



Human Performance Attachment

Narratives and Transcripts of Investigative Interviews

Biloxi, MS

HWY17MH010

(90 pages)

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UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL COLLISION OF FREIGHT
TRAIN AND TEXAS TOUR BUS
BILOXI, MISSISSIPPI
ON MARCH 7, 2017

Accident No.: HWY17MH010

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Interview of: STEVE ARD and
ANDREW JOHNSON

Thursday,
March 9, 2017

APPEARANCES:

DENNIS COLLINS, Highway Accident Investigator
National Transportation Safety Board

PETE KOTOWSKI, Investigator in Charge
National Transportation Safety Board

TOMAS TORES, Highway Accident Investigator
National Transportation Safety Board

ENSAR BECIC, Project Manager
National Transportation Safety Board

ANN DENNY
Federal Railroad Administration

GREGORY DRAKULIC
Federal Railroad Administration

BOB WINDLAND, Crash Investigator
Traffic Division
Biloxi Police Department

EARL PORTER, Operating Practices Inspector
Mississippi Department of Transportation

JASON RAHMEL, Trainmaster
CSX Transportation

BILL KEOUGH, Assistant Division Manager
CSX Transportation

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I N T E R V I E W

(10:15 a.m.)

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2
3 MR. COLLINS: This is Dennis Collins with the NTSB. Today is
4 March 9th about a quarter after 10:00 in the morning. We are
5 conducting an investigative interview for the NTSB's Biloxi,
6 Mississippi crash.

7 My name is, again, last name is Collins, C-o-l-l-i-n-s, first
8 name Dennis, D-e-n-n-i-s.

9 MR. WINDLAND: I'm Bob Windland. I'm with the Biloxi Police
10 Department, the traffic division. I'm one of our crash
11 investigators. My last name is spelled W-i-n-d-l-a-n-d.

12 MR. KOTOWSKI: Pete Kotowski, K-o-t-o-w-s-k-i, National
13 Transportation Safety Board Investigator in Charge.

14 MR. PORTER: I'm Earl Porter. I'm a operating practices
15 inspector, railroad inspector with the Mississippi Department of
16 Transportation. My last name is spelled P-o-r-t-e-r.

17 MS. DENNY: Ann Denny with Federal Railroad Administration,
18 last name is spelled D as in David, e-n-n-y.

19 MR. DRAKULIC: Gregg Drakulic with the Federal Railroad
20 Administration. Last name D-r-a-k-u-l-i-c, first name G-r-e-g-o-
21 r-y.

22 MR. RAHMEL: Jason Rahmel, R-a-h-m-e-l, trainmaster with CSX
23 Transportation.

24 MR. KEOUGH: Bill Keough, spelled K-e-o-u-g-h, Assistant
25 Division Manager for CSX Transportation.

1 MR. TORES: Tomas Tores, with the NTSB, T-o-m-a-s, T-o-r-e-s,
2 Railroad Operations.

3 MR. JOHNSON: Andy Johnson, conductor with CSX Railroad, J-o-
4 h-n-s-o-n.

5 MR. ARD: Steve Ard, A-r-d, locomotive engineer for CSX.

6 MR. BECIC: Ensar Becic, E-n-s-a-r, B-e-c-i-c, Project
7 Manager at the NTSB.

8 MR. COLLINS: Okay. Thank you, everybody.

9 UNIDENTIFIED SPEAKER: I think he's going to see about the
10 music here. That's it.

11 MR. COLLINS: Got rid of that too.

12 INTERVIEW OF STEVE ARD

13 BY MR. COLLINS:

14 Q. Steve, you don't mind if I use your first name, do you?

15 A. No, sir.

16 Q. And you can certainly use mine.

17 Steve, if you would just start with the day of the crash,
18 which was the 7th, start with what time you got up and just walk
19 us through the day up to and through the point of the crash.

20 A. All right. Starting with -- well, I'll reference CSX the
21 Eastern time that's where we work with.

22 Q. Okay.

23 A. On the day of the 7th, got called at 0630 to be at work for
24 an 0830 call for Q60607. I arrived at work. The trainmaster and
25 terminal manager informed me that the yard was building my train.

1 It would be ready for me shortly. It was without incident. We
2 had no issues getting on the train leaving New Orleans.

3 Prior to departure we always pull up the lineups to see what
4 type of train traffic is out there. I seen I had a couple of
5 larger trains that were on the way that were in front of me. So
6 we were expecting a nice easy day.

7 Weather, I don't know, it was a little cloudy, visibility was
8 clear. Didn't have a problem.

9 We had quite a few maintenance work orders that were in place
10 that morning, so we did some stop and go, but overall we were
11 making, you know, pretty good -- making it pretty good over the
12 road. We had stopped at Harbin, which is over the other side of
13 Gulfport Long Beach. Oddly enough, the dispatcher had us stop
14 because a semi-truck was stuck on the road at milepost 742.5.

15 We were told to do restricted speed after that was cleared
16 between Harbin, which is milepost 745 to 742. I discussed with my
17 conductor, I says, no need for us to get in a hurry speeding up
18 just to slow down because we got to do restricted speed. So we
19 eased up to the crossing in case something else may have been
20 going on with it. The crossing was clear. No rail irregularities
21 were seen. We proceeded over the crossing.

22 Right after we cleared, we were unaware, but
23 Trainmaster Rahmel he high-balled us, told us, you know, we were
24 clear of the crossing; good job, you know, keeping speed down.
25 And we left there and proceeded on clear signals.

1 Come around clear signals through Beauvoir. Clear signal on
2 a distant signal 727, which was approaching the accident. And as
3 an engineer you always -- your vision, you're always looking ahead
4 but you're focused on 1, 2, 3 crossings directly in front of you.

5 I can't say that I seen the bus actually pull on the
6 crossing. I know as we come around watching, and then it become
7 obvious that we seen a bus up there. And there's, as everybody
8 knows, you've been on the scene, there's highways or roads that
9 run parallel to the tracks and they are in such close proximity of
10 the tracks, every day that we run the rails you see somebody
11 that's on the crossing waiting for a traffic light, waiting for
12 some intersecting traffic to clear up, and then they'll make a
13 left or right-hand turn or whatever and they'll clear the
14 crossing. And at the point where we identified there's a bus up
15 there, we -- like is he getting ready to move? He's fixing to
16 move.

17 I put my hand on the emergency brake and it's sort of like,
18 you don't want to put it in emergency prematurely because -- I
19 mean, you're expecting that guy to move. You have no idea, as it
20 turns out, that he was stuck on the tracks.

21 And then I repeated to my conductor a couple of times, I
22 said, I'm going to shoot him. And I put it in emergency. All the
23 way up to the point of impact, I was expecting that bus to move.
24 I didn't know he was stuck.

25 It happens every day, unfortunately, with people on top of

1 the crossings. Somebody gets impatient and they don't want to
2 wait for the train to go by. So they want to be the last car to
3 get across the tracks before the train gets in and then they get
4 stuck in an uncomfortable situation. But we, like I said, we put
5 it in emergency, slid up to the bus. There was an impact, and you
6 guys are investigating the rest of that.

