

INTERSTATE COMMERCE COMMISSION

REPORT OF THE DIRECTOR OF THE BUREAU OF SAFETY IN RE
INVESTIGATION OF AN ACCIDENT WHICH OCCURRED ON THE
LINE OF THE SOUTHERN PACIFIC COMPANY AT FAMOSO, CALIF.,
ON DECEMBER 9, 1929.

February 27, 1930.

To the Commission:

On December 9, 1929, there was a collision between a passenger train and the trailer of a motor truck at a highway grade crossing on the line of the Southern Pacific Company at Famoso, Calif., which resulted in the death of two employees and one mail clerk, and the injury of one mail clerk. The investigation of this accident was made in conjunction with a representative of the Railroad Commission of California.

Location and method of operation

This accident occurred on the Fresno and Bakersfield Sub-Division of the San Joaquin Division, which extends between Fresno and Bakersfield, Calif., a distance of 107.4 miles, and in the vicinity of the point of accident is a single-track line over which trains are operated by time-table, train orders, and an automatic block-signal system. The track is straight for more than 1 mile in each direction, and the grade is practically level.

There is a state highway parallel to and on the north side of the right-of-way, referring to time-table directions. This highway is intersected by another highway known as the Wasco road, which crosses the right-of-way of the railroad practically at right angles. This is a four-track crossing, and approaching on the Wasco road from its intersection with the state highway on the north side of the tracks, a southbound vehicle encounters the tracks in the following order. turn-table track, Porterville branch, main track, and siding. There is a slight incline leading up to the tracks, which are about 2 feet above the ground line. The crossing itself is level and maintained in good condition, with concrete roadway between the tracks, and heavy creosoted planks between the rails. The road itself, on each side of the crossing, also is of concrete.

The driver of a vehicle proceeding over the crossing from north to south has an unobstructed view of an approaching westbound train extending as far east as the

station, a distance of 1,408 feet. At a point about 450 feet west of the station there were two stock cars on a house track, which leads off from the Porterville branch, but these cars did not materially interfere with the view. The only protection afforded at this crossing consisted of the standard crossing sign reading "Railroad Crossing", this sign being located 50 feet south of the center line of the main track and about 31 feet east of the center line of the highway. There was also the standard crossing sign as required by state law located north of the crossing, 132 feet from the main track, and on the west side of the highway.

The weather was clear at the time of the accident, which occurred about 2.12 p m.

Description

Westbound passenger train No 51 consisted of one combination mail and baggage car, one baggage car, one smoking car, one chair car, one lunch car, one dining car, and one parlor car, all of steel construction, hauled by engine 2418, and was in charge of Conductor Johnson and Engineman Toland. This train passed the station at Famoso at 2 11 p m., according to the train sheet, two minutes late, and collided with the trailer of a motor truck at Wasco road crossing, while traveling at a speed estimated to have been from 45 to 50 miles per hour.

The motor truck and trailer involved in this accident consisted of a Mack truck, equipped with a gasoline tank with a capacity of about 2,600 gallons, and a trailer truck equipped with a tank of about 3,500 gallons capacity, both truck and trailer had nearly a full load of gasoline. They left Bakersfield at 1.05 p m , in charge of Driver Wilbanks, reached Famoso, a distance of about 22 miles, over the state highway, and made a left turn into Wasco road. The truck and trailer then proceeded southward a distance of approximately 150 feet to the main track of the Southern Pacific Company, and were proceeding over that track at a speed estimated to have been from 10 to 15 miles per hour, no stop having been made for the crossing, when the trailer was struck by train No. 51.

The trailer was demolished, and the chassis came to rest about 100 feet west of the point of accident, while the tank which had been mounted on the chassis came to rest about 450 feet from the crossing and close enough to the track to scrape all the cars as they passed it. Neither the engine nor any of the cars was derailed, but the gasoline

in the tank of the trailer exploded and was thrown over the engine and first car, the resulting fire damaging the cab of the engine and destroying the contents of the car. The Mack truck was not damaged in the accident. The employees killed were the engineman and fireman, each of whom, as well as the mail clerk who died, sustained injuries from the burning gasoline.

