



o Indianapolis, Ind.	
	75.1 mi.
o West Terre Haute (Point of accident)	
	0.2 mi.
o Macksville, Ind.	
	172.1 mi.
o St. Louis, Mo.	

Inv. No. 2492
 Pennsylvania Railroad
 West Terre Haute, Ind.
 March 27, 1941

Location and Method of Operation

This accident occurred on that part of the St. Louis Division which extends between St. Louis, Mo., and Indianapolis, Ind., a distance of 247.4 miles. In the immediate vicinity of the point of accident this is a double-track line over which trains are operated by an automatic block-signal system, the indications of which supersede time-table superiority and take the place of train orders. The accident occurred on the eastward main track at a point 74 feet west of the station at West Terre Haute where the railroad is crossed at grade by Highway U S 150. At the crossing a siding parallels the eastward main track on the south. As the point of accident is approached from the west on the railroad the track is tangent 3,795 feet to the crossing and 2,691 feet beyond. The grade is practically level. The highway crosses the tracks at an angle of $96^{\circ}22'30''$. As the point of accident is approached on the highway from the north there are, in succession, a long tangent to a point about 550 feet north of the crossing, a slight curve to the right 150 feet long, a tangent 125 feet, a slight curve to the right 125 feet, and a tangent extending 150 feet to the crossing and beyond. The grade is 2.9 percent ascending throughout a distance of 50 feet immediately north of the crossing. The highway is paved with brick, is about 18 feet wide, and is in fair condition. The crossing is paved with macadam, is about 20 feet wide, and is well maintained.

The crossing is protected by a watchman. The watchman's house is in the northwest angle of the crossing. In addition, on the west side of the highway north of the crossing there are a railroad crossing sign provided with red reflector buttons, a 30-mile-per-hour speed restriction sign, and a standard Pennsylvania Railroad cross-buck sign located, respectively, 341 feet, 248 feet and 24 feet north of the north rail of the westward main track.

Throughout a distance of 832 feet north of the crossing the driver of a south-bound vehicle on the highway can have a clear view of a train approaching from the west a distance of 3,225 feet.

A whistle sign for east-bound trains is located 2,345 feet west of the crossing involved.

Rule 832 of the operating department reads in part as follows:

INSTRUCTIONS TO HIGHWAY CROSSING WATCHMEN AND GATEMEN.

* * *

When a train or engine is approaching, watchman must place themselves in the middle of the highway, near the track, * * *. By night, * * *, they will take the same position and protect crossing with Red Lamp, displayed toward the highway in both directions, * * *.

Special timetable instructions read in part as follows:

S7. ENGINE WHISTLE SIGNALS.

D701 - Rule 14 (1) amplified:

<u>Sound</u>	<u>Indication</u>
— — — ° °	Approaching public crossings at grade, to be prolonged or repeated until crossing is reached unless otherwise provided; * * *.

Section 102 of the act of 1939 of the state of Indiana regulating traffic on highways reads in part as follows:

Certain Vehicles Must Stop at All Railroad Grade Crossings.

(a) The driver of any motor vehicle carrying passengers for hire, * * *, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet, but not less than ten feet, from the nearest rail of such railroad and while so stopped, shall listen through an open window or door and shall look in both directions along such track for any approaching train, and for signals indicating the approach of a train, * * *.

* * *

The maximum authorized speed for passenger trains is 70 miles per hour.

The weather was clear and day was beginning to break at the time of the accident, which occurred about 4:52 a. m.

Description

No. 6, an east-bound first-class passenger train, with Conductor Glover and Engineman Taylor in charge, consisted of engine 5381, three express cars, one storage mail car, one rail-way-mail car, one storage mail car, one mail-baggage car, one storage mail car, one passenger-baggage car, one coach, and one Pullman sleeping car, in the order named; all cars were of steel construction. This train departed from St. Louis, Mo., 172.3 miles west of West Terre Haute, at 12:27 a. m., according to the train sheet, on time, departed from Macksville, 0.2 mile west of West Terre Haute, at 4:52 a. m., 35 minutes late, and, while moving at a speed estimated as 60 to 70 miles per hour, collided with a motor-truck on a highway grade crossing.