7 Prior to that, going on duty, I think we stated before the
8 meeting Mr. Johnson and I both come off of our off-days. We were
9 well rested. We had no unusual occurrences in the hotel. We were
10 both able to rest.

11 Didn't have any issues that morning. Our equipment was
12 performing properly. I had two safety systems that were working.
13 One PTC, Positive Train Control, it was on, functional. I didn't
14 have any issues with it. And then I had a secondary system, the
15 Trip Optimizer. So between the two of them and the human factor
16 of the locomotive engineer and conductor overseeing everything, I
17 mean we felt like we were in good shape.

18 Q. What did you guys do -- or what did you do after the
19 collision?

20 A. As soon as we hit the bus, the collision took place, I went
21 to our dispatcher channel 94. First, I hit 3, which is a general
22 tone and I said emergency. And, I mean, immediately it went
23 straight to emergency. The dispatcher answered within just a
24 couple of seconds.

25 And actually -- let me back up. Prior to toning the

1 dispatcher up, I made an emergency call, which our Biloxi
2 drawbridge may or may not have heard monitoring the channel,
3 "Emergency, Emergency, Emergency. 606 has just struck a bus."
4 And I went a step farther and I'm like, "It's bad. Send help.
5 Emergency." And then I went to 94 and toned the dispatcher up.

6 While I was trying to tone him up, I hollered at my
7 conductor, Mr. Johnson, and I'm like, call the trainmaster. And
8 he picked the phone up out of his bag and he tried to page -- like
9 I had to turn the phone on. And, of course, there was a little --
10 we were in a little bit of shock with the situation. And he got
11 his phone turned on, called Trainmaster Rahmel and was telling him
12 of the situation. I was telling the dispatcher.

13 Immediately after that, Mr. Johnson went down on the ground.
14 Biloxi responded -- I mean, it seemed like less than a minute
15 there was police responding. He was down trying to see what he
16 could do or answer questions with them. And he come back up on
17 the engine shortly thereafter. I called my road foreman John and
18 told him of the situation, and I called Jason again because I knew
19 Jason was the closest to Trainmaster Rahmel, and asked him, where
20 are you at? I said, we need help. I said, this is bad.

21 And then the rest of it was I remained in the cab and
22 locomotive to answer questions and/or radio calls from CSX. And
23 Mr. Johnson he was back and forth between being on the ground
24 answering questions and up on the engine. And then once everybody
25 was triaged, removed from the scene and they were ready to remove

1 the bus from the front of the locomotive, they got us off the
2 engine and that's when we went back to the home terminal, Mobile.

3 Q. Were you injured in the crash?

4 A. No, sir.

5 MR. COLLINS: I think I'll stop there with -- I have some
6 additional questions, but I'll stop there since we're -- they'd
7 move us away from the actual accident, and let other folks take
8 over.

9 MR. ARD: Physically on the engine.

10 MR. COLLINS: Physically, yes, sir.

11 BY UNIDENTIFIED SPEAKER:

12 Q. I think I asked that question the day of the crash, but do
13 you recall at what point, like what intersection or where you were
14 at when you first saw the bus?

15 A. I couldn't give you a specific point.

16 Q. Okay. I guess all that will be on the video that --

17 A. And I'm not --

18 Q. And when you applied the brakes at what point?

19 A. I can tell you I seen the bus probably, I'm going to say,
20 somewhere 15 seconds maybe before I applied the brakes, because I
21 had enough time to say to my conductor that, you know, there's a
22 bus; is it going to move? Is it going to move? And I said -- I
23 think I might have said, I'm going to shoot them, twice. And then
24 bam. And I put it in emergency.

25 I know the analogy is maybe not the same, but it's like an

1 F-16 fighter pilot pulling the escape shoot because he thinks
2 there might be something wrong down the road. I mean, I did
3 not -- like I said, all the way up to the time of impact, I didn't
4 know he was stuck on the track. I truly expected the bus to move
5 at the last second.

6 And, I mean, there's been near collisions where people move
7 off the crossing and you're close enough that you can almost see
8 the color of their eyes. And being a faithful person, I was
9 praying that was the case, but I initiated emergency response
10 because I wanted to not take that chance if possible. I mean, you
11 have to get to a point to where you weigh the possibilities and
12 that's -- I said I'm putting them in emergency. That turned out
13 to be a good thing.

14 UNIDENTIFIED SPEAKER: That's the only question I have.

15 MR. COLLINS: Moving on down, do you have any questions in
16 this round, Ms. Ann?

17 BY MS. DENNY:

18 Q. Ann Denny with FRA. Do you -- what kind of brake test did
19 you guys do before you left New Orleans?

20 A. Before we left New Orleans the yard job had completed our
21 Class 3 test, and I had a brake slip for all 52 cars for our Class
22 1 test. I specifically asked on the radio to my yardmaster if I
23 needed to do a class 3 prior to departure. Kevin Jacobi, the
24 yardmaster in New Orleans, he responded that the yard job had
25 completed the test and all we needed to do was leave.

1 When I released the brakes, I did see on the rear -- even
2 though somebody says the brake test had been done, as an engineer
3 that's been out there any length of time, when you release the
4 brakes you watch your rear of your car, your EOT, not just to say
5 there's an EOT there, but are the brakes released, in your head
6 you're like wanting to make sure that everything has been armed
7 and synchronized and everything appeared as it should be.

8 So I had documentation on Class 1. Class 3 was told it was
9 completed over the radio.

10 Q. Okay.

11 A. So everything was in order.

12 Q. How long were you guys at the hotel?

13 A. I'm not sure of the exact time. I know we didn't have an
14 extended amount of rest.

15 UNIDENTIFIED SPEAKER: Maybe 15, 16 hours.

16 THE WITNESS: I was going to say about 14 hours, 15. We was
17 there long enough that we were able to arrive at the hotel myself,
18 get something to eat, able to watch TV for an hour or two and then
19 still go to sleep. And got up feeling good that morning.

20 Actually, after I got dressed, I mean, I went to the Waffle
21 House and I was like, man, this is a good day. The railroad
22 called me on a nice dayshift job, which is, you know, unusual.
23 And I mean, I thought it was a great start to a great day.

24 BY MS. DENNY:

25 Q. I'm sorry it didn't turn out to be.

1 A. Thank you, ma'am.

2 Q. You said you were called for 0630 CSX time?

3 A. At 0630 I was called to be on duty at 0830.

4 Q. 0830, okay.

5 A. Yes, ma'am. We get a --

6 Q. And that's all Eastern Time?

7 A. We get a -- Yes, ma'am. Eastern Time. We get a standard 2-
8 hour call.

9 Q. Okay. You said you had your PTC and your Trip Optimizer were
10 both working?

11 A. Both were functional. Yes, ma'am.

12 Q. Any issues with the train?

13 A. No.

14 Q. Did it handle okay?

15 A. No problems.

16 Q. No problems with air or anything?

17 A. No, ma'am. No problems. I had between several workforce
18 limits some issues with a drawbridge that they was working on.
19 The north end of Harbin where the dispatcher stopped us while they
20 were clearing the semi-truck that was stuck on a road crossing. I
21 had several instances where we stopped the train with no issue, as
22 expected. So, I mean, everything was in compliance. It felt
23 fully tested, I mean.

