Federal Railroad Administration
Office of Safety
Headquarters Assigned
Accident Investigation Report
HQ-2008-39

CSX Transportation (CSX)
Perrysburg, OH
April 8, 2008

Note that 49 U.S.C. §20903 provides that no part of an accident or incident report made by the Secretary of Transportation/Federal Railroad Administration under 49 U.S.C. §20902 may be used in a civil action for damages resulting from a matter mentioned in the report.

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

FRA FACTUAL RAILROAD ACCIDENT REPORT

FRA File # HQ-2008-39

1.Name of Railroad Operating Train #1: CSX Transportation [CSX]	1a. Alphabetic Code: CSX	1b. Railroad Accident/Incident No.: 000045232
2.Name of Railroad Operating Train #2: N/A	2a. Alphabetic Code: N/A	2b. Railroad Accident/Incident No.: N/A
3.Name of Railroad Operating Train #3: N/A	3a. Alphabetic Code: N/A	3b. Railroad Accident/Incident No.: N/A
4.Name of Railroad Responsible for Track Maintenance: CSX Transportation [CSX]	4a. Alphabetic Code: CSX	4b. Railroad Accident/Incident No.: 000045232

5. U.S. DOT_AAR Grade Crossing Identification Number: 918338A	6. Date of Accident/Incident: Month 04 | Day 08 | Year 2008	7. Time of Accident/Incident: 12:43:00 ☑ AM ☐ PM

8. Type of Accident/Indicent *(single entry in code box)*: 1. Derailment; 2. Head on collision; 3. Rear end collision; 4. Side collision; 5. Raking collision; 6. Broken Train collision; 7. Hwy-rail crossing; 8. RR grade crossing; 9. Obstruction; 10. Explosion-detonation; 11. Fire/violent rupture; 12. Other impacts; 13. Other *(describe in narrative)* — Code: 08

9. Cars Carrying HAZMAT	10. HAZMAT Cars Damaged/Derailed	11. Cars Releasing HAZMAT	12. People Evacuated	13. Division
0	N/A	N/A	0	Chicago

14. Nearest City/Town	15. Milepost *(to nearest tenth)*	16. State Abbr / Code	17. County
Perrysburg	QT 6.7	N/A / OH	WOOD

18. Temperature (F) *(specify if minus)*	19. Visibility *(single entry)* 1. Dawn 2. Day 3.Dusk 4.Dark — Code	20. Weather (single entry) 1. Clear 2. Cloudy 3. Rain 4. Fog 5.Sleet 6.Snow — Code	21. Type of Track 1. Main 2. Yard 3. Siding 4. Industry — Code
48 F	4	2	4

22. Track Name/Number	23. FRA Track Class (1-9, X) — Code	24. Annual Track Density *(gross tons in millions)*	25. Time Table Direction 1. North 2. South 3. East 4. West — Code
Runaround	1	N/A	3

OPERATING TRAIN #1

26. Type of Equipment Consist *(single entry)* 1. Freight train 2. Passenger train 3. Commuter train 4. Work train 5. Single car 6. Cut of cars 7. Yard/switching 8. Light loco(s). 9. Maint./inspect.car — A. Spec. MoW Equip. Code	27. Was Equipment Attended? 1. Yes 2. No — Code	28. Train Number/Symbol
7	1	Y22507

29. Speed *(recorded speed, if available)* R - Recorded E - Estimated — Code	31. Method(s) of Operation *(enter code(s) that apply)*	31a. Remotely Controlled Locomotive?
5 MPH — R	a. ATCS; b. Auto train control; c. Auto train stop; d. Cab; e. Traffic; f. Interlocking; g. Automatic block; h. Current of traffic; i. Time table/train orders; j.Track warrant control; k. Direct traffic control; l.Yard limits; m.Special instructions; n. Other than main track; o. Positive train control; p. Other *(Specify in narrative)*	0 = Not a remotely controlled; 1 = Remote control portable; 2 = Remote control tower; 3 = Remote control transmitter - more than one remote control transmitter
30. Trailing Tons *(gross tonnage, excluding power units)*: 966	Code(s): n | N/A | N/A | N/A | N/A	0

32. Principal Car/Unit	a. Initial and Number	b. Position in Train	c. Loaded *(yes/no)*
(1) First involved *(derailed, struck, etc)*	CSXT495576	10	yes
(2) Causing *(if mechanical cause reported)*	0	0	N/A

33. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box.