The motor-truck involved was a tractor-trailer owned by the Columbia Terminal Company, St. Louis, Mo., was leased and operated by the Pana Refining Company, Pana, Ill., and was being driven by Harold Pauley, sole occupant, who held Illinois chauffeur's license No. 39863 for 1940. It was a 1941 model K8, 6-cylinder, International tractor weighing 8,300 pounds, and was equipped with dual rear wheels and an enclosed steel cab. It was hauling a Fruehauf semi-trailer, weighing 7,500 pounds, upon which was mounted a three-compartment tank loaded with 3,892 gallons of gasoline. The total weight of the tractor, trailer and lading was 43,044 pounds. The tractor bore Illinois license X1142 and was equipped with an emergency mechanical brake and a hydraulic brake with a vacuum booster. The semi-trailer was equipped with a hydraulic brake. The windshield consisted of two sections, each of which was 21-1/2 inches wide and 14-1/2 inches high. The glass in the door on each side was 14-1/2 inches high, 18 inches wide at the top and 24 inches wide at the bottom. The motor-truck was moving southward on Highway U S 150 at a speed estimated as 15 to 35 miles per hour. Instead of stopping for the crossing as required, it proceeded upon the track and was struck by No. 6.

The rear compartment of the trailer was torn loose and was carried in front of the engine. The tractor and the front portion of the trailer stopped south of the track and about 30 feet from it. The gasoline became ignited and the tractor and trailer were destroyed by fire. None of the equipment of No. 6 was derailed. The engine stopped with the front end 3,480 feet east of the point of collision. The front end of the engine was slightly damaged and all the equipment was damaged by fire.

The employees injured were the engineman and the fireman.

Summary of Evidence

Fireman Kintz stated that at St. Louis a terminal airbrake test was made, a running test was made soon after the train left that point, and the brakes functioned properly en route. As his train was approaching the point where the accident occurred, the speed was 60 or 65 miles per hour. The engineman and he were maintaining a lookout ahead from their usual positions in the cab. The headlight was burning brightly and there was no condition on the engine that obscured their view ahead or distracted their attention. When the engine was near the whistle sign, 2,345 feet west of the point where the accident occurred, the engineman began to sound the crossing whistle signal. When the engine was about 2,000 feet west of the crossing the fireman observed the motor-truck approaching the crossing from the north on Highway U S 150 and informed the engineman who was still sounding the whistle. The engine bell was ringing. The fireman was not alarmed that the truck would not stop because the driver had a clear and unobstructed view. When the engine was about 50 feet west of the crossing the fireman saw the truck move upon the westward main track at a speed of 25 to 35 miles per hour and then swerve to the east. He warned the engineman who immediately applied the air brakes in emergency. The accident occurred immediately afterward. The engine whistle was being sounded when the collision occurred. The fireman said he did not know whether the crossing watchman was protecting the crossing as the train approached.

Conductor Glover stated that at St. Louis a terminal airbrake test was made, a running test was made soon after the train departed, and the brakes functioned properly en route. As his train was approaching the point where the accident occurred he was in the ninth car and the speed was about 70 miles per hour. The first he knew of anything being wrong was when the air brakes became applied in emergency and simultaneously flames enveloped the car. After the train stopped he proceeded to the engine and assisted in rescuing the engineman and the fireman. He found the throttle open and the automatic brake valve in lap position. It was dark and the weather was clear at the time of the accident, which occurred at 4:52 a. m.

Baggageman Sharrer stated that as his train was approaching the point where the accident occurred he was in the eighth car and the speed was about 65 miles per hour. The first he was aware of anything being wrong was when the air brakes became applied and soon afterward flames covered the car. After the train stopped he proceeded to the engine and found the throttle open and the automatic brake valve in lap position.