24 Q. Okay. You said you just came off of rest days. How many
25 days off?

1 A. I had 48 hours on our rest day. Yes, ma'am.

2 Q. Okay.

3 A. We work on a 6 and 2 rotation.

4 Q. Okay. What is your maximum speed in there? I'm not --

5 A. Yeah, that's fine. It's 45 mile an hour at the scene of the
6 accident.

7 Q. Okay. And you had a speed restriction coming up?

8 A. We had the drawbridge which was another mile and a half, 2
9 miles beyond the scene of the accident that's restricted to 25.

10 Q. Okay. But you were still going restricted speed because of
11 that?

12 A. No, ma'am. We had picked the restricted speed up. The
13 restricted speed was isolated to the crossing at 742.5.

14 Q. Okay.

15 A. And once we cleared that and cleared the 742 signal or -- 742
16 signal, we were able to pick it up. And it was a -- the
17 restricted speed was just clearly, I mean, just on that one
18 crossing that we were asked to run.

19 Q. Okay. If I understand right, the speed at impact was about
20 19, someone said?

21 A. It was below 20. NTSB says it's 19.

22 Q. Do you remember about what speed you were running before
23 that?

24 A. I think it was somewhere around 28 mile an hour --

25 Q. Okay.

1 A. -- because my Trip Optimizer had started slowing the train
2 down. The Trip Optimizer is a very conservative program that
3 starts slowing down well in advance of any type of speed
4 restriction and it had already started slowing down for the
5 drawbridge.

6 BY UNIDENTIFIED SPEAKER:

7 Q. I just have one question. When you initiated the emergency,
8 did you also initiate the EOT device?

9 A. I believe I did, but I cannot a hundred percent say. There
10 was --

11 Q. Too much going on, yeah.

12 A. There was so much going on. I know, I know afterwards I
13 remember looking and the red cover for the EOT flip switch was up,
14 but there was so much going on.

15 UNIDENTIFIED SPEAKER: I have no further questions.

16 BY MR. TORES:

17 Q. Tomas Tores with the NTSB. You mentioned PTC, would you
18 describe what PTC is and how it works?

19 A. PTC is a safety overlay program called Positive Train
20 Control. It's a program that's being pushed between Congress,
21 NTSB, FRA, our unions to try to prevent any type of major accident
22 or decertification. It monitors and predicts anything that's
23 going on with your train. It calculates versus your train speed
24 where the next speed restriction is, where the next workforce
25 limits, stop signal or which way the train might be lined, and if

1 it doesn't detect that you're properly handling your train, it
2 will put a penalty on us. And it will stop your train and you're
3 not released to move from that point until you talk to a
4 dispatcher and Positive Train Control Department and explain what
5 happened to him. They have to give you the authority to proceed.

6 But myself, I like PTC. Anything that is going to keep me
7 out of trouble and anything that is watching my back, I'm all for
8 it. I know PTC works in real time. Something happens down the
9 road, as soon as the dispatcher puts it into his console, it comes
10 up on my computer screen that I've got a problem down here. I
11 like that. It's an engineer friend.

12 Q. How about Trip Optimizer can you describe that?

13 A. The Trip Optimizer is a program designed by GE that the
14 company solicited for fuel conservation. It is not a real-time
15 program. When you get ready to leave your terminal and you tell
16 it what train you are on, it pulls up your information as it
17 stands at that point. It knows where all the slow orders are. It
18 has no idea about real-time signals, if you're going to have to
19 stop somewhere, if you're following a train; it has none of that
20 information. It's strictly a program to utilize fuel
21 conservation.

22 Like I said, it will keep you from speeding, you know, if you
23 follow the program. I like it myself. I wish it was real-time
24 like the PTC. If a dispatcher gives you a slow order on an EC1
25 form, the trip optimizer doesn't know about it. The engineer has

1 got to be vigilant and focused to make sure that he manually
2 controls the train through -- observe such restrictions. But I'm
3 in favor of both programs.

4 Q. So, a Trip Optimizer operates a train through --

5 A. The Trip Optimizer --

6 Q. -- verbal changes?

7 A. The Trip Optimizer actually operates your train until you
8 come by something like an approach signal or you've got to deviate
9 from what your orders were at the beginning of the trip. Like I
10 said, if that dispatcher added a 25 where a Trip Optimizer thinks
11 it's 50, you have to manually take control to go over that speed
12 restriction.

13 But it runs the train with the exception that the headlights,
14 horn and -- I mean, the engineer is still responsible for that.
15 In our case, we had PTC that was online running too and PTC will
16 blow the horn, initiate horn responses if it detects that you're
17 not doing what you're supposed to do.

18 Q. Okay. On that area of the incident, can you describe the
19 territory, you know, the layout or land?

20 A. As part of the layout we were northbound. We come through
21 Keesler. We have a signal that's the 727. It's an intermediate
22 signal that's located approximately where that 110 overpass is.
23 We have one crossing after another one, constantly blowing the
24 horn. My conductor is talking to the drawbridge to ensure that
25 he's lined and locked ahead of us. The signal indicates the same.

1 We had a clear signal for us to proceed.

2 Just past the overpass you have I think it's called Bone
3 Street where there's a seafood processing market or something for
4 the casino. They have a real bad habit of parking their trucks
5 really close to the tracks depending on what time of the day it
6 is. When you come through there, that's the first thing that
7 draws your attention. You know, you're approaching the signal.
8 You come around a very slight curve. You're blowing the horn for
9 your immediate crossings. You know from past experience you need
10 to be looking for vehicle and/or pedestrians that are in the
11 vicinity of those vehicles right there at Bone Street. And by
12 that time you've made the curve and now you are on straight track
13 looking toward the scene of the accident. There's still numerous
14 crossings in front of you.

15 And, like I said, you have a side street on both sides and on
16 the true north side of the tracks, that parallel street, it's way
17 too close to the tracks really. Any type of commercial vehicle
18 that stops at the intersection, they're hanging out over the
19 tracks. And it's not necessarily just at that one crossing. You
20 are always -- when you see a vehicle, you're always praying they
21 are going to move.

22 Q. So on that day you were operating on clear signals?

23 A. Yes, sir.

24 Q. And you mentioned the Trip Optimizer was already slowing
25 down?

1 A. It was already slowing down for the drawbridge.

2 Q. How far is that drawbridge from the incident?

3 A. It's 2 miles. Probably a little -- a mile and a half, three-
4 quarters, somewhere in there. Under -- right at the 2-mile mark.

5 Q. Okay. Can you give us your work history, when you hired out,
6 certification?

7 A. I hired out in 2000. I have been a locomotive engineer since
8 2004. I've been on numerous territories in my past. I started my
9 engineer service in Pensacola. I've spent the majority of my
10 railroad career working out of Mobile.