Alcohol	Drugs
N/A	N/A

34. Was this consist transporting passengers? (Y/N): N

35. Locomotive Units	a. Head End	Mid Train b. Manual	Mid Train c. Remote	Rear End d. Manual	Rear End c. Remote
(1) Total in Train	1	0	0	0	0
(2) Total Derailed	0	0	0	0	0

36. Cars	Loaded a. Freight	Loaded b. Pass.	Empty c. Freight	Empty d. Pass.	e. Caboose
(1) Total in Equipment Consist	8	0	0	0	1
(2) Total Derailed	0	0	0	0	0

37. Equipment Damage This Consist	38. Track, Signal, Way, & Structure Damage	39. Primary Cause Code	40. Contributing Cause Code
$500.00	$0.00	M304	N/A

Number of Crew Members

41. Engineer/ Operators	42. Firemen	43. Conductors	44. Brakemen
1	0	1	0

Length of Time on Duty

45. Engineer/Operator	46. Conductor
Hrs 8 Mi 33	Hrs 8 Mi 33

Casualties to:	47. Railroad Employees	48. Train Passengers	49. Other
Fatal	0	0	0
Nonfatal	1	0	0

50. EOT Device? 1. Yes 2. No — Code	51. Was EOT Device Properly Armed? 1. Yes 2. No — Code
2	N/A

52. Caboose Occupied by Crew? 1. Yes 2. No — Code: 2

OPERATING TRAIN #2

53. Type of Equipment Consist *(single entry)* 1. Freight train 2. Passenger train 3. Commuter train 4. Work train 5. Single car 6. Cut of cars 7. Yard/switching 8. Light loco(s). 9. Maint./inspect.car — A. Spec. MoW Equip. Code	54. Was Equipment Attended? 1. Yes 2. No — Code	55. Train Number/Symbol
N/A	N/A	N/A

56. Speed *(recorded speed, if available)* R - Recorded E - Estimated — Code	58. Method(s) of Operation *(enter code(s) that apply)*	58a. Remotely Controlled Locomotive?
0 MPH — N/A	a. ATCS; b. Auto train control; g. Automatic block; h. Current of traffic; m.Special instructions; n. Other than main track	0 = Not a remotely controlled; 1 = Remote control portable

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

FRA FACTUAL RAILROAD ACCIDENT REPORT

FRA File # HQ-2008-39

57. Trailing Tons *(gross tonnage, excluding power units)* N/A

c. Auto train stop; d. Cab; e. Traffic; f. Interlocking; i. Time table/train orders; j.Track warrant control; k. Direct traffic control; l.Yard limits; o. Positive train control; p. Other *(Specify in narrative)* Code(s): N/A N/A N/A N/A N/A

2 = Remote control tower
3 = Remote control transmitter - more than one remote control transmitter: N/A

59. Principal Car/Unit	a. Initial and Number	b. Position in Train	c. Loaded *(yes/no)*
(1) First involved *(derailed, struck, etc)*	0	0	N/A
(2) Causing *(if mechanical cause reported)*	0	0	N/A

60. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box.

Alcohol	Drugs
N/A	N/A

61. Was this consist transporting passengers? (Y/N) N/A

62. Locomotive Units	a. Head End	Mid Train b. Manual	Mid Train c. Remote	Rear End d. Manual	Rear End c. Remote
(1) Total in Train	0	0	0	0	0
(2) Total Derailed	0	0	0	0	0

63. Cars	Loaded a. Freight	Loaded b. Pass.	Empty c. Freight	Empty d. Pass.	e. Caboose
(1) Total in Equipment Consist	0	0	0	0	0
(2) Total Derailed	0	0	0	0	0

64. Equipment Damage This Consist: $0.00

65. Track, Signal, Way, & Structure Damage: $0.00

66. Primary Cause Code: N/A

67. Contributing Cause Code: N/A

Number of Crew Members

68. Engineer/ Operators	69. Firemen	70. Conductors	71. Brakemen
0	0	0	0

Length of Time on Duty

72. Engineer/Operator: Hrs 0 Mi 0

73. Conductor: Hrs 0 Mi 0

Casualties to:	74. Railroad Employees	75. Train Passengers	76. Other
Fatal	0	0	0
Nonfatal	0	0	0

