

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :

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THE AMTRAK ACCIDENT : NTSB Accident No.

IN WEST PALM BEACH, FLORIDA: DCA16FR009

ON JULY 6, 2016 :

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INTERVIEW OF: LEONARD BERTOLOTI

Thursday

July 7, 2016

West Palm Beach, Florida

BEFORE

KALU KELLY EMEABA, NTSB

RICHARD PAGE, NTSB

This transcript was produced from audio

provided by the National Transportation Safety Board.

1 P-R-O-C-E-E-D-I-N-G-S

2 MR. PAGE: All right, my name is Ricky
3 Page. I'm a railroad accident investigator for the
4 National Transportation Safety Board. We meet today
5 Emeaba Kelly.

6 MR. EMEABA: Emeaba, Kelly.

7 MR. PAGE: He's an electrical engineer
8 with the National Transportation Safety Board. We're
9 here to interview Leonardo Bertoloti, who witnessed
10 great crossing collision of Amtrak 89 and a vehicle at
11 25th Street on Wednesday, July --

12 MR. EMEABA: Sixth, --

13 MR. PAGE: -- 6th.

14 MR. EMEABA: -- 2016.

15 MR. PAGE: Wrong. Make sure that you, we
16 cannot offer you any guarantees of confidentiality or
17 immunity from legal action. A transcript of this
18 interview will go in the public docket. You are
19 entitled to a representative. Do you understand all of
20 this Mr. Bertoloti.

21 MR. BERTOLOTI: Bertoloti.

22 MR. PAGE: Bertoloti.

23 MR. BERTOLOTI: Yes, sir.

24 MR. EMEABA: We'll go around the room to
25 introduce ourselves. My name is Kalu Kelly Emeaba with

1 NTSB. Spelling, K-A-L-U, K-E-L-L-Y, E-M-E-A-B-A. And
2 I will hand over to Mr. Leonardo, to spell out his name
3 as is written, and also state his physical address.

4 MR. BERTOLOTTI: Leonardo Bertolotti. L-E-
5 O-N-A-R-D-O, last name, B-E-R-T-O-L-O-T-I. Address
6 2550 Windsor Avenue, West Palm Beach, Florida, 33409.

7 MR. PAGE: And again my name is Ricky
8 Page, R-I-C-K-Y, P-A-G-E. I'm railroad accident
9 investigator with NTSB. Now, Mr. Bertolotti, in your
10 own words, just tell us what you witnessed the day of
11 the accident.

12 MR. BERTOLOTTI: I was sitting in the front
13 of a shop here at 2550 Windsor Avenue, working on a
14 Lexus 300, GS-300, when I noticed that the guard, the
15 man working on the train guards was standing in the
16 booth there at the doorway, and he was waving cars on.

17 As I was working on the car, I turned to
18 come towards the shop, but just as I turned, I seen a
19 white car coming down the, down the street. And two
20 black cars behind it.

21 I thought the white car went through. And
22 when I heard the collision I told my boss, I said, I
23 think that black car just hit the train. And we turned
24 and we looked, you know, he turned and looked and he
25 said, what do you mean.

1 I said, I don't know, I just, I heard the
2 bang. And when I looked, that's when the man was out
3 in the street here at the intersection from O'Hara
4 Landscaping, and yelled to call 911. As I looked his
5 way, I saw that the white car didn't make it.

6 It was over here on the side of the tracks
7 that it got hit by the, that was the one that got hit
8 by the train. From that point on it was basically, we
9 called 911. I ran over and seen the girl's hair and
10 her arm from the back of the car hanging out of the
11 back of the car between the fence and the car. And
12 after that, that was basically everything I seen.

13 I do remember, and I believe I gave this
14 statement yesterday to the West Palm Beach Police
15 Department of the car numbers that I saw when the gate
16 went down before I realized what had happened. It
17 happened so fast, I didn't realize, you know, it just
18 all came together so fast. But I don't remember, it
19 was 85-something, and the other car was a 23, or
20 something like that.

