

**SUMMARY FOR FE-12-03**  
**SELECTED AND POSSIBLE CONTRIBUTING FACTORS**

**SELECTED FACTORS**

**Railroad:** CSX Transportation, Incorporated  
**Location:** Kingsport, Tennessee  
**Region:** 3

**Month:** June  
**Date:** June 6, 2003  
**Time:** 8:25 a.m., EST

**Data for Fatally Injured Employee(s)**

Brakeman  
35 years old  
3 years of service  
Last rules training: Feb. 28, 2002  
Last safety training: Feb. 28, 2002  
Last physical: March 27, 2000

**Data for All Employees (Craft, Positions, Activity)**

**Craft:** Transportation and Engine

**Positions:**

**Train No. Y422-06**

Brakeman  
Conductor  
Engineer

Tractor-Trailer Operator

**Activity:** Switching

**EVENT**

During a backing maneuver to dock his trailer, a Tractor-Trailer Operator's vehicle jack-knifed into the side of a railroad switching movement, striking, pinning, and fatally injuring the Brakeman, who was riding the northeast corner side ladder of the lead rail car.

**SUMMARY FOR FE-12-03 CONTINUED**  
**SELECTED AND POSSIBLE CONTRIBUTING FACTORS CONTINUED**

**POSSIBLE CONTRIBUTING FACTORS**

**PCF No. 1**

A Tractor-Trailer Operator's vehicle collided with a railroad switching movement because the Operator violated several local laws and ordinances. He was charged with improper backing, failure to yield the right-of-way, and driving left of center.

**REPORT:** FE 12-2003

**RAILROAD:** CSX Transportation, Incorporated (CSX)

**LOCATION:** Kingsport, Tennessee

**DATE & TIME:** June 6, 2003; 8:25 a.m., CST

**EVENT<sup>1</sup>:** During a backing maneuver to dock his trailer, a Tractor-Trailer Operator's vehicle jack-knifed into the side of a railroad switching movement, striking, pinning, and fatally injuring the Brakeman, who was riding the northeast corner side ladder of the lead rail car.

**EMPLOYEE:** Craft: Transportation and Engine (T&E)

Activity: Switching

Occupation: Brakeman

Age: 35

Length of Service: 3 years

Last Rules Training: Feb. 28, 2002

Last Safety Training: Feb. 28, 2002

Last Physical: March 27, 2000

### **CIRCUMSTANCES PRIOR TO THE ACCIDENT**

The fatally injured employee reported for duty at 5 a.m. on June 6, 2003, at the CSX yard office in Kingsport, Tennessee. He had been called to perform duties as a Brakeman on Train No. Y422-06 with a crew that also included a Conductor and Engineer. The crew performs switching in and around Kingsport Yard and various industries in the vicinity.

The area at the site of the accident was an asphalt-paved municipal street called Clinchfield Street. Railroad tracks ran parallel with the direction of vehicular traffic. The double yellow dividing line between the eastbound and westbound lanes ran down the center of the gage of the rail; there were two lanes of traffic in both directions. However, when railroad equipment occupied the track in the center of the street, the two center lanes were restricted for movement of vehicular traffic. The street was bordered by a walkway on both sides, with the south side of the street serving as access and egress to a number of parking lots and businesses, while the north side beyond the walkway was blocked by the brick wall of the Quebecor Printing, Inc. building.

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<sup>1</sup>

“Event is defined as “occurrence that immediately precedes and directly results in the fatality.” Possible contributing factors are identified in the following report and attached summary.

At the time of the accident, the weather was dry and sunny, and the temperature was 65° F.

### **THE ACCIDENT**

The crew members proceeded to Quebecor Printing and pulled two loaded rail cars from spots nos. 1 and 4. The crew wanted to make this the first move because the level of street traffic was lowest at this time. Then the crew switched two empty rail cars out of yard inventory to spot at Quebecor Printing. The crew then proceeded to Quebecor, which was within the yard limits and only two city blocks from the yard office. The main track in this area was oriented in a north-south direction; therefore, when the crew proceeded toward Quebecor Printing, they were considered to be proceeding in a northbound timetable direction. However, the lead proceeded toward Quebecor at a 90-degree, right hand curve and then in a geographically eastbound direction. The police report also referred to the street direction at the location of the accident as being oriented in a north-south direction. All references to direction in this report will refer to geographic directions. This will mean that Clinchfield Street is geographically oriented on an east-west direction and Center Street is oriented on a north-south direction. The crew was operating the rail cars without air brakes connected, controlling the movement with locomotive brakes. One of the rail cars was to be spotted at Quebecor Printing Spot No. 1, and the other was to be spotted at Spot No. 4, approximately 100 yards beyond the first spot on a short spur track from the switching lead into the building.