77. EOT Device? 1. Yes 2. No N/A

78. Was EOT Device Properly Armed? 1. Yes 2. No N/A

79. Caboose Occupied by Crew? 1. Yes 2. No N/A

OPERATING TRAIN #3

80. Type of Equipment Consist *(single entry)*: 1. Freight train; 2. Passenger train; 3. Commuter train; 4. Work train; 5. Single car; 6. Cut of cars; 7. Yard/switching; 8. Light loco(s); 9. Maint./inspect.car; A. Spec. MoW Equip. Code: N/A

81. Was Equipment Attended? Code 1. Yes 2. No N/A

82. Train Number/Symbol: N/A

83. Speed *(recorded speed, if available)* Code: R - Recorded; E - Estimated N/A MPH 0

84. Trailing Tons *(gross tonnage, excluding power units)* N/A

85. Method(s) of Operation *(enter code(s) that apply)*: a. ATCS; b. Auto train control; c. Auto train stop; d. Cab; e. Traffic; f. Interlocking; g. Automatic block; h. Current of traffic; i. Time table/train orders; j.Track warrant control; k. Direct traffic control; l.Yard limits; m.Special instructions; n. Other than main track; o. Positive train control; p. Other *(Specify in narrative)* Code(s): N/A N/A N/A N/A N/A

85a. Remotely Controlled Locomotive?
0 = Not a remotely controlled
1 = Remote control portable
2 = Remote control tower
3 = Remote control transmitter - more than one remote control transmitter: N/A

86. Principal Car/Unit	a. Initial and Number	b. Position in Train	c. Loaded *(yes/no)*
(1) First involved *(derailed, struck, etc)*	0	0	N/A
(2) Causing *(if mechanical cause reported)*	0	0	N/A

87. If railroad employee(s) tested for drug/alcohol use, enter the number that were positive in the appropriate box.

Alcohol	Drugs
N/A	N/A

88. Was this consist transporting passengers? (Y/N) N/A

89. Locomotive Units	a. Head End	Mid Train b. Manual	Mid Train c. Remote	Rear End d. Manual	Rear End c. Remote
(1) Total in Train	0	0	0	0	0
(2) Total Derailed	0	0	0	0	0

90. Cars	Loaded a. Freight	Loaded b. Pass.	Empty c. Freight	Empty d. Pass.	e. Caboose
(1) Total in Equipment Consist	0	0	0	0	0
(2) Total Derailed	0	0	0	0	0

91. Equipment Damage This Consist: $0.00

92. Track, Signal, Way, & Structure Damage: $0.00

93. Primary Cause Code: N/A

94. Contributing Cause Code: N/A

Number of Crew Members

95. Engineer/ Operators	96. Firemen	97. Conductors	98. Brakemen
0	0	0	0

Length of Time on Duty

99. Engineer/Operator: Hrs 0 Mi 0

100. Conductor: Hrs 0 Mi 0

Casualties to:	101. Railroad Employees	102. Train	103. Other
Fatal	0	0	0
Nonfatal	0	0	0

104. EOT 1. Yes 2. No N/A

105. Was EOT Device Properly 1. Yes 2. No N/A

106. Caboose Occupied by Crew? 1. Yes 2. No N/A

Highway User Involved

107. Code: C
A. Auto; B. Truck; C. Truck-Trailer.; D. Pick-Up Truck; E. Van; F. Bus; G. School Bus; H. Motorcycle; J. Other Motor Vehicle; K. Pedestrian; M. Other *(spec. in narrative)*

108. Vehicle Speed *(est. MPH at impact)* 10

109. *geographical)* Code: 1
1.North 2.South 3.East 4.West

Rail Equipment Involved

111. Equipment Code: 2
1.Train *(units pulling)*; 2.Train *(units pushing)*; 3.Train *(standing)*; 4.Car(s) *(moving)*; 5.Car(s) *(standing)*; 6.Light Loco(s) *(moving)*; 7.Light(s) *(standing)*; 8.Other *(specify in narrative)*