Rear Brakeman Butler stated that as the train was approaching the point where the accident occurred he was on the rear

platform of the eleventh car and the speed was about 65 miles per hour. The first intimation he had of anything being wrong was the air brakes becoming applied in emergency; at the same instant flames covered the eleventh car. He proceeded back to furnish flag protection and observed the crossing watchman standing in the doorway of the watchman's house. The wreckage of the burning tractor-trailer was about 30 feet south of the eastward main track. The weather was clear at the time of the accident, which occurred about 4:52 a. m.

Engineman Taylor was so seriously injured he was unable to make a statement at the time of the investigation or during the 90 days following.

Car Foreman Johnson stated that he arrived at the scene of the accident at 5:25 a. m. He found that the air brakes on all the cars were applied. He said 17 pairs of wheels of the cars of No. 6 had slid-flat spots. When the cars were coupled later to another engine the brakes functioned properly.

Crossing Watchman Kidwell stated that his tour of duty at West Terre Haute crossing was from 10 p. m. to 6 a. m. His equipment for use at night to warn highway traffic of the approach of a train consisted of a red lantern equipped with shields so that a red light would not be displayed toward an approaching train. He heard No. 6 approaching and heard the crossing whistle signal being sounded. He stationed himself in the middle of the highway north of the westward main track and with his lighted red lantern displayed a warning toward the highway. The train was moving at a speed of 60 or 65 miles per hour, the headlight was burning brightly, and the engine whistle was being sounded. He observed a motor-truck approaching and swung the lantern across the highway but the truck did not slow down. He said that to avoid being struck he had to step out of the way of the closely approaching truck, which proceeded upon the crossing at a speed of about 15 miles per hour. The collision occurred immediately afterward. He said it was slightly hazy at the time of the accident but visibility was not restricted. He is 21 years of age and has been a crossing watchman at West Terre Haute since March 8. At times there is considerable traffic over this crossing and some of the vehicles slow down for the crossing but others do not reduce speed at all. The truck involved in this accident was the only gasoline truck he had noticed since he has been employed as watchman at this crossing.

Harold Pauley, driver of the motor-truck involved, stated that he left Pana, Ill., at 1:30 a. m. in the charge of a load of gasoline for Terre Haute, Ind., about 100 miles east of Pana. He was driving southward on Highway U S 150 and was the sole occupant of the truck. When his truck was approaching the

crossing involved the speed was between 20 and 25 miles per hour, the cab windows were closed and the headlights were burning brightly. He said he did not see the train approaching or hear the engine whistle or the engine bell. He did not see a crossing watchman or anyone giving warning signals. The engine struck the rear end of the trailer and immediately afterward an explosion occurred and fire broke out. The tractor had not been driven more than 8,000 miles and was in good mechanical condition. The brakes were in good condition and the truck handled easily. He had asked for the company's rules in regard to approaching railroad crossings and was told that it was not necessary to stop the truck before traversing railroad grade-crossings. He held a 1940 driver's license for the state of Illinois. He said that he was 22 years of age and had been driving trucks for the past 7 or 8 years. He had been employed by the Pana Refining Company about one month before the accident occurred. During this month he had made five trips under the instruction of other drivers; however, none of these trips was over the crossing involved. This was his first trip alone and over the territory involved. He had had sufficient rest prior to this tour of duty. About one hour before the accident occurred he had stopped at Paris, Ill., about 20 miles northwest of the point of accident, long enough to drink some coffee.

Chase Savage, general manager of the Pana Refining Company, stated that the truck involved was owned by the Columbia Terminal Company, St. Louis, Mo., and was leased to the Pana Refining Company, which employs and supervises the drivers. The driver involved was recommended by his previous employer as a competent truck driver of 5 or 6 years experience. The driver was required to make five trips, similar to the one being made at the time of the accident, in the capacity of relief driver in company with a regular driver. The first of these trips was made on March 12, 1941. His first trip as a regular driver was the one involved, which started at the refinery at Pana about 1 a. m., March 27. The general manager could not furnish details of the trip as the log book was destroyed in the accident.