Summary of evidence

Conductor Johnson, of train No. 51, who was riding in the rear end of the third car, said the engineman sounded the whistle signal for the station, called for the train-order signal by sounding four blasts on the whistle, acknowledged it with two short blasts, and then sounded the whistle for the crossing after passing the station building. He also stated that the engine bell was ringing and estimated that the speed of the train was about 45 miles per hour. His first knowledge of anything wrong was when the brakes were applied just before the collision occurred. Head Brakeman Donovan heard the last three of the whistle signals mentioned by the conductor. After the accident he went ahead and saw the engineman sitting on the ground, and was told by the engineman to get into the cab, close the oil valve and open the injector. The engineman did not say anything, however, as to the cause of the accident. Rear Brakeman Dow heard the engineman call for the train-order signal and his acknowledgment of the same but did not pay any attention to other signals. The statements of Baggage-man Mitchell, as well as those of two brakemen who were deadheading on the train, did not bring out any additional facts of importance.

Agent-Telegrapher Gordon, on duty in the station at Famoso, said the engineman called for the train-order signal, acknowledged it, and then after passing the station sounded the road crossing whistle signal. Agent Gordon was outside when the engine passed the station, but then went inside to report the passage of the train to the dispatcher, and did not witness the occurrence of the accident. Trainmaster Prosole saw the engineman in the hospital several hours afterwards, but did not talk with him to any extent. The engineman inquired about the truck driver, and Trainmaster Prosole replied that he did not know where he was, and then asked the engineman whether the truck driver stopped, to which the engineman replied in the negative. H. S. Bunting, lubrication engineer for the Associated Oil Company, was driving on the state highway in the same direction in which train No. 51 was moving, and said that according to his speedometer the train was travel-

ing about 55 miles per hour. Mr. Bunting did not actually witness the collision, and did not know whether the truck stopped for the crossing, as the station building obscured his view, but he said that the whistle on the engine was blowing constantly from a point near the station up to the time of the accident, and that it seemed to him that the engineman shut off steam.

M. H. Bon, who witnessed the accident from a point near the station, said the truck driver did not stop for the crossing. Mr. Bon, who had had 24 years in engine service, also stated that the engineman whistled for the train-order signal, acknowledged it, sounded a road crossing whistle signal, and then continued to sound the whistle until the accident occurred. After the accident, Mr. Bon talked with the truck driver and was told by him that the brakes on the truck were not effective, and that after the driver noticed the approaching train he tried to make a right turn away from the track but found he was too close to the rail to do so, and then tried to get the truck and trailer over the crossing ahead of the train. Several other persons who witnessed the occurrence of the accident stated that the truck driver did not stop for the crossing.

G. M. Phillips, proprietor of a gasoline station located opposite the railroad station, said the truck and trailer stopped at his station and that the driver filled the radiator with water. Mr. Phillips said he could see from the way the driver handled the truck that there was something wrong with the brakes, although nothing was said about defective brakes. Charles Bergman, service manager of the Bakersfield garage, said he was called upon to examine truck 225 of the Lang Transportation Company and found no lining on the upper foot brakes and the braking equipment was badly soaked with grease, while the emergency brakes were entirely out of adjustment and were oil soaked. Both the foot and the emergency brakes at the time of his inspection were absolutely useless in so far as controlling the truck was concerned.

R. M. Maxwell, manager of the Bakersfield division of the Lang Transportation Company, said he did not inspect the truck and trailer prior to the accident, it having come from a point off of his division, and he had no knowledge as to its condition when it left Bakersfield on the trip on which the accident occurred. Driver Wilbanks was charged with manslaughter as a result of the accident, and upon the advice of an attorney he declined to make a statement, but Manager Maxwell said the driver was about 30 years of age and had been in the employ of the

company on this occasion about 20 days. Two years previously, however, he had been employed in the same capacity for a period of about 1 year. It also appeared from Mr. Maxwell's statements, that Driver Wilbanks went on duty at Fresno at 10 a. m. December 8, after having been off duty since 9 p. m. the previous day; he started for the oil fields, a distance of about 60 miles from Fresno, at 1 p. m., left the oil fields with a load at 7 p. m. en route to Porterville, a distance of 129 miles, and went off duty at Porterville about 1 a. m., December 9. He then went back on duty at Porterville at 7 a. m. and drove from Porterville to Bakersfield, a distance of 60 miles, with empty equipment, arriving at Bakersfield about noon and leaving with a load at 1.05 p. m., proceeding to the point where the accident occurred, a distance of about 22 miles. Mr. Maxwell further stated that their drivers of gasoline trucks are instructed to stop at all crossings regardless of wigwag devices of any kind, and that a driver had been discharged several months previously for failure to make such a stop.