112. Position of Car Unit in 10

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION

FRA FACTUAL RAILROAD ACCIDENT REPORT

FRA File # HQ-2008-39

110. Position	Code	113. Circumstance	Code
1.Stalled on Crossing 2.Stopped on Crossing 3.Moving Over Crossing 4. Trapped	3	1. Rail Equipment Struck Highway User 2. Rail Equipment Struck by Highway User	1
114a. Was the highway user and/or rail equipment involved in the impact transporting hazardous materials? 1. Highway User 2. Rail Equipment 3. Both 4. Neither	4	114b. Was there a hazardous materials release 1. Highway User 2. Rail Equipment 3. Both 4. Neither	4

114c. State here the name and quantity of the hazardous materials released, if any.
N/A

115. Type Crossing Warning	1.Gates	2.Cantilever FLS	3.Standard FLS	4.Wig Wags	5.Hwy. traffic signals	6.Audible	7.Crossbucks	8.Stop signs	9.Watchman	10.Flagged by crew	11.Other *(spec. in narr.)*	12.None
Code(s)	N/A	N/A	N/A	N/A	N/A	N/A	N/A					

116. Signaled Crossing *(See instructions for codes)*	Code	117. Whistle 1. Yes 2. No 3. Unknown	Code
	N/A		2

118. Location of Warning 1. Both Sides 2. Side of Vehicle Approach 3. Opposite Side of Vehicle Approach	Code	119. Crossing Warning with Highway Signals 1. Yes 2. No 3. Unknown	Code	120. Crossing Illuminated by Street Lights or Special Lights 1. Yes 2. No 3. Unknown	Code
	1		2		2

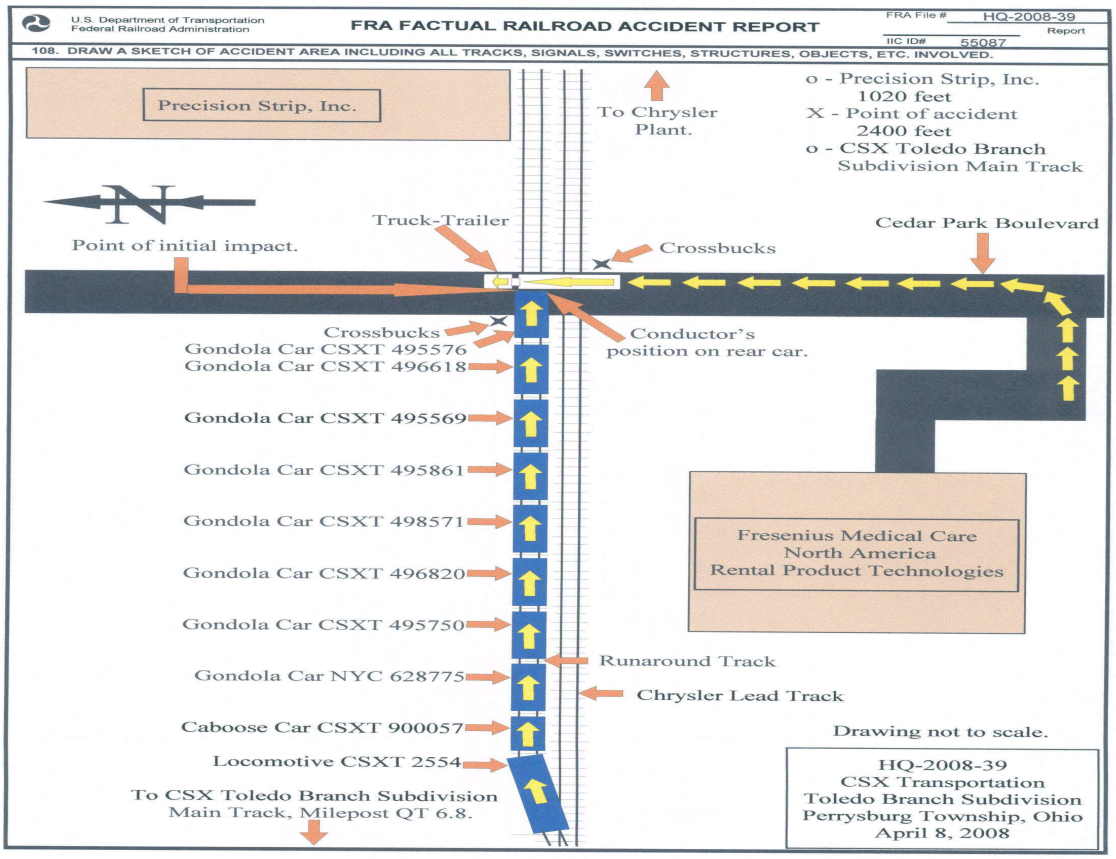
121. Age	122. Driver's Gender 1. Male 2. Female	Code	123. Driver Drove Behind or in Front of and Struck or was Struck by Second Train 1. Yes 2. No 3. Unknown	Code	124. Driver 1. Drove around or thru the Gate 2. Stopped and then Proceeded 3. Did not Stop 4. Stopped on Crossing 5. Other *(specify in narrative)*	Code
32		1		2		3

