

REPORT: FE-07-97
RAILROAD: Burlington Northern and Santa Fe Railway Company (BNSF)
LOCATION: Beatrice, Nebraska
DATE/TIME: Feb. 12, 1997 - 10:35 p.m., CST

PROBABLE CAUSE:

The Relief Conductor, standing to the rear of the Crew van during a Crew change, was struck by a pickup truck operated by an individual driving under the influence.

EMPLOYEE: **Craft..... Transportation**
Activity..... Crew Change
Occupation..... Conductor
Age..... 56 years
Length of Service 27 years
Last Rules Training..... Jan. 21-22, 1997
Last Safety Training..... Jan. 21-22, 1997
Last Physical Exam..... Feb. 25, 1994

Circumstances Prior to the Accident

On Feb. 12, 1997, a train Crew comprising an Engineer, Conductor, Brakeman, and Student Brakeman reported for duty at 11 a.m. (CST) in Lincoln, Nebraska, to operate Train 25645-12 from Lincoln to Wymore, Nebraska, on the Nebraska Division, Beatrice Subdivision. All members of the Crew had received the required off-duty time prior to going on duty.

The Crew Members went on duty at 11 a.m. and received their normal paperwork, including work orders. The work orders the Crew Members received had the wrong locomotive number, and the work orders had to be changed. They went through the waybills and checked for hazardous material cars, and what had to be done. They also checked the latest bulletins. The Crew was then bussed to the train in the north yard.

Upon arrival at the train, the Conductor noticed an anhydrous ammonia car next to the locomotive and contacted the Humpmaster. The Humpmaster stated it was not a placarded car. Therefore, the Crew could depart. The Conductor walked back and looked at the tank car and

discovered it was placarded. The Conductor then notified the Yardmaster that a placarded tank car was first behind the locomotive and would have to be switched out and buried.

Approximately 45 minutes later, the Yardmaster notified the Crew to cut the locomotives off and pick up some cars on North Yard 7, and that would provide cover for the anhydrous ammonia tank car. While the Crew Members were performing this operation, their train consist became blocked by Train No. 110 for some time. The Crew was then informed there was a car mistakenly placed in the consist that would have to be set out on another track.

The Crew finally departed Lincoln westbound at 6:40 p.m. (CST). The rest of the trip was uneventful. The Conductor informed the Fort Worth Dispatch Center that they would be unable to complete the switching at Hoag and would need to be relieved. At approximately 9:45 p.m. (CST), the Relief Crew Members informed the Conductor on Train 25645-12 that they would be at Hoag at 10:30 p.m. (CST) to relieve them.

When the train arrived at Hoag, the Conductor was in the caboose at the rear of the train. The Engineer pulled the rear of the train to the crossing for the Conductor to unload his grip. The Engineer then backed the train up and stopped clear of DOT Crossing No. 0641128 at approximately 10-20 feet to wait for the Relief Crew. The locomotive was facing southeast, and the headlight was illuminated.

DOT Crossing No. 0641128 was a 28-foot wide gravel county road with one mainline track across the crossing. Two fertilizer plants, located in the immediate area, precipitated a lot of truck traffic. The crossing was wide open, with a 1 to 1 ½ mile visibility in either direction, and equipped with only crossbucks as warning devices. The county road ran east/west, and the tracks ran north/south at about an 80-degree angle to the road.

At approximately 10:35 p.m. (CST), the Crew van owned and operated by Gary W. Trump, doing business for DMN Hotel in Wymore, Nebraska, pulled up to the crossing and stopped on the east side. The van then pulled across the crossing and stopped on the west side, off to the side of the road as far as the driver could get, so the Crew could unload without having to get in the graded ditch. The van had on its emergency flashers. The Relief Engineer was sitting in the front passenger seat, and the Relief Conductor and Relief Brakeman sat in two captain chairs behind the front seats.