Conclusions

This accident was caused by a gasoline motor truck and its trailer being driven on a highway crossing in front of an approaching passenger train.

All the evidence indicated that the driver of the truck failed to stop for the crossing, as is required by state law in the case of gasoline tank trucks and a few other types of vehicles. The view had by him of an approaching westbound train was very good. When 100 feet from the track, his view was partly obstructed by some cars on a siding, these cars being located about 950 feet from the crossing, but when either 50 or 150 feet from the track, the truck driver could have seen as far as the station, a distance of about 1,400 feet. The driver of the truck refused to make any statement, acting on the advice of counsel, but such other evidence as was available indicated that he might have been having difficulty with the brakes. In the absence of more definite information, no opinion on this phase of the situation can be expressed, if such were the case, then the driver should have exercised more than the usual amount of caution before attempting to pass over the crossing.

The Commission has investigated other accidents involving collisions between passenger trains and motor vehicles carrying gasoline or other inflammable articles, and it is understood that several similar accidents occurred within the State of California during the few months preceding the date of the accident here under investigation, although they did not result in such serious con-

sequences. That the results were not as serious, however, is nothing but a matter of good fortune, for there is no doubt that a catastrophe involving great loss of life and untold suffering might result should a passenger train composed of wooden equipment be sprayed with burning gasoline. There is also the possibility that the train might be derailed as a result of the collision, in which event the plight of passengers would be dangerous in the extreme. Taken altogether, the hazards surrounding the operation of motor vehicles carrying explosives or inflammables can hardly be over-estimated. Transportation of explosives and inflammables on railroads engaged in interstate commerce is strictly regulated by federal laws (U. S. Code, Title 18, Sections 232 to 236, inclusive) and by regulations formulated by the Interstate Commerce Commission under authority contained in those sections, and severe penalties are provided for violation of such laws or regulations. In view of the volume of such articles now being transported over the highways, adequate regulations to promote safety should be provided by authorities having jurisdiction over such transportation and effective means adopted to insure their observance.

Great care should be exercised in the operation and maintenance of both trucks and accessory equipment used in the transportation of such commodities. As previously indicated, the evidence in this case raises the question of whether the brakes on the truck and trailer involved in this accident were in proper operating condition. No authority rests with this bureau, however, to make the extended investigation warranted by the circumstances of this accident, with a view to ascertaining the exact condition of the motor vehicle and its trailer, when and where they were inspected and repaired, and all the other data necessary to a final decision on the question as to whether they were in safe condition for operation.

The record furnished by the local manager of the transportation company owning the truck and trailer, showing the hours on duty and distance traveled by the truck driver during the 28 hours preceding the time of the accident, brings up another question, that relating to whether the truck driver was in proper physical and mental condition for the work in which he was engaged. Beginning at 10 a.m. December 8, and ending at the time of the accident, 2.12 p.m. December 9, Driver Wilbanks had been off duty only 6 hours, this having been between 1 a.m. and 7 a.m. on December 9; in other words, he had been on duty 22 hours out of the last 28 hours and during his period on duty he had driven a truck a distance of 271 miles. While the mileage is not excessive, yet it is very doubtful whether

he had had sufficient rest and whether he was in proper condition to respond quickly in case of sudden emergency.

With the increasing use of motor vehicles for transportation of explosives and inflammables, it is of great importance that authorities having jurisdiction over such matters give the most serious consideration to the questions of the condition of such vehicles, and of the qualifications and condition, both physical and mental, of the drivers who operate them.

All of the employees of the railroad company involved in the accident were experienced men, and at the time of the accident none of them had been on duty in violation of any of the provisions of the hours of service law.

Respectfully submitted,

W. P. BORLAND,

Director.