11 As far as my career goes, I know just recently I was involved
12 in some nearly a year-long process where we were -- I was selected
13 as one of the people to help train our engineers on their
14 utilization of DP, distributed power. So, I feel like I've had a
15 pretty good record out here. My supervisors thought enough of me
16 to put me in that position.

17 Q. Okay. Your previous -- do you recall your pervious 3 days,
18 you know, before you went on duty the day of incident? Like, when
19 you went to work, how much rest you had in between.

20 A. My previous days were my rest days. The weather was great.
21 Like everybody else in this room, they were probably upset because
22 they was having to cut grass this early in the year. I enjoyed a
23 good 48 hours-plus off. Like I said, mainly at the house doing
24 yard work, whatever, like everybody else, whatever my wife asked
25 me to do.

1 Q. So you went on duty at 6:30 a.m. -- 8:30 a.m.?

2 A. Prior to that I had been called out on the train out of
3 Mobile to go south when coming off my off-days. And I don't
4 remember, I think we went on duty for -- I think it was 05:30 that
5 we went on duty out of Mobile to go to New Orleans. We had a
6 pretty good trip there. It was uneventful. And we went to a
7 hotel.

8 To me, I was getting off duty with as about as much as
9 somebody could ask for, for a regular job. Yeah, we went to work
10 early, but we got off the train, you know, 5:30, 6:00 that
11 evening. We were, like I said, able to go enjoy dinner, watch
12 some TV, get in bed like a continuing my rest cycle almost. So, I
13 couldn't have been happier the way the calls worked out.

14 Q. So the day of the incident you had 48 hours plus?

15 A. No. On the day of the incident, I had had roughly about 15
16 hours of rest or 13 hours of undisturbed rest and then report to
17 work for total cumulative 15 hours probably. I don't have a
18 computer in front of me to give you a specific number, but that's
19 pretty close.

20 MR. TORES: Okay. That's all I have for now.

21 BY MR. KEOUGH:

22 Q. Bill Keough. I just ask you just one question there. And
23 just to clarify, I think you said in your description of TO that
24 it's a tool to aid you with the throttle regulation, but you're
25 still ultimately responsible for --

1 A. I am -- above all of the programs, whether it's Trip
2 Optimizer or PTC, the engineer is ultimately responsible to ensure
3 that his train is being ran properly. And as I described PTC's
4 safety overlay program to aid the engineer; the Trip Optimizer is
5 a fuel conservation program to aid the engineer. But, yes, at any
6 point in time I have the ability to take over.

7 BY MS. DENNY:

8 Q. Ann Denny with the FRA. Do you remember your last
9 certification, when you were last certified or recertified?

10 A. Two years ago.

11 Q. Two years, okay.

12 A. Yes, ma'am. Next year I'll be up for recertification, I
13 think.

14 Q. And you said you spent most of your career on this
15 subdivision?

16 A. Yes, ma'am.

17 MS. DENNY: Okay. That's it.

18 BY MR. COLLINS:

19 Q. Dennis Collins with the NTSB again. And I apologize -- not
20 being a rail guy, so I apologize if I ask any silly questions. I
21 just want to make sure I'm tracking everything correctly. The day
22 prior to the crash, the crash was on --

23 A. The 7th.

24 Q. -- on the 7th. So, on the 6th, on Monday, you began your day
25 at 5:30 in Mobile and then took that train in New Orleans and got

1 off around 5:30, 6:00. Your residence is in Mobile?

2 A. Yes, sir.

3 Q. Could I get the address, your address please?

4 A. It's [REDACTED]

5 UNIDENTIFIED SPEAKER: I already got that address.

6 BY MR. COLLINS:

7 Q. Okay. If somebody else already has got it, we can get it
8 from them. Okay. And then once you arrived in New Orleans, you
9 stayed in a hotel?

10 A. Yes, sir.

11 Q. Which hotel was that?

12 A. We stay at the Holiday Inn Causeway.

13 Q. Okay. And CSX put you up there?

14 A. Yes, sir.

15 Q. Okay. And then on the day of this incident -- I'm sorry, I'm
16 losing days -- Tuesday, that was when you got the call out at
17 6:30, the call woke you up?

18 A. Yes.

19 Q. That was when you awoke?

20 A. Well -- yeah, I was actually rolling over getting a little
21 restless when the phone went off. So I was in the process of
22 waking up when the phone rang and I said, oh, it's time to get out
23 of bed.

24 Q. Okay. And on your off-days, which then would have been
25 Saturday and Sunday, would have been your 48 hours roughly --

1 A. Yes.

2 Q. -- do you remember what time you got up and went to bed those
3 days?

4 A. I couldn't tell you specifically. I know I told my wife that
5 I was anticipating a call because they were shorthanded coming off
6 the weekend and that I needed to go ahead and get in bed. And she
7 stays up usually to 10:00, 10:30, and I know I got in bed prior to
8 that.

9 Q. On Sunday night?

10 A. Yeah. I'm going to say I probably got in bed at 8:00 that
11 night. Not extremely early, but nobody wants to, you know, get in
12 bed coming off their off-days too early. You do treasure every
13 moment you have with your family. Something like we had happen
14 this week makes you treasure them even more.

15 Q. Yes, sir. And on that Sunday, just as an estimate, what time
16 do you think you got up Sunday morning?

17 A. I'm going to say 8:00. That's purely an estimate.

18 Q. My questions are always as best as you can remember. There
19 aren't any wrong answers.

20 A. Unfortunately, nobody presses the record button, you know,
21 until after an incident happens, and that's hard to go back to a
22 specific time.

23 Q. Just in general would you say you kept roughly the same hours
24 on Saturday as well?

25 A. Yeah, pretty much.

1 Q. Okay.

2 A. Maybe. I might have waited to 10:00 to go to bed Saturday
3 night.

4 Q. Now, I have just some background questions. So we will start
5 with those. How would you describe your general health?

6 A. I'd say I'm in pretty good health.

7 Q. Do you see any doctors on a regular basis?

8 A. A cold here and there. I had been tested one time for sleep
9 apnea and they told me that I didn't meet the criteria the last
10 time I was tested.

11 Q. Okay. Do you have any medical conditions like high-blood
12 pressure or anything along those lines that you take a maintenance
13 medication for or see somebody regularly for?

14 A. I take an aspirin a day. And to back up, as far as regular,
15 which it's no longer regular -- I was involved in a traumatic
16 accident away from work last year, which I've recuperated from and
17 no longer seeing any doctors for.