Clifford L. Wyrick, a resident of West Terre Haute, stated that he walked northward on Highway U S 150, and proceeded over the crossing involved, but he did not see the train or the watchman. When he was about 350 feet north of the crossing a motor-truck approached at a speed of about 35 miles per hour and proceeded southward toward the crossing. When he was about 100 feet farther north he heard an explosion and looking back he saw flames at the crossing.

According to data furnished by the carrier, during the 30-day period preceding the day of the accident there was a daily average of 40.4 trains over the crossing involved.

Observations of the Commission's Inspectors

The Commission's inspectors observed that during the 24-hour period beginning at 6 a. m., March 31, 1,066 trucks, 63 busses, 2,769 automobiles and 37 trains passed over the crossing involved.

Discussion

According to the evidence, No. 6 was approaching the crossing at a speed of 60 or 70 miles per hour, in territory where the maximum authorized speed was 70 miles per hour. When the engine was about 2,000 feet west of the crossing the fireman observed the motor-truck approaching from the north. He warned the engineman, who sounded the whistle throughout a distance of more than 2,000 feet west of the crossing. When the engine was about 50 feet west of the crossing the fireman saw the motor-truck on the crossing and he warned the engineman, who immediately applied the brakes in emergency. The engine struck the rear end of the trailer, which was loaded with gasoline. The gasoline was ignited and the entire train became enveloped in flames. The engine stopped 3,480 feet east of the crossing. All of the tractor and trailer stopped about 30 feet south of the track except the rear compartment of the trailer, which was carried in front of the engine.

Prior to starting across the tracks the truck did not stop but proceeded upon the crossing at a speed variously estimated as from 15 to 35 miles per hour. The laws of the State of Indiana require that vehicles carrying explosive substances or flammable liquids as a cargo must stop within 50 feet but not less than 10 feet from the nearest rail of a railroad grade crossing, and the driver must listen through an open window or door, and must look along the track in both directions for any approaching train. The driver's reason for not stopping was that he had been informed by his instructors that it was not necessary to stop at railroad grade crossings. There were three warning signs within 350 feet north of the crossing and to the west of the highway. In addition to the failure of the driver to stop the motor-truck short of the crossing, he had both the doors and the windows closed. He did not hear either the engine whistle or the bell and he did not see the train approaching. The explosion as a result of the collision was the first he knew of the presence of the train. Throughout a distance of more than 800 feet north of the crossing he had a clear view of more than 3,000 feet of the track west of the crossing. The headlight of the engine was burning brightly, the weather was clear, and day was beginning to break at the time the accident occurred, and there was no other condition that would obscure the driver's vision. He had started the trip about 3 hours 30 minutes before the accident occurred. He had had considerable

rest before he started the trip and had made only one stop en route, about 1 hour before the accident occurred, to drink a cup of coffee.

The crossing was protected by a watchman who was provided with a red lantern for warning highway vehicles. The crossing watchman said that he warned the driver of the approaching motor-truck by swinging the lighted red lantern, but the driver said he did not see the watchman. The driver had had considerable experience driving trucks but this was the first trip he had made over this route. The driver could not account for his failure to see the warning signals and the approaching train.

If the driver had been properly instructed by his employer and if the state law pertaining to the operation of motor vehicles over railroad grade-crossings had been properly enforced it is probable that this accident would have been averted.

Cause

It is found that this accident was caused by a motor-truck being driven upon a highway grade crossing immediately in front of an approaching train.

Dated at Washington, D. C., this ninth
day of July, 1941.

By the Commission, Commissioner Patterson.

W. P. BARTEL,

SEAL

Secretary.