The Relief Conductor and Relief Brakeman were the first to exit the van and get their grips. The Relief Brakeman took his grip and set it on the ground on the east side of the rails. The Relief Engineer then got out of the van and retrieved his grip from the back seat. He then went up to where the Relief Conductor and Relief Brakeman were standing behind the van. He then walked to the north and boarded the locomotive on the west side, and stood on the front of the locomotive waiting for the relieved Engineer to exit.

The relieved Conductor, Brakeman, and Student Brakeman, who had already exited the locomotive and had placed their grips in the back of the van, were talking to the Relief

Conductor and Relief Brakeman behind the van. The other Brakeman then stepped over to the west side of the locomotive and down in the graded ditch. The Student Brakeman was putting his grip in the back of the van. The van doors were open, obscuring the flashing lights from the rear.

It was a clear, dark night with a temperature of 14° F.

The Accident

A gas company van passed by, heading east. A few seconds later, a pickup truck heading west approached and struck the Relief Conductor and Student Brakeman, pinning them between the front of the pickup truck and the rear of the Crew van. The impact shoved the Crew van forward.

The Gage County Sheriff's Office was notified at 10:39 p.m. (CST), and the Sheriff and a Deputy arrived on the scene at 10:59 p.m. (CST). The Deputy Sheriff, serving as Acting County Coroner, pronounced the Relief Conductor dead at the scene. The Beatrice Fire Department was notified and at 10:41 p.m. (CST) dispatched one rescue unit, one ambulance, and one fire truck to the scene.

The Student Brakeman was transported to Lincoln General Hospital in Lincoln, Nebraska, where he was admitted with compound fractures in both legs. The Crew Van Driver was treated at Beatrice Community Hospital in Beatrice, Nebraska, for a cervical sprain and released. The injuries of the Driver of the pickup truck were unknown.

Please see the attached six diagrams of the accident scene, DOT Crossing No. 0641128, to better visualize the chain of events that led up to the fatality.

Post-Accident Investigation

FRA did not respond to the scene or inspect the accident site.

The Gage County Sheriff's Office was contacted, and a copy of their report was requested on Feb. 13, 1997. However, this report was not furnished to FRA. FRA received the Gage County Sheriff's Office report from the BNSF Claim Department in Lincoln, Nebraska.

The BNSF Nebraska Division Office in Lincoln provided the following:

- A listing of individuals involved, including the Crew Members, Van Driver, and Pickup Truck Driver;
- Track charts of the accident scene;
- A copy of the Fort Worth Network Operations Center Incident Report;
- Copies of the Employee Personnel Injury/Occupations Illness Reports for injured employees;

- A copy of the track warrant and track bulletins issued to Train No. 25645-12, and train lists for Train No. 25645-12 departing Lincoln, arriving Crete, departing Crete, arriving Hoag, and arriving Wymore; and
- A copy of the article from the Lincoln Journal Star dated Feb. 13, 1997.

The BNSF Network Operations Center in Fort Worth, Texas, was contacted and provided the Forms FRA F6180.55, F6180.55a, and F-27 Wire Notification Initial Report and Corrected Report.

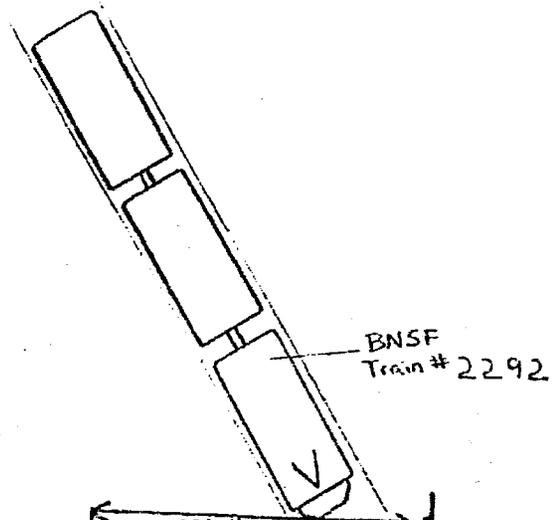
The Crew Members were contacted and interviewed. In addition, the Crew Van Driver was contacted and referred FRA to his attorney who declined the interview.