18 Q. Okay. Any allergies to any medications, seasonal allergies,
19 any foods?

20 A. No. No allergies.

21 Q. About how tall are you and about how much do you weigh?

22 A. I'm 6'2" and, unfortunately, I'm about 230 pounds now.

23 Q. Okay. And were you experiencing any problems with your
24 health on the day of this crash or in the days prior?

25 A. No, sir.

1 Q. Okay. Do you drink alcohol?

2 A. No, sir. Or let me rephrase that. Not regular.

3 Q. Anything in the 3 days prior to the crash?

4 A. No, sir.

5 Q. Okay. This one always makes people laugh. Do you take any
6 illegal drugs?

7 A. No, sir.

8 Q. Any prescription medications?

9 A. I take aspirin, is non-prescription, and depending on the
10 situation and time frame of my rest, I take Ambien.

11 Q. Okay. And that's prescribed to you by your physician?

12 A. Yes, sir.

13 Q. Okay. Who is your physician?

14 A. My family health care physician is Dr. Rubenstein, the doctor
15 that said I didn't have the sleep apnea is -- now, you're going to
16 make me --

17 Q. And Dr. Rubenstein is in Mobile?

18 A. Saraland, Alabama.

19 Q. Okay. Other than the Aspirin which you have already talked
20 about, did you take any over-the-counter medications in the 3 days
21 prior.

22 A. No, sir.

23 Q. Did you have need to take your Ambien in the 3 days prior?

24 A. No.

25 Q. Okay. How would you describe your vision?

1 A. Vision is probably digressed a little but I was a little
2 better than 20/20 the last time that I was tested.

3 Q. Okay. Any problems with that on the day of the crash or in
4 the couple days prior?

5 A. No, sir.

6 Q. And how would you describe your hearing?

7 A. Hearing is I would say fair.

8 Q. And same question, any issue with that on the day of the
9 crash?

10 A. No, sir.

11 Q. Any big stressors in your life in the past couple of weeks:
12 you know, I got married, I got divorced, I had a baby, my child
13 had a baby?

14 A. No, sir.

15 Q. And how did you feel with respect to your rest on the day of
16 the crash? Did you feel --

17 A. I felt good. I was elated to have the hours that we have,
18 and whenever I take a phone call, I start -- I already start
19 looking at what time I'm going to get home, and I couldn't have
20 been more tickled. I was like, I'm going to get home in time
21 where I can see my wife and family before they go to bed.

22 Q. And in terms of quality of your sleep in general, would you
23 say that's a good quality, a bad quality? How would you describe
24 it?

25 A. Good quality.

1 Q. Okay. And no problems with your sleep in the 3 days prior to
2 the crash?

3 A. No, sir.

4 Q. I know you talked about which -- and I've lost the rail term,
5 but which section of rail you worked in -- it's not territory, but
6 specifically with this stretch of track going northbound, you'd
7 been up it before?

8 A. Oh, yes. This is my regular run. I've been steady on this
9 territory since I want to say 2007.

10 Q. Okay. And you've --

11 A. 2008.

12 Q. And you've -- how often would you say in a week you come
13 along this stretch of track going northbound?

14 A. Typically, three round-trips, so six times traversing the
15 territory.

16 Q. And how would you describe your level of familiarity with
17 this stretch of track?

18 A. I'd say I'm very familiar with it. I'm -- in our group of
19 guys that we work with, I'm one of the individuals that people go
20 to a lot of times when they have questions.

21 Q. Okay. Does CSX have a policy regarding cell phones in the
22 cab?

23 A. They do.

24 Q. And what is that policy?

25 A. Policy is that the phone should be off and stored in your

1 grip while the train is moving.

2 Q. And did you have your phone with you on the day of the crash?

3 A. I did have it with me.

4 Q. And where was it?

5 A. It was off and stored.

6 Q. Okay. Could I get the number for your cell phone?

7 A. I gave it to this guy.

8 Q. He's already got it. Did you get the carrier?

9 A. I gave the carrier and provider.

10 Q. Yeah, and the provider. Okay. Great. Was there anything
11 else going on in the vehicle, in the cab -- I'm used to highways,
12 so forgive me.

13 A. Right. I understand.

14 Q. In the cab that was distracting, unusual, out of the
15 ordinary?

16 A. As far as us running over the territory, there was nothing
17 going in particular at the time of the accident. But really on
18 the trip we had not had anything that was out of the ordinary
19 other than the semi that was stuck 16 miles down the road. But, I
20 mean, that happens at a frequency. We are used to it.

21 Q. Okay.

22 A. But everything was as it should be.

23 Q. And related to that, how often in your experience is it that
24 some sort of vehicle gets into problems on some sort of crossing
25 in this general area, along this stretch?

1 A. I mean, define what you're looking for as far as problems.

2 Q. Well, how often would you say you have to slow down because
3 some vehicle has gotten hung up on the tracks or is otherwise
4 fouling the tracks --

5 A. I would --

6 Q. -- in the typical day, typical run?

7 A. I would say from my experience, and it may not affect me, I
8 may hear it over the radio, you know, once a week, once every
9 other week I hear on the radio the dispatcher giving somebody
10 instructions to stop their train, be aware of a possible vehicle
11 on a crossing.

12 Approximately a year and a half ago outside of Mobile -- it
13 wasn't this area, but I was fortunate enough that everything was
14 right and there wasn't crossing interfering with the distraction
15 of something ahead, and I encountered a vehicle that was -- I
16 believe he was either inebriated or under the influence of drugs
17 outside of Mobile there. He decided to take his car down the
18 tracks, and I was able to stop in time for that one. And, you
19 know, I was approaching and there were police lights out there.
20 It's like it's time to stop.

21 Q. Okay.

22 A. Like I said, everything was normal on this one.

23 Q. Okay.

24 MR. COLLINS: I'm done with round two. Is there anyone else
25 with additional questions?

1 MR. BECIC: One question.

2 MR. COLLINS: Yes, sir. Go ahead.

3 BY MR. BECIC:

4 Q. Ensar Becic. You mentioned that you made the decision to
5 apply emergency brake. Can you explain what helped you make this
6 decision? Was it only your vision or were there environmental
7 clues?

8 A. That was -- there was nothing that said to apply the
9 emergency brakes other than just that feeling inside of you
10 saying, you know, this is worrying me; I don't like this. I mean,
11 you've got part of you that's still fighting the battle of he's
12 fixing to pull out of the way. He just stopped at the
13 intersection and I didn't like it. I said we are going to put the
14 brakes on.

15 And especially on this territory quite often -- I mean,
16 because of people pulling out in front of you and then pulling off
17 the crossing just before you get there. The corridor that we have
18 with the hazardous materials, the trains, we don't want to apply
19 the emergency brakes unnecessarily for somebody that's getting
20 ready to pull off the crossing. I mean, we don't know what's
21 going on inside their head or -- I know Biloxi probably -- I don't
22 know how many hundred thousand citizens here in close proximity to
23 -- I mean, we put some chlorine on the ground and it's a much more
24 tragic situation. So we try to be reserved with putting the
25 train in emergency, but there's just a point where your inner self

1 says, I'm not taking a chance anymore.

2 BY MS. DENNY:

3 Q. Are you able to see -- from your vantage point, you see the
4 bus on the crossing. Are you able to see, because I know the
5 slope is really long on that crossing, can you see if there's
6 other vehicles you know in front of the bus?