21 But at that point is when I saw those two
22 cars crossing the track when the train had slowed down.
23 That's when the two guards starting flashing, and the
24 noise, you know, ding, ding, ding, and then they
25 started coming down.

1 MR. PAGE: After the crash?

2 MR. BERTOLOTTI: After the crash. Yes.

3 And like I said, the man was in the booth, standing in
4 the booth door waving the cars on. So that's basically
5 what had happened yesterday.

6 MR. PAGE: What direction where you
7 facing?

8 MR. BERTOLOTTI: West.

9 MR. PAGE: What direction were you facing
10 when the accident actually happened?

11 MR. BERTOLOTTI: Southwest, towards,
12 towards him, towards the gate. Towards the gate,
13 southwest direction.

14 MR. PAGE: So you saw the accident as it
15 occurred?

16 MR. BERTOLOTTI: Yes, I saw everything. I
17 assumed the white car made it. I mean it happened, it
18 was like, I was watching. You know, we were commenting
19 on this idiot's waving people through and the Amtrak
20 just, just like it came. You didn't even hear it
21 coming. It just came. Boom.

22 I don't even remember hearing the bell or
23 anything, or you know, the horn's whistle. You know,
24 like I said, everything happened so fast. It was just
25 a shock. I don't know if the train whistle was going

1 or not. All I know is that we were, you know, as I was
2 watching this, as she was crossing, that's when the
3 train came and I heard the bang.

4 I thought she had made it and it was the
5 black car because everybody was so close. You know,
6 coming to the track.

7 MR. PAGE: Were the gates and lights
8 working at the time of the crash?

9 MR. BERTOLOTTI: No, they weren't even on.
10 They were up in the up position and they weren't on.

11 MR. PAGE: Did the gates and lights work
12 after the crash?

13 MR. BERTOLOTTI: Yes. Yes, after the crash
14 about five cars back is when it, when the, about the
15 fourth, fifth car back, I guess, so, I, I, like I said,
16 I don't remember the exact numbers. But I gave the car
17 numbers to the police officer. I distinctively, for
18 some reason, that those two numbers stood out in my
19 mind when I saw the gates come down.

20 MR. PAGE: Mr. Kelly, you got any
21 questions for -

22 MR. EMEABA: Yes, I do. Later on you
23 mentioned the technician was waving the vehicles to
24 pass?

25 MR. BERTOLOTTI: Yes.

1 MR. EMEABA: Okay, did you observe the
2 technician waving the vehicles to pass -

3 MR. BERTOLOTTI: No wait that's -

4 MB. EMEABA: -- before the train
5 approached?

6 MR. BERTOLOTTI: Yes. Yes, so he did.
7 That's what we couldn't understand. Now, it wasn't
8 those specifically three vehicles, the white car and
9 the two black cars. There was a couple cars before
10 that as he waving them to go through. Okay.

11 MR. EMEABA: So do you see any reason why
12 he was doing what he was doing? Why was he waving them
13 to pass?

14 MR. BERTOLOTTI: I guess --

15 MR. EMEABA: If the road was open --

16 MR. BERTOLOTTI: -- basically, I assume he
17 would, there was no train coming, is why he was waving
18 them, but you can't see if a train's coming if you're
19 standing in the doorway of the booth, of the control
20 room there, with your back to the Amtrak coming that
21 way.

22 You know, I just, we just, we were in awe
23 that he was actually waving cars and there was nobody
24 out there looking. You know.

25 MR. EMEABA: Okay. At the time, you saw

1 him waving the vehicles through?

2 MR. BERTOLOTTI: Yes.

3 MR. EMEABA: Were there times when the
4 gates came down and went back up?

5 MR. BERTOLOTTI: Not at that, not at those
6 particular moments. No. No, the gate was not going up
7 or down at all. The two black cars and the white car
8 that was in front, there was a white car, the black car
9 behind it, and another black car on this side, on the
10 left side of it.

11 All three cars were going west bound on
12 25th Street. The white car, the black car, and the one
13 black car swerved out of the way. The other black car
14 that was on that side, stopped as the Amtrak came. I
15 thought he was the one that hit the train, because, you
16 know, all three cars were so close. And it was the
17 white car that got hit.