125. Driver Passed Highway Vehicle 1. Yes 2. No 3. Unknown	Code	126. View of Track Obscured by *(primary obstruction)* 1. Permanent Structure 2. Standing Railroad Equipment 3. Passing Train 4. Topography 5. Vegetation 6. Highway Vehicle 7. Other *(specify in narrative)* 8. Not obstructed	Code
	2		8

Casualties to:	Killed	Injured	127. Driver 1. Killed 2.Injured 3. Uninjured	Code	128. Was Driver in the Vehicle? 1. Yes 2. No	Code
				3		1
129. Highway-Rail Crossing Users	0	0	130. Highway Vehicle Property Damage *(est. dollar damage)*	10000	131. Total Number of Highway-Rail Crossing Users *(include driver)*	1

132. Locomotive Auxiliary Lights? 1. Yes 2. No	Code	133. Locomotive Auxiliary Lights Operational? 1. Yes 2. No	Code
	N/A		N/A
134. Locomotive Headlight Illuminated? 1. Yes 2. No	Code	135. Locomotive Audible Warning Sounded? 1. Yes 2. No	Code
	N/A		N/A

136. DRAW A SKETCH OF ACCIDENT AREA INCLUDING ALL TRACKS, SIGNALS, SWITCHES, STRUCTURES, OBJECTS, ETC., INVOLVED.



137. SYNOPSIS OF THE ACCIDENT

On April 8, 2008, at 12:43 a.m. EST, the rear car of a CSX freight train, that was shoving cars into an industry, collided with a truck-trailer that was being driven across a privately owned highway-rail grade crossing. The accident occurred on an industry spur track about three miles east of Perrysburg, Ohio, and about 2400 feet east of Milepost QT 6.8 on the Toledo Branch Subdivision of the CSX Chicago Division. CSX Train Y22507 was backing in an eastward direction according to timetable, which was also the geographical direction. The conductor, who was standing on the side platform of the rear train car, with a lighted lantern in hand, was severely injured. The engineer of the CSX freight train and the driver of the truck-trailer were uninjured. There were no passengers in the truck-trailer. The rear car of the CSX freight train sustained minor damage of about $500. There was no derailment. There was no track or signal damage. There were no hazardous material cars involved in the accident. The damage to the truck-trailer was about $10,000.

At the time of the accident it was dark, the weather was cloudy, and the temperature was 48° F.

FRA concluded that the accident was caused by the failure of the truck-trailer driver to yield right of way to the train.

138. NARRATIVE

CIRCUMSTANCES PRIOR TO THE ACCIDENT

CSX TRAIN Y225-07

The crew of CSX Train Y225-07 consisted of a locomotive engineer and conductor. They first went on duty at 3:59 p.m. EST, April 7, 2008, at the CSX Rossford Yard in Rossford, Ohio. This was the home terminal for both crew members. They had received more than the required statutory off-duty rest period prior to reporting for duty.
After going on duty at Rossford Yard, the crew assembled CSX Train Y225-07 and gave it a pre-departure inspection and transfer train air brake test. It was a mixed freight train that consisted of one locomotive (CSXT 2554), 13 loaded cars and one caboose. It was 779 feet long and weighed 1,609 tons, excluding the locomotive and caboose. The train's work order required a northward movement of about three miles over the CSX Toledo Terminal Subdivision Main Track to the CSX Stanley Yard, and then a short southward movement of about one-half mile to Jones Hamilton, an industry in Lake Township, Ohio. At that industry, five cars were set out (delivered) and five cars were picked up by CSX Train Y225-07. The train's work order then required a continued southward movement of about three miles over the CSX Toledo Branch Subdivision Main Track to Precision Strip, Inc., an industry in Perrysburg Township, Ohio. (After delivering and picking up cars at that industry, CSX Train Y225-07 was to return to Rossford Yard where the crew would go off duty).