7 A. I know on the front of the bus he was --

8 MR. JOHNSON: I thought he was letting people off, you
9 know --

10 MR. ARD: I thought he was just at the crossing.

11 MR. JOHNSON: Letting cars pass.

12 MR. ARD: My conductor is on the -- Conductor Johnson here,
13 he's on the left side of the locomotive, which would be to the
14 extreme front side of the bus. He might have had a little bit
15 more of a vantage point than I did as far as what he's referring
16 to. But what I seen, once I become focused on the bus, was there
17 was a bus straddling the tracks and his front end was stopped at
18 an intersection. I couldn't see that he was bottomed out or the
19 engine stalled. All I see is the bus at an intersection and in my
20 heart of hearts I'm praying that this bus is going to pull off. I
21 wish we were mind readers on that.

22 There's a lot of wishes goes on on this situation that day.
23 Somebody would have got off the bus and threw a flare or fuze out
24 on the tracks. I mean, somebody just violently, you know, waiving
25 their hands to stop, slow down, there's problems up here, you

1 know. Because once you become focused on the bus, I mean, you're
2 starting to try to -- what's going on? You know, like is it going
3 to move? If there was anything that would have gave us a signal
4 ahead of time that he's in distress, I would have put it in
5 emergency even sooner.

6 I mean, to be honest, when I put it in emergency, like I
7 said, I was praying he was going to move and there was a part of
8 me thought that maybe I put it in emergency too soon. Maybe I
9 should have gave him a second to move out of the way. But as it
10 turned out, I'm glad I went ahead and made the decision when I
11 did.

12 Q. I understand. I'm sorry this happened to you guys.

13 A. Thank you.

14 MR. COLLINS: Anyone else?

15 BY MR. TORES:

16 Q. Yes. Tomas Tores with the NTSB. Do you recall how long the
17 bus was there?

18 A. Because we are traveling north and the bus is not in
19 immediate view due to a slight curve in the tracks, no, I don't
20 know how long the bus had been there.

21 Q. When you came out of the curve was it in view?

22 A. I was not focused on the bus initially and there was nothing
23 drawing my attention to the bus. Like I said, although, I mean,
24 we are scanning down the tracks, our immediate focus is on the
25 crossings directly in front of us and 1, 2, 3 crossings up,

1 depending on how -- the spacing. But, no, I can't tell you the
2 exact point to where he become in view and I become focused. I
3 mean, it's -- like I said, there's things that happen in the
4 background of your vision that are sort of secondary until you are
5 on top of them. I wish I had seen it sooner.

6 BY MR. COLLINS:

7 Q. Dennis Collins. To follow-up on that, Steve, when you came
8 out of the curve, since you were saying you weren't focused on the
9 bus but you're looking at the immediate crossing, there was a
10 crossing between where you were when you came out of the curve and
11 the one where the motor coach was?

12 A. Several.

13 Q. There were several. So, you --

14 A. And there's a primary crossing coming out of that curve that
15 were known to have issues, and our traffic representative from
16 Biloxi here, Officer Windland, can probably tell you at the
17 seafood processing there's been incidents where vehicles are too
18 close to the tracks. Some of them are clear of the tracks, but
19 they're still too close for comfort, I mean. And that's -- when
20 you come through there that's your first focus right there.

21 MR. COLLINS: Okay. Thank you. Thank you very much.

22 To keep it easier on the transcriptionist, I'm just going to
23 keep recording continuously because it's all the same players. We
24 are just going to switch now to the interview of the conductor.
25 It's about 12 after 11.

INTERVIEW OF ANDREW JOHNSON

1
2 BY MR. COLLINS:

3 Q. If you will reintroduce yourselves for the recording?

4 A. Andrew Johnson, CSX conductor, J-o-h-n-s-o-n.

5 Q. Thank you, Mr. Johnson. And I think we will go around, maybe
6 go around the other way. We will start with Tomas and not make
7 everybody wait on me this time.

8 BY MR. TORES:

9 Q. Okay. Give us your work history with CSX.

10 A. I started working CSX April 2008. I've been with them about
11 9 years.

12 Q. (Indiscernible)

13 A. Not really (unintelligible) level's pretty good. My
14 (indiscernible) is pretty good. I come to work and
15 (indiscernible).

16 Q. So, you are a conductor certified or engineer?

17 A. Both.

18 Q. Both. Do you know the certification dates?

19 A. Oh, I'll have to get my license. I don't know right off
20 hand.

21 Q. That's fine. Is this your regular route?

22 A. This is my regular route, yes.

23 Q. Do you work -- is this like your regular assigned job?

24 A. Uh-huh.

25 Q. Not extra board?

1 A. No. Straight (unintelligible). So I run this every day.

2 Q. So the day of incident were you -- what takes place between
3 you and the engineer?

4 A. Before we go on duty?

5 Q. Yeah, what took place on that day?

6 A. Before we go on duty, get in the van from the hotel. And
7 then you going to stop get breakfast. I mean, either you say yeah
8 or no. We get to the yard office, you know, see if -- what train
9 we got, if the train is ready. Of course, they say no, we -- the
10 yard job putting together. Y'all got a little time. So we sit
11 down, maybe have a cup of coffee, go over train orders, slow
12 orders and stuff like that.

13 Finally they say, okay, train ready to go swap out. Make
14 sure we don't have a brake test. The train is all ready to go.
15 Make sure the EOT is already on. Basically, have to stop and a
16 line and switch to get out. It may have been two switches to get
17 out that day.

18 But came off the drill track in New Orleans on the slow
19 approach. Wasn't nothing out of the ordinary really. It was
20 really a good day because, I mean, caught dinner and got up in
21 time to get breakfast, go to work. So it was really a good day.
22 It was a good start, you know what I mean.

23 MR. ARD: You see how we think.

24 BY MR. TORES:

25 Q. So, on that day like you had already been on duty like 8

1 hours that day when the incident --

2 A. When the incident happened? 8:30 -- when this happen; about
3 3:15 maybe, something like that? I guess it was about -

4 UNIDENTIFIED SPEAKER: 2:12 was the time of the call.

5 MR. JOHNSON: 2:12.

6 UNIDENTIFIED SPEAKER: Or, excuse me, 2:12, yeah.

7 UNIDENTIFIED SPEAKER: But that's local time.

8 MR. JOHNSON: That's local time, yeah. So 1512 railroad
9 time.

10 BY MR. TORES:

11 Q. So it would be 1512 railroad time? And can you describe the
12 approach, you know, as you are coming?

13 A. Coming up to that particular crossing you're really not
14 focused on that particular crossing, you know what I mean, because
15 there's so many crossings in between the accident crossing coming
16 up to it. So you may be at the 727, call the signal, so you are
17 looking at crossings. Okay. This crossing is good.

18 You may see 15 crossings down the way. You might see a
19 similar truck come across, by the time you look back, he gone.
20 Because you look at this crossing, this crossing. So coming to
21 this particular crossing, it wasn't -- I didn't see nothing out of
22 the ordinary until maybe we got around the bridge. Okay. The bus
23 is moving. So you look at the crossing that's in front of you
24 now. So you look back up because your bus is still there. Look
25 at the crossing in front of you.

1 Maybe now we may be three or four crossings from the bus.
2 Does it move? I hear my engineer say I'm about to shoot them;
3 about to shoot them if the bus don't move. Do you know people if
4 in that bus before you get there? You don't. You don't know
5 people in the bus until you maybe come this close. By then it's
6 too late.

