

INTERSTATE COMMERCE COMMISSION
WASHINGTON

INVESTIGATION NO. 3136
THE WICHITA VALLEY RAILWAY COMPANY
REPORT IN RE ACCIDENT
AT SEYMOUR, TEX., ON
OCTOBER 15, 1947

SUMMARY

Railroad: Wichita Valley
Date: October 15, 1947
Location: Seymour, Tex.
Kind of accident: Collision
Equipment involved: Engine with car : Motor-truck
Engine number: 501 :
Consist: 1 car :
Speeds: 7 m. p. h. : Unknown
Operation: Timetable and train
orders
Track: Single; tangent; 0.10 percent
descending grade westward
Street: Tangent; crosses track at angle of
90°; level
Weather: Clear
Time: 3:12 p. m.
Casualties: 2 killed; 3 injured
Cause: Failure to operate motor-truck
approaching railroad crossing
at grade in accordance with
requirements of law

INTERSTATE COMMERCE COMMISSION

INVESTIGATION NO. 3136

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

THE WICHITA VALLEY RAILWAY COMPANY

November 24, 1947

Accident at Seymour, Tex., on October 15, 1947, caused
by failure to operate a motor-truck approaching
a railroad crossing at grade in accordance with
requirements of law.

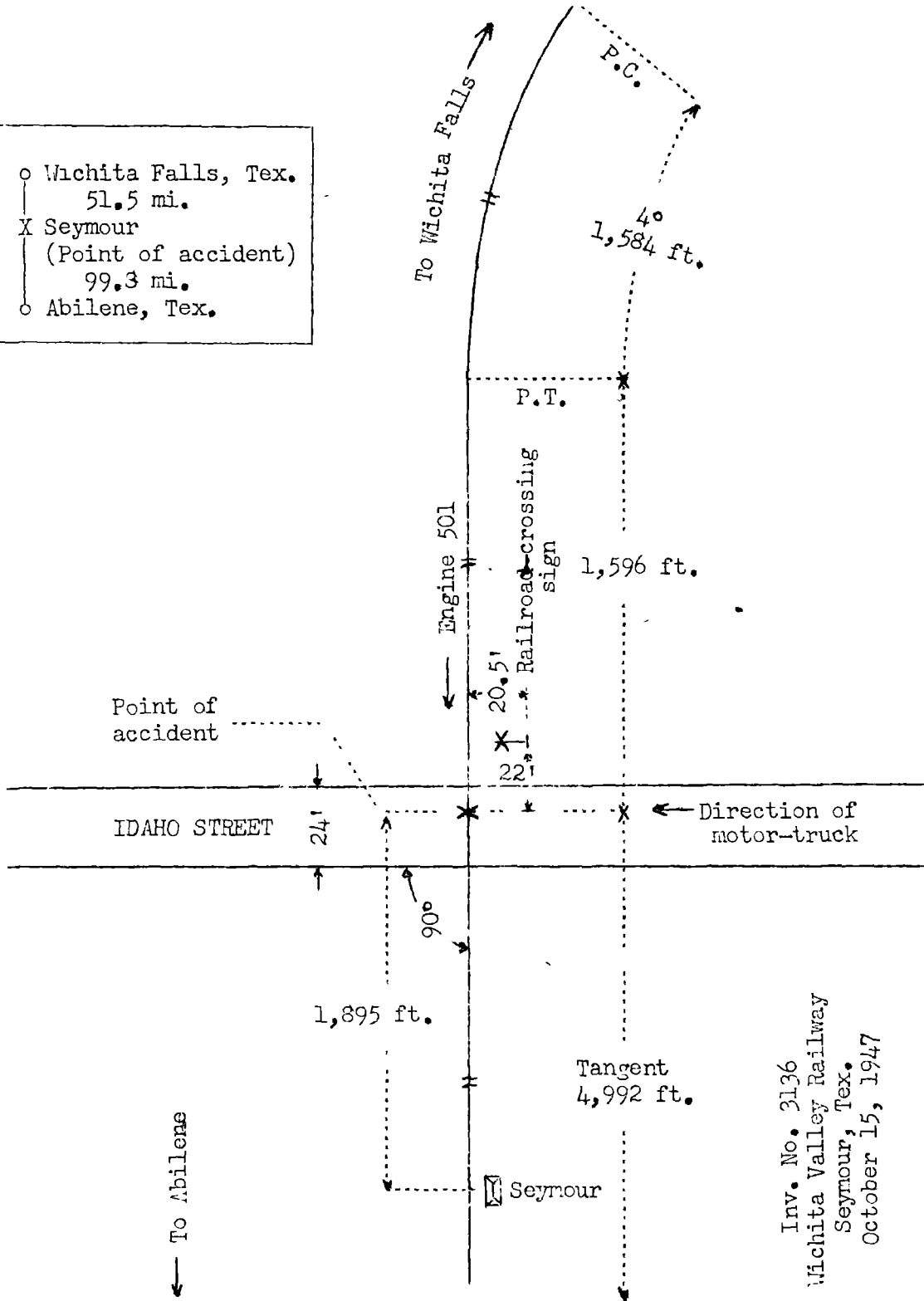
REPORT OF THE COMMISSION¹

PATTERSON, Commissioner:

On October 15, 1947, there was a collision between
an engine on the Wichita Valley Railway and a motor-truck
at a street grade crossing at Seymour, Tex., which
resulted in the death of the driver of the motor-truck and
one train-service employee, and the injury of 3 train-
service employees.