CSX Train Y225-07 then continued movement to the south end of Chrysler Siding, at Toledo Branch Subdivision Milepost QT 6.8. After backing the train northward into the Chrysler Siding through the south switch, the locomotive was uncoupled and moved forward onto the Main Track. The locomotive then backed northward over the Main Track to the north end of Chrysler Siding and reentered the siding through the north switch. After the front of the locomotive was coupled to the rear of the train, it was pulled northward to the Chrysler Lead Track switch. The caboose and eight loaded coil steel cars (covered gondolas) were then uncoupled and the train crew conducted a safety briefing. After the safety briefing, the crew began shoving the caboose and eight cars through the switch and eastward onto the Chrysler Lead Track. The train was

then shoved through another switch onto the Run-around Track and continued moving eastward toward Precision Strip, Inc. The engineer was in the control compartment of the locomotive and the conductor was standing on the side platform of the rear car, near the leading end, giving the engineer movement instructions via radio. The conductor had a lighted lantern in hand. A fresh battery had very recently been installed in that lantern. The engineer was seated on the right (south) side of the locomotive at the control stand. The conductor was also positioned on the south side of the train.

The accident occurred on the Toledo Branch Subdivision of the CSX Chicago Division. In the accident area the track is tangent and practically level. Train movements on the Run-around Track are governed by other than main track rules.

The crew was operating in an eastward direction according to the current timetable, which was also the geographical direction. Timetable directions are used throughout this report.

HIGHWAY VEHICLE:

The truck-trailer consisted of a 2003 Freightliner Century conventional tractor with dual drive axles, and a 1997 Trail-mobile van-type semi-trailer with dual axles. The tractor was licensed in the State of Idaho, with the license number AH6271. The semi-trailer was also licensed in the State of Idaho with the license number TA8506. The semi-trailer was empty and no hazardous materials were being transported. The driver was employed by Willis Shaw Express in Elm Springs, Arkansas (WSE Transportation LLC) U.S. DOT #00011266, MC/MX #117119.

The vehicle departed Fresenius Medical Care North America and turned left (North) onto Cedar Park Boulevard. The truck then proceeded northward toward Ohio State Route 795.
It was dark, the weather was cloudy, and the temperature was 48° F.

THE ACCIDENT

CSX TRAIN Y225-07

CSX Train Y225-07 was being operated at a recorded speed of 5 mph approaching the accident area. The conductor was watching for highway traffic on Cedar Park Boulevard and his view of the crossing was unobstructed. After the conductor had notified the engineer that the road was clear of highway traffic, he observed the truck-trailer approaching. The conductor then notified the engineer of the truck and that it appeared to be stopping. When the conductor realized that the truck was not going to stop, he immediately told the engineer to stop. The engineer then placed the train air brakes in emergency application. According to the event data log from locomotive CSXT 2554, CSX Train Y225-07 traveled 43 feet after the engineer initiated the emergency air brake application. Because the highway crossing is 29 feet in width, and the rear car of CSX Train Y225-07 stopped at the east edge of that crossing, it is calculated that the emergency air brake application was initiated 14 feet west of the crossing's west edge.

HIGHWAY VEHICLE

The driver stated to the Ohio State Highway Patrol Trooper that he observed the train, but did not see it moving or see the conductor's lighted lantern until his truck was crossing the tracks. The driver also stated to the Ohio State Highway Patrol Trooper that when he was crossing the tracks, he noticed the train was moving and tried to beat it. According to the driver, the speed of his truck was about 10 mph when approaching the crossing. When approaching the crossing, the truck driver's view of the train was not obstructed.

The rear car of the train first struck the truck-trailer at the left rear outside drive tire of the truck. The truck-trailer then continued to move forward over the crossing while the trailer was scraping against the train, and being pushed off the east edge of the crossing by the train. When the truck-trailer and train had stopped, the rear car of the train was contacting the left rear portion of the trailer, which had been shoved about eight feet off the east edge of the crossing. The train did not derail.