The Gage County Attorney was contacted and interviewed. In addition, copies of the report of the re-enactment of the accident and the coroner's report were requested. The County Attorney would not release either report without a subpoena. No reports were received from Gage County officials.

On Sept. 30, 1997, the Gage County Attorney's Office was again contacted. The secretary stated that the Driver of the pickup was charged with driving under the influence and on June 24, 1997, found guilty and sentenced to nine months probation and fined \$200 and court costs.



6



BNSF
Train # 2292

22'11"

12'4"

50'2"

38'8"

Reference Point
Pole # 7521

56'
width

Hoag Gravel Width 28'

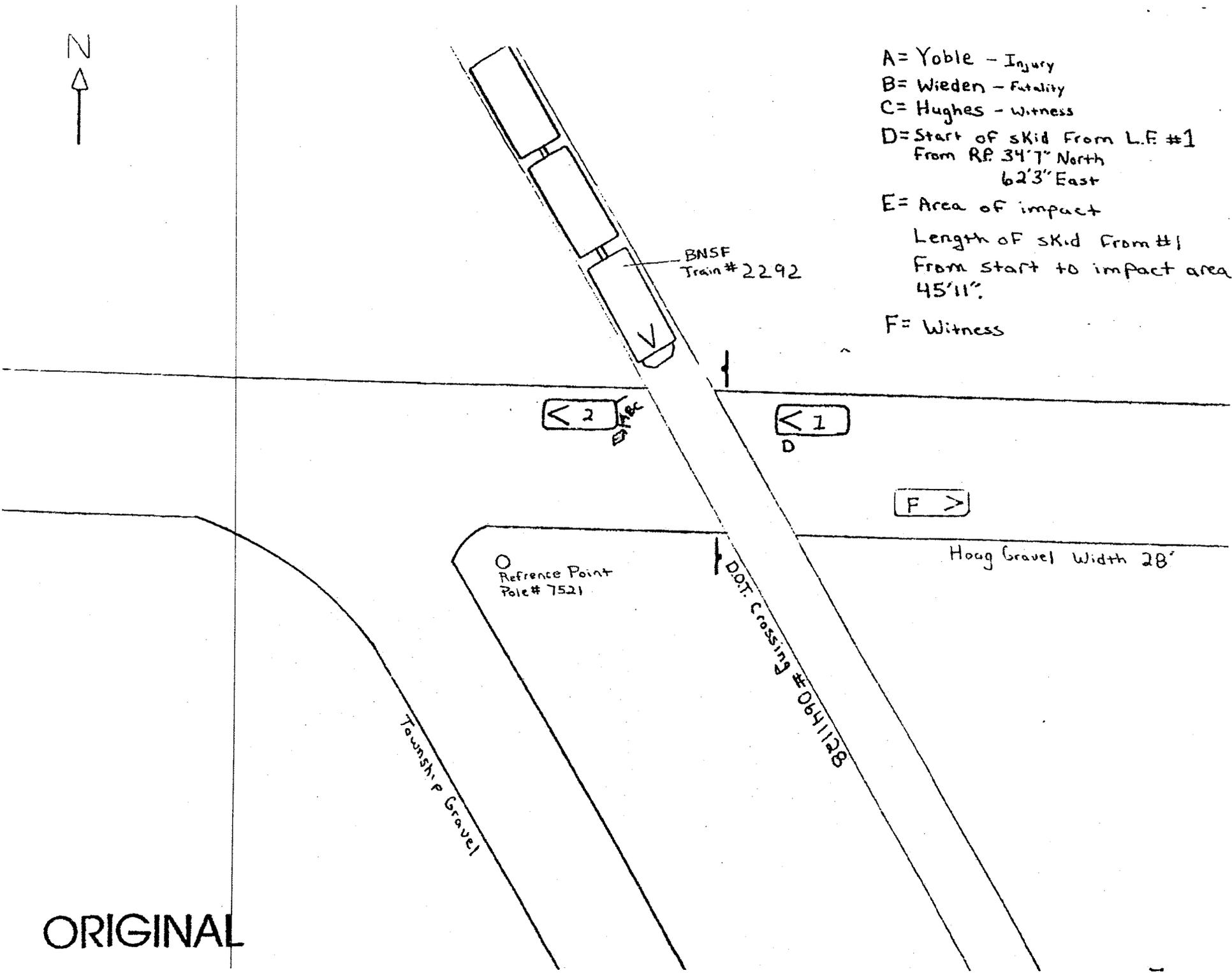
DOT Crossing # 0641128

Township Gravel

ORIGINAL



- A = Yoble - Injury