7 Q. So that day, did you remember a bus pulling up to the
8 crossing?

9 A. I don't. I don't remember seeing the bus come up to the
10 crossing.

11 Q. So you saw it stationary, stopped?

12 A. Approaching, yeah. But like I say, see the bus. Okay, you
13 see it but you look down because you're checking crossings as you
14 -- it may be, I don't know, 12 crossings in between. More like a
15 time situation. Okay, 15 seconds between here and the bus, but
16 you got maybe 10 crossings between yourself and the bus. So you
17 look at the bus and see, okay -- you're bouncing back and forth
18 just making sure everything is clear where you're at before you
19 get there. But you're thinking the bus is going to move.

20 Q. Now, you mentioned you thought it was unloading people?

21 A. Well, I said unloading people, but I meant to say it's a --
22 sometimes on those crossings you come across crossing a stop sign.
23 And it looked like maybe he was stopped at the stop sign or maybe
24 he was letting people off to go -- I don't -- there's a building
25 across the street, maybe a church. Maybe they was getting off and

1 going to the church and maybe -- I was thinking maybe he was
2 letting traffic go by or he was letting the people off to go to
3 the church. I just don't know.

4 MS. DENNY: You guys were calling signals, you were running
5 on clear signals --

6 MR. JOHNSON: Yes, ma'am.

7 MS. DENNY: -- for some distance before the accident?

8 MR. JOHNSON: Uh-huh. Yes, ma'am.

9 MR. ARD: We had left -- we had been stopped at Harbin and
10 when we left there we were running on clear signals.

11 UNIDENTIFIED SPEAKER: I have one question. Just prior to
12 the accident, minutes before -- or you had your lunch already
13 or --

14 MR. ARD: I had not had my lunch. My lunch is still on that
15 locomotive.

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. JOHNSON: Yeah, he left somebody a surprise.

18 UNIDENTIFIED SPEAKER: An unpleasant one.

19 MR. ARD: It was good at the time.

20 UNIDENTIFIED SPEAKER: How about you?

21 MR. JOHNSON: My lunch, I mean, I just eat some of that or
22 some chips or something, you know. I really don't -- on a train I
23 really don't eat a big lunch because I don't like to be heavy when
24 I have to get on the ground.

25 BY MS. DENNY:

1 Q. And the day of the accident, you felt rested?

2 A. Yes, ma'am.

3 Q. And good and ready to go?

4 A. Yes, ma'am. I actually ate my dinner for breakfast because I
5 ate half of it that night and I brought it for breakfast that
6 morning.

7 Q. So you ate after you got on the train?

8 A. Uh-huh.

9 Q. Then you finished your dinner?

10 A. I had a shrimp po'boy and some gumbo.

11 Q. Sounds good.

12 A. For breakfast, for brunch.

13 Q. Okay. And you didn't have any issues with the way the train
14 was running? I mean, everything was cool?

15 A. No, it was pretty good. Everything was working fine.

16 Q. And other than the stop for the truck at Harbin; is that
17 right, you stopped?

18 MR. ARD: Yes, ma'am. We had stopped at Harbin with -- that
19 was the last stop prior to the incident. Now, we did slow down at
20 the 742.5 restricted speed for the crossing where the truck had
21 been previously stuck, but that was Harbin at the 745-milepost was
22 the last stop that we made prior to incident.

23 MS. DENNY: Okay. So, you hadn't made any other stops or no
24 work or anything?

25 MR. ARD: No, ma'am. We had not worked -- we had stopped for

1 some work authorities prior to Harbin, but that was out in the
2 Louisiana swamp.

3 MS. DENNY: That's all I have.

4 MR. TORES: I got one.

5 BY MR. TORES:

6 Q. Tomas Tores with the NTSB. You say you thought the bus was
7 stopped to let people get off the bus or get on the bus. Did you
8 recall seeing anybody on the ground or if so, how many?

9 A. Well, like I say it's a church right there and then a stop
10 sign. And then there's a house I guess right across diagonal from
11 the stop sign. So, I don't remember seeing nobody. No.

12 Q. Did you see anybody getting off the bus or --

13 A. I don't recall. I don't think I did. I just remember that I
14 think a stop sign there and I'm thinking either he's letting
15 people off to go. He's letting traffic go. Seeing anybody, no, I
16 didn't see nobody until we got -- there was people in the bus.
17 But as far as on the ground, no.

18 Q. You could see the people in the bus?

19 A. Once we got just before impact.

20 BY MR. COLLINS:

21 Q. Dennis with the NTSB. And I apologize for having to step out
22 and take that call. If I hit anything that was covered while I
23 wasn't in the room, please stop me. We don't have to do it twice.

24 Did you go over what time he woke up the day of the crash?

25 A. Yeah, the phone rung at 6:30. I probably go out of bed 7:15

1 maybe.

2 Q. And followed Steve's schedule the rest of the way the two of
3 you commuted to the yard together?

4 A. Uh-huh.

5 Q. How did you travel between the hotel and the yard?

6 A. They have a shuttle bus, shuttle van. Holiday Inns, they
7 have a shuttle for us that take us from the yard to the hotel, the
8 hotel to the yard.

9 Q. Okay. And then the general background questions pretty much
10 the same ones I asked the first time. How would you describe your
11 general health?

12 A. Good.

13 Q. See any doctors on a regular basis?

14 A. No.

15 Q. Any medical conditions you get treatment for like high blood
16 pressure, things like that?

17 A. No.

18 Q. What's your height and weight?

19 A. 5'10" about 255.

20 Q. And how were you feeling on the day of the crash?

21 A. I was feeling pretty good. Like Steve said you going to get
22 home early, get to see your kids and you know.

23 Q. And no health issues during your time off or the Monday?

24 A. No.

25 Q. Okay. Do you drink alcohol?

1 A. Yes.

2 Q. How often and how much would you say?

3 A. Socially, I might have two beers a week maybe, if that.

4 Q. Did you have any alcohol on the three days prior to the
5 crash?

6 A. No.

7 Q. Okay. The illegal and illicit drug questions: Do you take
8 any of those?

9 A. No.

10 Q. Any prescriptions?

11 A. No.

12 Q. Any -- did you take any over-the-counter medications like
13 Aspirin or Tylenol in the 3 days prior to the crash?

14 A. No.

15 Q. Any herbal supplements?

16 A. No.

17 Q. Nothing over the counter. Okay. How would you describe your
18 vision?

19 A. Pretty good. Like my last certification, it was a little
20 under 20/20.

21 Q. And no problems in the days leading up to the crash or the
22 day of the crash?

23 A. No.

24 Q. Same question about your hearing, how would you describe
25 that?

1 A. Pretty good.

2 Q. And no issues with that?

3 A. No.

4 Q. My life events question about stresses, any major changes in
5 your life like somebody got married, somebody passed away in the
6 past couple of weeks?

7 A. Nothing out of the ordinary, no.

8 Q. Okay. If we go back to your days off that was Saturday,
9 Sunday and then the work Monday. On Saturday and Sunday, do you
10 remember what time you got up on each of those days and went to
11 bed on each of those days?