The maximum authorized speed for mixed freight trains in the accident area is 10 miles per hour, as designated in the CSX Chicago Division Timetable No. 1, which was in effect at the time of the accident. The posted speed for highway traffic was 25 mph.

The CSX conductor was severely injured. The engineer of the CSX freight train and the driver of the truck-trailer were uninjured. There were no passengers in the truck. The rear car of the CSX freight train sustained minor damage of about $500. The damage to the truck-trailer was about $10,000. There was no track or signal damage. There were no hazardous material railroad cars involved in the accident.

Responding to the accident scene were the Ohio State Highway Patrol, the Perrysburg Township Police, and the Perrysburg Township EMS/Fire Unit. The injured CSX conductor was transported by St. Vincent Life Flight to St. Vincent Hospital in Toledo, Ohio.
EQ, Environmental responded to the accident scene to secure the approximate 25 gallons of #2 Diesel fuels that had leaked from the truck-trailer refrigeration unit fuel cell.

ANALYSIS AND CONCLUSIONS

ANALYSIS - TRACK, WAYSIDE SIGNALS AND RADIO COMMUNICATION EQUIPMENT:

Because there was no derailment, track was not an issue. Also, because the accident occurred on an industry track, there were no signals involved. According to the engineer's statement, the radio communication equipment was functioning as intended at the time of the accident.

CONCLUSION:

Condition of track, wayside signals and radio communication equipment was not a factor.

ANALYSIS - LOCOMOTIVE AND TRAIN AIR BRAKE EQUIPMENT OF CSX TRAIN Y225-07:

After the accident, the locomotive air brake equipment was tested and found to be functioning as intended. Also, according to the engineer's statement, the locomotive and train air brake equipment of CSX Train Y225-07 was functioning as intended at the time of the accident.

CONCLUSION:

Condition of locomotive and train air brake equipment was not a factor.

ANALYSIS - INSPECTION OF CSX TRAIN Y225-07:

The locomotive and rear car of CSX Train Y225-07 was inspected by CSX Mechanical Operations Employees after the accident. That inspection revealed that all systems functioned as intended and that no defects were present.

CONCLUSION:

Condition of locomotive and cars was not a factor.

ANALYSIS - LOCOMOTIVE HEADLIGHTS AND AUXILIARY LIGHTS OF CSX TRAIN Y225-07:

Because CSX Train Y225-07 was backing at the time of the accident, the headlights and auxiliary lights on the locomotive were not positioned to warn highway users. However, those headlights and auxiliary lights were inspected after the accident and found to be functioning as intended.

CONCLUSION:

Condition of locomotive headlights and auxiliary lights was not a factor.

ANALYSIS - REAR END MARKING DEVICE:

Because CSX Train Y225-07 was not occupying a main track at the time of the accident, a rear end marking device was not required per FRA Regulation 49 CFR PART 221, Subpart B. Also, rear end marking devices are designed to prevent rear end train collisions, and FRA requires the use of those devices solely for that

purpose.

CONCLUSION:

The absence of a rear end marking device on the rear car of CSX Train Y225-07 was not a factor.

ANALYSIS - CONSPICUITY OF CSX Train Y225-07:

As evidenced by a photograph taken by the Ohio State Highway Patrol just after the accident occurred, the rear car of CSX Train Y225-07 was in compliance with FRA Regulation 49 CFR PART 224-(REFLECTORIZATION OF RAIL FREIGHT ROLLING STOCK) at the time the accident occurred. That Ohio State Highway Patrol photograph also evidences how effective the reflective sheeting was on the side of covered gondola car CSXT 495576.

CONCLUSION:

The conspicuity of CSX Train Y225-07 was not a factor.

ANALYSIS - TOXICOLOGICAL TESTING OF LOCOMOTIVE ENGINEER AND CONDUCTOR-CSX Train Y225-07:

According to FRA Regulation 49 CFR PART 219, Subpart C, post-accident toxicological testing is not required in the case of a collision between railroad rolling stock and a motor vehicle at a highway-rail grade crossing.

CONCLUSION:

Crew post accident toxicological testing was not performed and there are no indications that it was a factor.

ANALYSIS - TOXICOLOGICAL TESTING OF TRUCK DRIVER:

Federal Motor Carrier Safety Administration regulation requires post accident toxicological testing of all CDL drivers who are cited for moving violations arising in a crash that requires a vehicle being towed or an injury requiring medical attention away from the scene. The alcohol test must be conducted within 8 hours and the controlled substances test must be conducted within 32 hours of the crash. The Federal Motor Carrier Safety Administration has not released the results of those tests to FRA.