The crew had arrived at the first Quebecor switch, just west of the intersection of Clinchfield and Center Streets. The Brakeman had aligned the switch and remained at the switch while the Conductor continued to control the movement of the equipment through the intersection and into the Quebecor building to spot the rail car. The Conductor spotted and secured the rail car, separated the spotted rail car from the rest of the equipment, and instructed the Engineer to return to the switching lead under the direction of the Brakeman. The Brakeman protected the lead end of the equipment returning to the switching lead and stopped the movement when the equipment cleared the switch accessing the No. 1 Quebecor spur track. The Brakeman aligned the switch for movement on the switching lead, then waited for the traffic control signals protecting the intersection of Clinchfield and Center Streets to stop the traffic on Center Street. He then instructed the Engineer to shove eastbound through the intersection. The Conductor had completed his duties connected with the rail car just spotted and was waiting east of the intersection. Since the Brakeman was occupying the lead end north side ladder of the movement, the Conductor mounted the lead end south side ladder. The objective of having two personnel protecting the lead end of the movement was to protect the movement and the vehicular traffic as the rail movement proceeded down the center of the street. Each individual was responsible for protecting his side of the movement from vehicular movement on the street. After the Conductor mounted the equipment, the crew continued its movement eastbound toward the next rail car spot at No. 4 Quebecor.

After the Conductor had mounted the equipment, the movement proceeded a short distance of 30 to 40 feet when the Brakeman initiated a radio transmission instructing the Engineer to stop the movement. The Brakeman yelled “Woe, Woe!” This was followed by the sound of grinding metal over the radio.

Between the time that the rail crew moved the loaded rail cars from the industry track and returned with the empties for delivery, a Tractor-Trailer Operator had arrived with a delivery. He had parked

his vehicle on the north side of Clinchfield Street, occupying a position partially blocking the northernmost westbound lane and the sidewalk adjacent to the Quebecor building. The Tractor-Trailer Operator then entered the building and inquired about the spotting of his delivery; he was informed that he could spot his delivery at the truck dock as soon as the railroad crew had completed its delivery. The truck dock was immediately west of the rail car spot inside the building, and the railroad tracks would have to be clear of train traffic before the trailer could be docked. The Tractor-Trailer Operator returned to his vehicle to wait for the railroad crew to clear the tracks.

During the time that the train crew was engaged in moving through the intersection after delivering the empty rail car and the Conductor was mounting the south side of the lead rail car, the Tractor-Trailer Operator began the backing maneuver to dock his trailer. As the backing maneuver progressed, the vehicle jack-knifed into the traffic lanes and into the side of the railroad movement, striking the Brakeman riding the northeast corner side ladder.

The Brakeman was pinned between the rail car and the right front corner of the trailer body. The massive blunt force trauma resulting from this collision resulted in fatal injuries to the Brakeman. The Holston Valley Emergency Medical Service responded to the scene, as did the Sullivan County Coroner. The coroner pronounced the Brakeman dead at the scene, of massive blunt force trauma.

### **POST-ACCIDENT INVESTIGATION**

The Federal Railroad Administration's (FRA) investigation revealed that the railroad employees were performing their duties in accordance with outstanding rules and local practices. There were no operational failures evident on the part of crew members which caused or contributed to the severity of this accident. The Kingsport Police Department also investigated the accident and found that the train crew did not operate in violation of any laws or ordinances. However, the Tractor-Trailer Operator was found to be in violation of a number of state and local vehicle safety laws. The railroad performed safety inspections of the equipment during the course of their investigation and found no defects.

FRA's post-accident toxicology tests were administered to the deceased employee. Results were negative for both drugs and alcohol. The Kingsport Police Department administered an evidential blood test for alcohol and drug use on the Tractor-Trailer Operator. The Kingsport Police Department's policy prohibited the release of drug and alcohol test results because their investigation still was in progress at the time of this report.

### **APPLICABLE RULES**

FRA's investigation of the accident did not reveal any violations of Federal regulations or railroad operating or safety rules by railroad personnel which caused or contributed to the severity of this accident. However, the Kingsport Police Department found that the Tractor-Trailer Operator had violated a number of laws and ordinances. He was charged with "Improper Backing, Failure to Yield Right-of-Way, and Driving Left of Center." The local authorities also indicated evidence would be presented to support "Reckless Endangerment" and possibly "Negligent Homicide." These charges would be pursued only on the recommendation of the district attorney and a positive finding of a grand jury.