INTERSTATE COMMERCE COMMISSION

WASHINGTON

INVESTIGATION NO. 3208

THE TEXAS AND PACIFIC RAILWAY COMPANY

REPORT IN RE ACCIDENT

AT MIDLAND, TEX., ON

OCTOBER 17, 1948

SUMMARY

Railroad:	Texas and Pacific	
Date:	October 17, 1948	
Location:	Midland, Tex.	
Kind of accident:	Collision	
Equipment involved:	Freight train	: Motor-truck
Train number:	65	
Engine number:	659	
Consist:	Auxiliary water car, 48 cars, caboose	
Estimated speeds:	40 m. p. h.	: Unknown
Operation:	Timetable, train orders and automatic block-signal system	
Track:	Single; tangent; 0.106 percent ascending grade westward	
Street:	Tangent; crosses track at angle of 74°05'; level	
Weather:	Cloudy	
Time:	2:27 a. m.	
Casualties:	1 killed; 1 injured	
Cause:	Motor-truck occupying rail-highway crossing at grade immediately in front of approaching train	

INTERSTATE COMMERCE COMMISSION

INVESTIGATION NO. 3208

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

THE TEXAS AND PACIFIC RAILWAY COMPANY

December 20, 1948

Accident at Midland, Tex., on October 17, 1948, caused by a motor-truck occupying a rail-highway crossing at grade immediately in front of an approaching train.

REPORT OF THE COMMISSION[1]

PATTERSON, Commissioner:

On October 17, 1948, there was a collision between a freight train on the Texas and Pacific Railway and a motor-truck at a grade crossing at Midland, Tex., which resulted in the death of one train-service employee, and the injury of one train-service employee.

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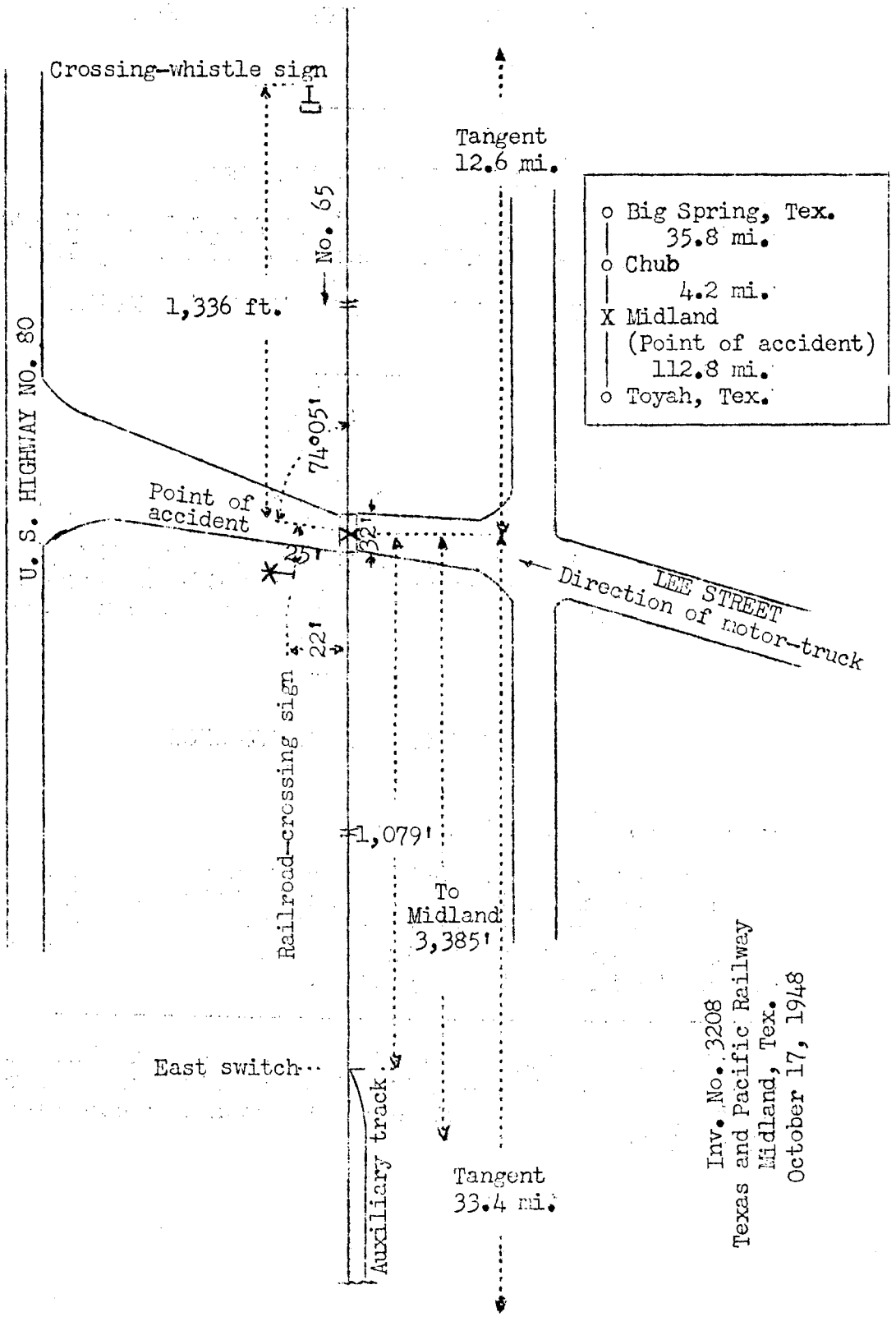
[1] Under authority of section 17 (2) of the Interstate Commerce Act the above-entitled proceeding was referred by the Commission to Commissioner Patterson for consideration and disposition.