CONCLUSION:

It is unknown if truck-trailer driver intoxication was a factor.

ANALYSIS: FATIGUE

FRA obtained fatigue related information, for the 10-day period preceding this incident including the 10-day work history (on duty/off duty cycles) for all of the rail employees involved.

CONCLUSION:

Upon analysis of that data FRA concluded fatigue was not probable for any of the employees.

ANALYSIS - TRUCK-TRAILER DRIVER FATIGUE:

The Federal Motor Carrier Safety Administration has not released the truck-trailer driver's hours of service record to FRA.

CONCLUSION:

It is unknown if truck-trailer driver fatigue was a factor.

ANALYSIS - LOCOMOTIVE ENGINEER AND CONDUCTOR OPERATING PERFPRMANCE - CSX TRAIN Y225-07:

The engineer of CSX Train Y225-07 stated that he had no issues or problems with his train and that all systems were functioning as intended. The locomotive event recorder recorded a speed of 5 mph for CSX Train Y225-07 at the time of the accident, which was in compliance with other than main track rules. The locomotive event recorder also recorded the emergency train air brake application initiated by the engineer just prior to the accident.

The conductor was in compliance with CSX Safe Way Rule GS-13 because the sides and ends of the car he was riding on were equipped with platforms and safety rails.

According to witness statements, the conductor was watching for highway traffic and had an unobstructed view as the train approached the Cedar Park Boulevard highway-rail grade crossing. The conductor then observed that Cedar Park Boulevard was clear of highway traffic and notified the engineer accordingly. After the conductor notified the engineer that the road was clear, the truck-trailer departed Fresenius Medical Care North America and turned onto Cedar Park Boulevard toward the crossing. The conductor then notified the engineer of the oncoming truck and that it appeared to be stopping. When he realized that the truck was not going to stop, the conductor immediately told the engineer that it was not stopping and that he should stop. Those quick actions indicate that the conductor was alert at the time of the accident.
According to witness statements, the conductor had a lighted lantern in hand while approaching Cedar Park Boulevard, and had installed a fresh battery in that lantern no more than one-half hour before the accident.

On the day of the accident, the CSX Toledo Terminal Superintendent stated that the conductor of CSX Train Y225-07 was in compliance with CSX Operating Rule 100, and was not required to provide ground protection because the accident occurred on a privately owned highway-rail grade crossing. The CSX Toledo Terminal Assistant Superintendent also stated that the conductor was in compliance with CSX Operating Rule 100 because the highway-rail grade crossing was privately owned. None of the railroad employees involved in this accident was charged with a CSX rule violation.

CONCLUSION:

Locomotive Engineer and Conductor Operating Performance was not a factor.

ANALYSIS - TRUCK-TRAILER DRIVER OPERATING PERFORMANCE:

The truck-trailer driver stated to the Ohio State Highway Patrol Trooper that he observed the train, but did not see it moving or see the conductor's lighted lantern until his truck was crossing the tracks. The driver also stated to the Ohio State Highway Patrol Trooper that when he was crossing the tracks, he noticed the train was moving and tried to beat it. When approaching the crossing, the truck-trailer driver's view of the train was not obstructed.

According to the Ohio State Highway Patrol Traffic Crash Report, the truck-trailer driver was in violation of Ohio Revised Code 4511.62 Stopping at railroad grade crossing. Also, according to the Ohio State Highway Patrol Traffic Crash Report, the truck-trailer driver was in violation of 49 CFR PART 392 Driving of Motor Vehicles, specifically 392.2Y - Failure to yield right of way-DID FAIL TO YIELD RIGHT OF WAY AT RAILROAD GRADE CROSSING RESULTING IN AN INJURY CRASH. This Federal Motor Carrier Safety Administration Regulation requires every commercial motor vehicle to be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated.

CONCLUSION:

If the truck-trailer driver had complied with Ohio Revised Code 4511.62 Stopping at railroad grade crossing, this accident would have been avoided.

OVERALL CONCLUSIONS

FRA concluded that the accident was caused by the failure of the truck-trailer driver to yield right of way to the train.