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

o Wichita Falls, Tex.
 51.5 mi.
 X Seymour
 (Point of accident)
 99.3 mi.
 o Abilene, Tex.



Inv. No. 3136
 Wichita Valley Railway
 Seymour, Tex.
 October 15, 1947

Location of Accident and Method of Operation

This accident occurred on that part of the railroad extending between Wichita Falls and Abilene, Tex., 151.3 miles, a single-track line, over which trains are operated by timetable and train orders. There is no block system in use. The accident occurred 51.5 miles west of Wichita Falls, at a point 1,895 feet east of the station at Seymour, where the railroad is crossed at grade by Idaho Street. From the east on the railroad there are, in succession, a 4° curve to the left 1,584 feet in length, and a tangent 1,596 feet to the point of accident and 4,992 feet westward. The grade is 0.10 percent descending westward.

Idaho Street intersects the railroad at an angle of 90°, and is surfaced with gravel to a width of 24 feet. The street is tangent throughout a considerable distance south of the crossing and some distance northward. The grade is practically level. A standard cross-buck railroad-crossing sign is located to the right of the direction of north-bound traffic, 22 feet east of the centerline of Idaho Street and 20.5 feet south of the centerline of the track. This sign is mounted on a mast 11 feet above the level of the street, and bears the words "RAILROAD CROSSING" in black letters on a white background.

This carrier's 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, last blast prolonged until crossing is reached.

* * *

* * *

Sections 86 and 89 of the Motor Vehicle Laws of Texas read 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.

* * *

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 trains and engines moving over all street and highway crossings at Seymour is 10 miles per hour.

Description of Accident

Engine 501, headed westward and pulling one car westward in a switching movement on the main track at Seymour, was moving at an estimated speed of 7 miles per hour when it struck a motor-truck on a street grade crossing 1,895 feet east of the station.

The motor-truck involved was a tractor and semi-trailer, owned by a resident of Seymour, Tex. The driver, who was the sole occupant, held Texas chauffeur's license No. 2668390. The tractor was a 1945, International K-7 model, and bore Texas license No. V/A 9321. It was equipped with dual tires on the rear wheels and hydraulic and vacuum power brakes on all wheels, and was provided with an enclosed steel cab. The semi-trailer was equipped with dual tires on its wheels, and with hydraulic and vacuum power brakes and a 3-compartment steel tank. It bore Texas license No. T/C 3435. The overall length of the two units was 39 feet. The combined weight of the trailer, when fully loaded, and the tractor was 38,000 pounds. At the time of the accident the cargo consisted of 3,906 gallons of gasoline. The cargo was loaded at Sweetwater, Texas, and was en route to a storage tank located in the vicinity of Idaho Street, Seymour. This vehicle was moving northward on Idaho Street at an unknown speed when it was struck by engine 501.

The tractor was not damaged in the collision. The tank on the semi-trailer was punctured, escaping gasoline became ignited, and both the tractor and the semi-trailer were destroyed. Engine 501 and the car were not derailed, and stopped with the front of the engine immediately west of the crossing. The engine and the car were considerably damaged by fire.

The fireman died as a result of burns. The engineer, the conductor and one brakeman received burns of varying degrees.

The weather was clear at the time of the accident, which occurred about 3:12 p. m.

During the 30-day period preceding the day of the accident, the average daily movement of trains over the crossing was 4.1. During the 24-hour period beginning at 9 a. m., October 20, 1947, 22 school buses, 295 automobiles, 119 trucks and 2 horse-drawn vehicles passed over the crossing.

Discussion

Extra 501 West, a west-bound freight train, stopped on the main track at Seymour about 2:40 p. m., with the engine standing some distance east of Idaho Street crossing. During a switching movement about 32 minutes later, the engine, pulling one car, was moving westward on the main track at a speed of about 7 miles per hour when the engine struck a north-bound motor-truck on Idaho Street crossing.

As the engine was approaching the crossing the engineer and the fireman were maintaining a lookout ahead from their respective positions on the engine, the conductor and the front brakeman were on the deck of the engine, and the flagman was on the rear of the car. The engine-whistle signal was sounded for the crossing in compliance with the rules. When the engine was within a few feet of the crossing the fireman called a warning and the engineer immediately moved the brake valve to emergency position, but the collision occurred before the engine could be stopped. The brakes of Extra 501 West had been tested and had functioned properly.

The motor-truck entered upon the crossing immediately in front of the approaching engine. The driver was an experienced driver and was familiar with the route. Visibility was not impaired by weather conditions, and the driver could have seen the approaching engine throughout a considerable distance immediately east of the crossing. The laws of the state of Texas require drivers of motor vehicles to stop within 50 feet but not less than 15 feet from the nearest railroad track and not to proceed until it is safe to do so. It could not be determined why the driver failed to take action to stop the motor-truck short of the crossing, as he was fatally burned in the accident.

Cause

It is found that this accident was caused by failure to operate a motor-truck approaching a railroad crossing at grade in accordance with requirements of law.

Dated at Washington, D. C., this twenty-fourth day of November, 1947.

By the Commission, Commissioner Patterson.

(SEAL)

W. P. BARTEL,
Secretary.