Inv. No. 3208
Texas and Pacific Railway
Midland, Tex.
October 17, 1948

Location of Accident and Method of Operation

This accident occurred on that part of the Western Division extending between Big Spring and Toyah, Tex., 152.8 miles, a single-track line, over which trains are operated by timetable, train orders and an automatic block-signal system. The accident occurred at Midland, 40 miles west of Big Spring, at a point 3,385 feet east of the station, where the railroad is crossed at grade by Lee Street. The main track is tangent throughout a distance of 12.6 miles east of the crossing and 33.4 miles westward. The grade is 0.106 percent ascending westward. Lee Street intersects the railroad at an angle of 74°05', and is an unimproved street. This street is tangent throughout a considerable distance south of the crossing, and for several hundred feet northward. The grade for north-bound traffic is 2.68 percent ascending throughout a distance of 123 feet immediately south of the crossing, is level over the crossing, and is 1.12 percent descending about 75 feet immediately north of the crossing. The crossing is 32 feet wide, and is of plank construction. The surface of the crossing is approximately level with the tops of the rails. Flangeways about 2 inches in width are provided.

A standard cross-buck railroad-crossing sign is located in the northwest angle of the intersection, 22 feet north of the center line of the track, and 25 feet west of the center line of Lee Street. This sign is mounted on a mast 12 feet above the level of the tops of the rails, and bears the words "RAILROAD CROSSING" in black letters on a white background. There is no advance warning railroad crossing sign. A crossing-whistle sign for west-bound trains is located 1,336 feet east of the crossing.

Operating rules read in part as follows:

14. ENGINE WHISTLE SIGNALS

Note.--The signals prescribed are illustrated by "o" for short sounds; "__" for longer sounds. * * *

Sound	Indication
* * *	
(1) __ __ o __	Approaching public crossings at grade; to be prolonged or repeated until crossing is reached. * * *

* * *

Article XI of the Uniform Act Regulating Traffic on Texas Highways reads in part as follows:

Special Stops and Restricted Speeds Required

Sec. 86. Obedience to Signal Indicating Approach of Train. Whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and shall not proceed until he can do so safely when:

* * *

(c) A railroad engine approaching within approximately fifteen hundred (1500) feet of the highway crossing emits a signal audible from such distance and such engine by reason of its speed or nearness to such crossing is an immediate hazard;

* * *

Sec. 89. Certain Vehicles Must Reduce Speed at All Railroad Grade Crossings. (a) The driver of any vehicle carrying explosive substances or flammable liquids as its principal cargo before crossing at grade any track or tracks of a railroad, shall if travelling in excess of twenty (20) miles per hour, reduce the speed of such vehicle to twenty (20) miles per hour before approaching within two hundred (200) feet from the nearest rail of such railroad and shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of the train, * * * and shall not cross such track until he can do so safely. After reducing speed as required herein and upon proceeding when it is safe to do so, the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such and the driver shall not shift gears while crossing the track or tracks.

* * *

(d) Nothing in this section shall be deemed to exempt the driver of any vehicle from compliance with the requirements contained in Sections 86 * * * of this Act.

The maximum authorized speed for the train involved was 60 miles per hour.

Description of Accident

No. 65, a west-bound second-class freight train, consisting of engine 659, one auxiliary water car, 48 cars and a caboose, departed from Big Spring at 1:25 a. m., 3 hours 55 minutes late, passed Chub, the last open office, 4.2 miles east of Midland, at 2:20 a. m., 4 hours 1 minute late, and while moving at an estimated speed of 40 miles per hour it struck a motor-truck on a grade crossing 3,385 feet east of the station at Midland, and was derailed.