- B = Wieden - Fatality
- C = Hughes - witness
- D = Start of skid From L.F. #1
From RP. 34'7" North
62'3" East
- E = Area of impact
Length of skid From #1
From start to impact area
45'11"
- F = Witness

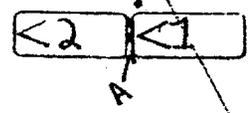


ORIGINAL



A = Area of impact
39' North 16'3" East

BNSF
Train # 2292



○ Reference Point
Pole # 7521

DOT Crossing # 004128

Hoag Gravel Width 28'

Township Gravel

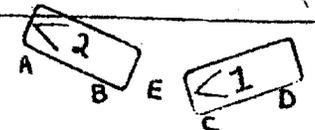
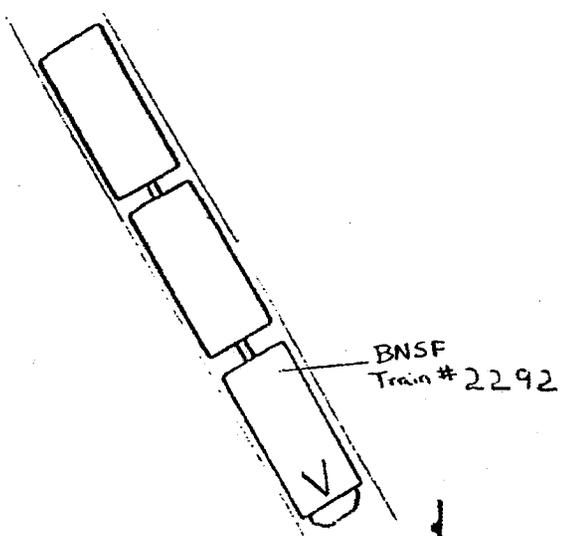
ORIGINAL



Diagram not to scale.

Final Resting Point
Measurements from Ref. Point

- A = 42'7" North 30'8" West
- B = 39'1" North 20'7" West
- C = 30'4" North 8'10" East
- D = 34'7" North 18'9" East
- E = Area of Body-Wieden
39'4" North 4'7" West



O Reference Point
Pole # 7521

DOT Crossing # 0641128

Hoag Gravel Width 28'