18 MR. EMEABA: Okay. What other thing can
19 you tell us that you saw?

20 MR. BERTOLOTTI: That was basically what I
21 saw. That was about it.

22 MR. EMEABA: Now you mentioned that 911
23 was called after the -

24 MR. BERTOLOTTI: Yes.

25 MR. EMEARA: -- accident?

1 MR. BERTOLOTTI: We called it.

2 MR. EMEARA: Oh, your office called it?

3 MR. BERTOLOTTI: Yes, we called it. Yes.

4 MR. EMEARA: Did you call it?

5 MR. BERTOLOTTI: No, my, the owner of the
6 company did.

7 MR. EMEARA: What is his name?

8 MR. BERTOLOTTI: Mr. (Led Alfonso), that's
9 the one that you just saw.

10 MR. EMEARA: Okay.

11 MR. BERTOLOTTI: I was a little annoyed
12 because I, we were the only ones, apparently that was
13 calling 911. Everybody else was out there YouTubing.
14 I just couldn't believe it, what was going on, you
15 know. It was just, everything was a shock. It was
16 just a shock.

17 MR. EMEARA: So the person that called
18 911, that's supposed to be your supervisor?

19 MR. BERTOLOTTI: My, my, the owner of this
20 company, yes.

21 MR. EMEARA: Okay, now did he made the
22 observations as you already told us, or --

23 MR. BERTOLOTTI: I don't think he observed
24 as much as I did. He observed before the accident that
25 we were commenting that this idiot is waving the people

1 on, and he don't, he's even on the street waving them
2 on. You know, we just, usually, every time they're
3 working on this thing, which is constantly, week after,
4 week after, week, 8 out of the last 10 times, or say, 8
5 out of the last 10 times, excluding yesterday and night
6 before, July 5th is only the one guy. July 5th and
7 July 6th out there.

8 MR. EMEABA: So the --

9 MR. BERTOLOTTI: All, the eight times
10 before that, I'll comment on, I can't comment on the
11 other 15, 20 times in the last year, the eight times
12 there's always been two people, one man standing out by
13 the tracks checking and one man working on the thing.

14 We just couldn't figure out why there was,
15 there was only one person the night before, and why
16 there was only person yesterday. You know, trying to
17 do this, and, you know, I mean, just, it's just, I
18 don't know man. I think you, I, I, you know, I, on the
19 timing, I'm going to say I think it was just a
20 senseless thing.

21 I just don't understand what was going on.
22 Why that happened. It shouldn't have happened.

23 MR. PAGE: Ricky Page again, Mr.
24 Bertolotti, did, where was the worker at? Where was the
25 railroad employee at when the crash occurred?

1 MR. BERTOLOTTI: When we saw him, he was
2 standing in the doorway of the booth, of the
3 electronic, the, well, I guess that's the electronics
4 room, or whatever you call it, the little silver shack
5 there.

6 MR. PAGE: Instrument case.

7 MR. BERTOLOTTI: Yes, the NC electronics,
8 or the silver instrument case. Yes. That's where we
9 saw him waving people.

10 MR. PAGE: Again, at the time of the
11 accident --

12 MR. BERTOLOTTI: He was in the booth, the
13 doorway.

14 MR. PAGE: -- and, thank you, sir.

15 MR. BERTOLOTTI: Yes.

16 MR. PAGE: That concludes all my
17 questions, for Ricky Page. Mr. Emeaba?

18 MR. EMEABA: Yes, this Kalu Kelly Emeaba.
19 Mr. Leonardo, or Leonardo, you mentioned that the
20 maintenance person was standing by the gate of the
21 booth gate?

22 MR. BERTOLOTTI: No, the booth door. He
23 was in the doorway.

24 MR. EMEABA: In the, okay, the doorway.

25 MR. BERTOLOTTI: Yes.

1 MR. EMEABA: And from there was he
2 controlling the traffic from that point?

3 MR. BERTOLOTTI: We seen him waving cars
4 on. Yes, we seen him outside waving, waving cars to
5 go.

6 MR. EMEABA: Since the, the booth, how
7 close were you there, about what up to 50 feet away
8 from the main road?

9 MR. BERTOLOTTI: Yes.

10 MR. EMEABA: Do you think, what do you,
11 what is your take? Do you think a vehicle would have
12 seen him waving them, or stopping?