The motor-truck involved was a tractor and semi-trailer, owned and operated by the Yearwood Distributing Company, El Paso, Tex. The driver, who was the sole occupant, held Texas operator's license No. 102027. The tractor was a 1948 GMC, model FC351, and bore Texas license No. VA2846. It was equipped with dual tires on the rear wheels and hydraulic power brakes on all wheels, and was provided with an enclosed steel cab. The semi-trailer was equipped with dual tires on all wheels and vacuum-operated power brakes. It bore Texas license No. TB-10. It was equipped with a cylindrical steel tank divided into four compartments, and at the time of the accident the cargo consisted of 3,090 gallons of solvent. The total length of the tractor and semi-trailer was 34.5 feet. The total weight of the tractor, semi-trailer and cargo was 32,779 pounds. The cargo was loaded at Abilene, Tex., and was destined to El Paso, Tex. At Midland, this motor-truck was diverted from U. S. Highway No. 80 to Lee Street. It proceeded southward over the crossing involved, and stopped about one block south of the track. Soon afterward, this vehicle was driven northward over the same route, stopped with the front wheels of the tractor about 10 feet south of the track, then was driven upon the crossing, where the rear compartment of the tank was struck by No. 65.

The tractor and the front portion of the semi-trailer remained coupled, and stopped upright about 25 feet north of the main track and approximately on the center line of Lee Street. The rear tank-compartment of the semi-trailer was thrown about 30 feet north of the track and 75 feet west of

the crossing. This compartment was punctured and escaping solvent became ignited. A portion of the wreckage lodged under the pilot of the engine, and the engine-truck wheels became derailed at the frog of an auxiliary track about 1,100 feet west of the crossing. The train stopped with the front end of the engine 1,740 feet west of the point of accident. No other wheels of the engine or train were derailed. The front end of the engine was damaged by the collision, and the engine was further damaged by fire.

The engineer was killed. The fireman was injured.

It was partly cloudy but visibility was good at the time of the accident, which occurred about 2:27 a. m.

During the 30-day period preceding the day of the accident, the average daily movement over the crossing was 18.8 trains. During the 24-hour period beginning at 12:01 a. m., October 24, 1948, 1,978 automobiles, 66 trucks and 31 buses passed over the crossing.

Discussion

As No. 65 approached Midland, the speed was about 55 miles per hour. The engineer and the fireman were in the cab of the engine and the front brakeman was in the brakeman's booth on the tender. The conductor and the flagman were in the caboose. The headlight was lighted brightly. When the engine was about 3,000 feet east of the crossing, a service brake application was made to comply with a speed restriction of 40 miles per hour through Midland. The speed had been reduced to about 40 miles per hour when the brakes were applied in emergency in the vicinity of the crossing. The front brakeman and a witness who was in the vicinity of the crossing at that time heard the engine-whistle signal sounded for the crossing. The engineer was killed in the accident and the fireman was so badly injured that he could not be questioned during the investigation. Therefore, it could not be determined when they first became aware that the motor-truck had entered upon the crossing. The brakes of this train had been tested and had functioned properly en route.

The crossing was protected by a standard cross-buck sign. The driver of the motor-truck had held a commercial driver's license during the past eight years, and during the past three years he had been employed as a commercial driver by the company

that owns the truck in question. According to the records of this company, the brakes of this motor-truck were tested on October 2, 1948, at El Paso, Tex., and they functioned properly at that time. The investigation disclosed that the driver of the motor-truck departed from El Paso about 3 a. m., October 16, and arrived at Abilene, 450 miles east of El Paso, at 2 p. m. He departed from Abilene, immediately after the cargo was loaded, about 3 p. m., and arrived at Big Spring, 106 miles west of Abilene, at 7 p. m. He then was off duty during a period of about 5-1/2 hours, and departed westward from Big Spring about 12:30 a. m., October 17, and was continuously on duty until the time of the accident.

The laws of the state of Texas governing operation of motor vehicles require that, whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and shall not proceed until he can do so safely. Visibility was not impaired by weather conditions, and the driver could have seen the approaching train a considerable distance immediately east of the crossing. The driver had traversed this crossing during the eastward trip on the preceding day and said that he was not confused as to his location. He said that he stopped the motor-truck about 10 feet from the track, looked in both directions, and then proceeded. At this time the right cab window was closed and the left cab window was open. He said he was not aware of the approaching train until the headlight of the engine was shining through the right window of the motor-truck cab. At this time the truck was on the crossing. He immediately increased the speed of the motor-truck, but was unable to clear the crossing in time to avert the accident.

Cause

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

Dated at Washington, D. C., this twentieth day of December, 1948.

By the Commission, Commissioner Patterson.

(SEAL)

W. P. BARTEL,

Secretary.