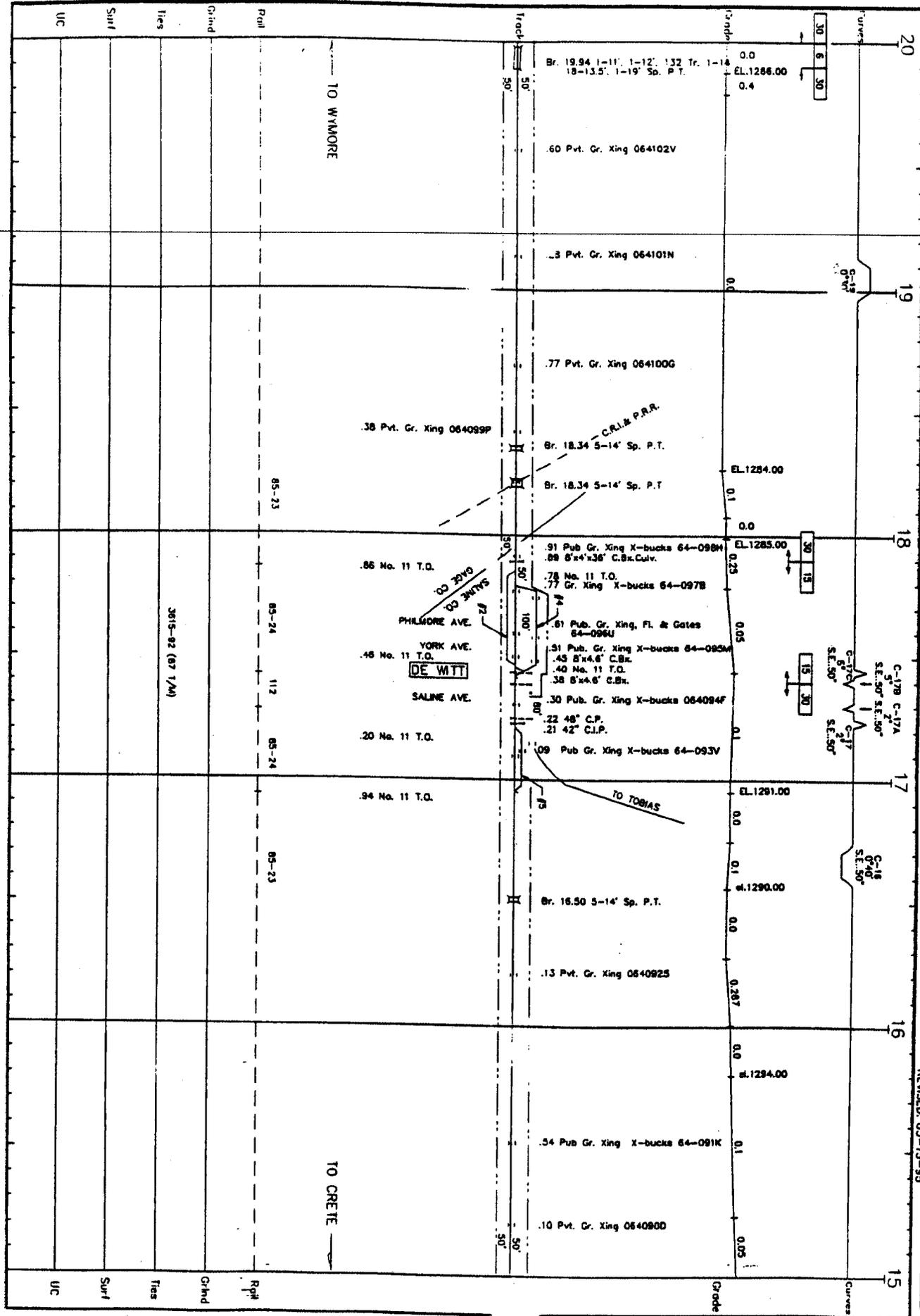
Township Gravel

ORIGINAL

LS. 0152

REVISED: 03-15-95

CMBTC-04

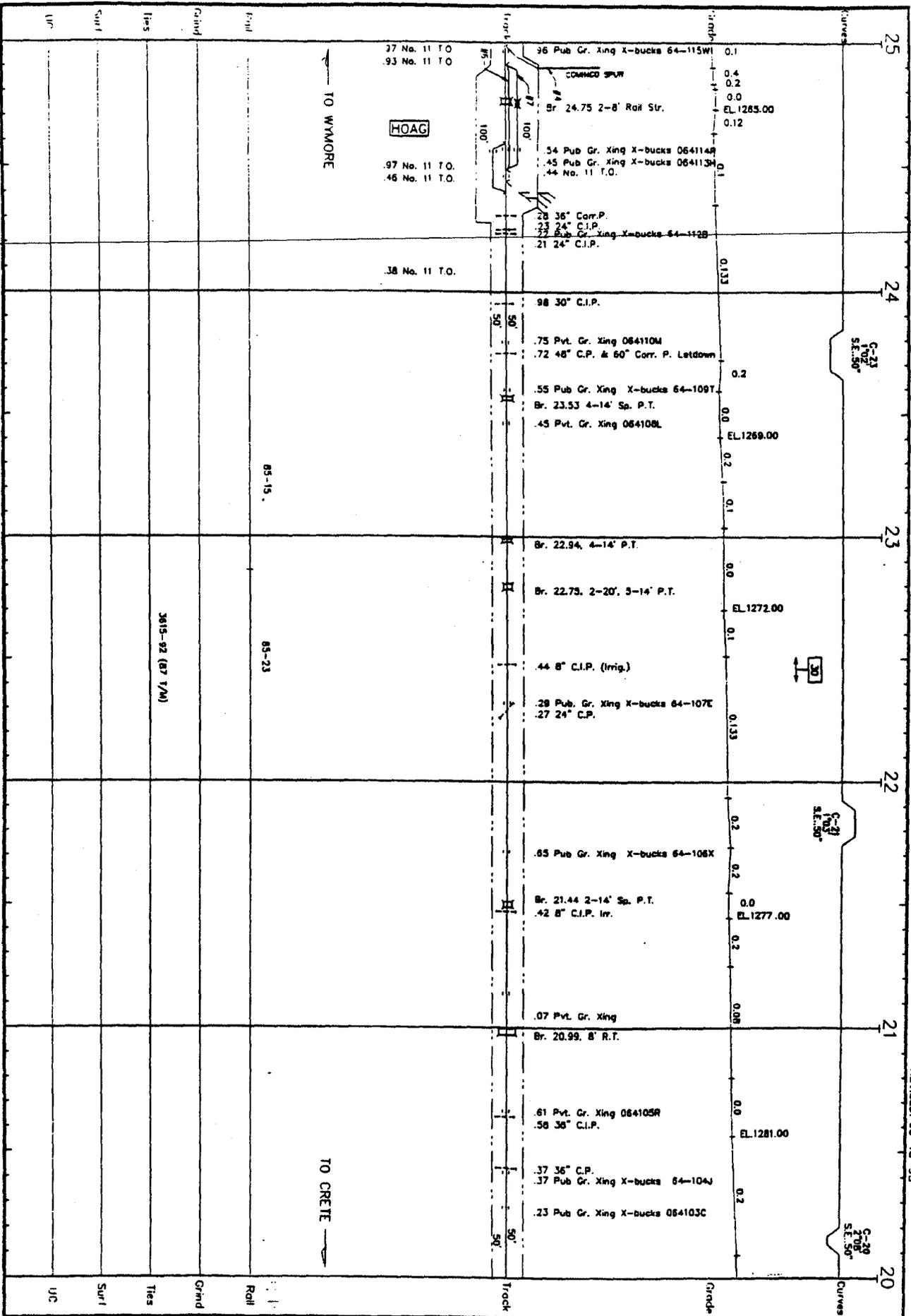


11

LS 0152

REVISED: 03-15-95

CMBTC-05



37 No. 11 T.O.
 93 No. 11 T.O.
HOAG
 97 No. 11 T.O.
 46 No. 11 T.O.

TO WMORE

38 No. 11 T.O.

3615-92 (87 1/2')

85-15.

85-23

TO CRETE

Station	Curves	Grade	Track	Rail	Grind	Ties	Surf	UC
25								
24	C-23 R=50'							
23								
22	C-22 R=50'							
21								
20	C-20 R=50'							