13 MR. BERTOLOTTI: I don't, I don't think so
14 because first of all, if that things isn't flashing or
15 coming down, nobody's going to know a train's coming.
16 You know, like, like it's doing right now. People will
17 just go until that thing comes down.

18 So a person just driving along is not
19 going to see him out of the corner of their eye, and
20 they're not going to know a train's coming if that
21 things not flashing and coming down. It's an
22 instantaneous accident was just, it was, it was so
23 fast.

24 It was just, the whole thing it lasted
25 less than 45 seconds. Let's put it that. From the

1 point of him waving cars on to that accident.

2 MR. EMEABA: Okay. Just to go through
3 some of the things you've said and based on your
4 observation, before the white car that was hit --

5 MR. BERTOLOTI: Yes.

6 MR. EMEABA: Were you able to see other
7 vehicles before the white car, and can you tell us what
8 --

9 MR. BERTOLOTI: Yes.

10 MR. EMEABA: -- what about them?

11 MR. BERTOLOTI: I seen, that's, those
12 other vehicles before that white car, he was waving to
13 go through. Okay, I can't recall the vehicles, I can't
14 recall time frame between them and the white car. But
15 it was less than a minute.

16 It was, the, the whole thing with him,
17 when we first saw him starting waving cars on, to the
18 initial time of the accident was probably less than a
19 minute-and-a-half, I would say the whole total thing.

20 MR. EMEABA: So you believe that if the
21 two, for instance, the two cars --

22 MR. BERTOLOTI: Uh-huh.

23 MR. EMEARA: -- before the white one, were
24 waved to pass by the technician that was working there?

25 MR. BERTOLOTI: Yes. Yes. Yes. He waved

1 cars on before that white car. Yes.

2 MR. EMEABA: So they did not pass by their
3 own decision?

4 MR. BERTOLOTTI: I don't know. I don't
5 know if the people were looking at him, or not. I, we
6 just saw him waving cars on. And we just couldn't
7 believe that he was doing that, without nobody standing
8 out there, looking to see if a train was anywhere in
9 sight. You know, that Amtrak was going fast.

10 They came out of nowhere. You know, it
11 was like I said, we were sitting there watching him do
12 it. And it just, as we were commenting on it, is when
13 I just turned like this for a split second, I maybe
14 turned a quarter turn when I saw the white car going
15 and I heard the bang. Then you thought, you know, that
16 the metal crush sound, sound I never want to hear
17 again.

18 MR. EMEABA: Thank you so much.

19 MR. BERTOLOTTI: You're very welcome.

20 MR. EMEABA: That's the end of my
21 questions.

22 MR. BERTOLOTTI: Okay.

23 MR. PAGE: Now do you have any questions
24 for us Mr. Bertolotti?

25 MR. BERTOLOTTI: No, sir.

1 MR. PAGE: We'd like to thank you for your
2 time and thank you for your patience with us today.

3 MR. BERTOLOTTI: You're welcome.

4 MR. EMEABA: I'm please, you're also
5 welcome if there's any other thing you remember which I
6 have no asked you, please feel free to call me.

7 MR. PAGE: Here's my card if you want to
8 contact me. There's my contact number.

9 MR. BERTOLOTTI: Okay. I pretty much have
10 given the statement exactly as I remember it, and my
11 statement won't change. It will consist with the West
12 Palm Beach Police Department.

13 MR. PAGE: This concludes the interview.

14 MR. BERTOLOTTI: Yes.

15 MR. PAGE: Thank you.

16 (End of recording.)

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C E R T I F I C A T E

MATTER: Amtrak Accident, July 6, 2016
West Palm Beach, FL
Accident No. DCA16FR009
Interview of Leonard Bertoloti

DATE: 07-07-16

I hereby certify that the attached transcription of page 1 to 16 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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