12 A. I usually get up anywhere around 6:30 when I'm home because
13 that's what time my kids get up to go to school. So I like to get
14 up and mess with them a little. So, that while I'm off the
15 weekends maybe 9, 10:00 maybe.

16 Q. Okay. For getting up in the morning?

17 A. Uh-huh.

18 Q. And what about for going to bed on the weekends?

19 A. 10:30, 11:00 maybe.

20 Q. Okay. And when you sleep would you say you sleep pretty
21 well?

22 A. Yeah, I do.

23 Q. Okay. Any issues with your sleeping or any problems you have
24 had in the past?

25 A. No.

1 Q. Okay. And I think I heard you say earlier or earlier in the
2 answers that your cell phone was with you but it was in your bag
3 and it was also turned off, because when you first pulled it out
4 you realized you had to turn it on?

5 A. Yeah, you know, with a cell phone you just start dialing, but
6 I forgot it was off.

7 Q. Okay. And you don't recall anything unusual I the cab or
8 outside the cab as you were approaching this crossing?

9 A. No. I really don't.

10 Q. Okay.

11 A. I really don't.

12 MR. COLLINS: Okay. That concludes me. Anyone else?

13 (No response.)

14 MR. COLLINS: That's it. Thank you very much. It's 11:27.

15 (Whereupon, at 11:27 a.m., the interviews were concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF FREIGHT TRAIN
 TRAIN AND TEXAS TOUR BUS
 BILOXI, MISSISSIPPI,
 ON MARCH 7, 2017
 Steve Ard and Andrew Johnson

ACCIDENT NUMBER: HWY17MH010

PLACE:

DATE: March 9th, 2017

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Letha J. Wheeler
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL COLLISION OF FREIGHT
TRAIN AND TEXAS TOUR BUS
BILOXI, MISSISSIPPI
ON MARCH 7, 2017

Accident No.: HWY17MH010

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Interview of: LOUIS AMBROSE, JR.

Wednesday,
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APPEARANCES:

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National Transportation Safety Board

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National Transportation Safety Board

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I N T E R V I E W

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2 MR. COLLINS: This is Dennis Collins, C-o-l-l-i-n-s, with the
3 NTSB conducting an interview relating to the crash in Biloxi,
4 Mississippi.

5 MR. LaPONTE: Mike LaPonte with the NTSB, L-a-P-o-n-t-e.

6 MR. BATES: Dan Bates, B-a-t-e-s, Decker Jones, counsel for
7 Echo Transportation and Mr. Ambrose.

8 MR. STOLARCZYK: Jack Stolarczyk, S-t-o-l-a-r-c-z-y-k,
9 Federal Railroad Administration.

10 MR. AMBROSE: Louis Ambrose, Jr., L-o-u-i-s, A-m-b-r-o-s-e,
11 driver for Echo Transportation.

12 MR. WEST: Tanner West, W-e-s-t, owner and CFO, Echo
13 Transportation.

INTERVIEW OF LOUIS AMBROSE, JR.

14
15 BY MR. COLLINS:

16 Q. And, Mr. Ambrose, if you could just start with the day of the
17 crash with when you woke up and just walk us through your day and
18 the crash.

19 A. Okay. Well, we didn't have to, we didn't have to leave -- we
20 didn't have to leave till 1:00 to go to Biloxi. So I got up about
21 9:00 that morning, took me a shower, went downstairs, walked
22 around, went over to look at my bus and everything. I didn't pre-
23 trip it then because it was still too early. So I just went and
24 walked around, looked at my bus, saw a few buses out there, came
25 back and went back upstairs and just relaxed until it was time to

1 leave.

2 About 12:00, I walked to my bus, went and pre-tripped it.
3 Checked the oil, everything, the coolant and everything like I do
4 all the time, checked my tires and everything, and started the bus
5 up, turned the air conditioning on, let it run until it cooled
6 off.

7 About 12:45, I pulled up to the -- where the lady told me
8 that they was going to come out at. Pulled up there and sit there
9 and waited until all the passengers came out and Ms. Carol made a
10 count and everything of everybody that was riding the bus, and
11 then we left.

12 Heading out, had my GPS on, was going toward the -- I think
13 the name of the street was Blue, Blue Mount, or something like
14 that. Anyway, my GPS told me to make a left turn, make a right
15 turn to go to I-10 Interstate, which I got in the left and I was
16 in the lane to make the turn, when Ms. Carol asked me if I'm going
17 down I-10. I told her, yes, ma'am. And she said, well, can we go
18 down 90 because we want to do the scenic route? So I said, you
19 guys want to go down 90? She said yeah. Ms. Mary got on the
20 microphone and told the rest of the people on the bus we was going
21 down 90 and everybody was happy, they started clapping. So I made
22 a U-turn behind this gas station, got back on the street I was on
23 and made a left turn heading down 90.

24 Okay. We went down 90. We was -- I was doing about, I don't
25 know, 45 at the most because they wanted to see those trees that

1 was -- that people had carved animals out of, pelicans, dolphins
2 and everything, after the hurricane and they wanted to see the
3 beach. And so we were just cruising down there, and my GPS told
4 me to make a left turn on Main Street.

5 Okay. So like I say, we was going down the street and
6 everything and they was taking pictures and watching everything.
7 When I got to Main Street, I made a left turn. When I made that
8 -- now I saw this sign that had railroad tracks and a truck
9 crossing it. It was a lowboy. But I saw the sign but I didn't
10 see the sign because when I made the turn and was going on the
11 street, there was a car. I was going this way. There was a car
12 coming -- the car was coming pretty fast.

13 So I concentrate on the car, whether this car was going to
14 stop or not. Because I didn't have a stop sign the way I was
15 going, but my -- I started concentrating on this car whether it
16 was going to stop or not. The car stopped. I went up to the
17 railroad track. I turned my flashers on. I went up to the
18 railroad track. I seen that it was an incline so I pressed on to
19 raise the back of the bus up.

20 I got there. I stopped. Was no flashing lights. I looked
21 both ways. I didn't see no train or anything. I proceeded to go
22 over the track. When I got to the top of the track, when the bus
23 -- and I looked down, I said, "Jesus," and kept going. That's
24 when the bus got hung up.

25 Okay. I put it in reverse to try to back up, it wouldn't go

1 back. I put it back into drive to go forward, it wouldn't go
2 forward. It was just hung up on, on that track right there. And
3 then one of the people on the bus said, there's a train coming. I
4 thought he was joking, you know. But then when I looked down the
5 track, I saw there was a train coming.

6 And so I told Ms. Carol, we have to get everybody off this
7 bus. So we started -- I opened the door, started unloading,
8 getting people off the bus. These were senior citizens. You
9 know, these people were not moving fast. Some of them had canes.
10 Some of them had a problem walking and everything, but there's --
11 the people that was in the front were the first ones that got off
12 the bus. Everybody else was coming to the front, but the train
13 was steady coming and everything.

14 And I was trying to get these people off the bus as fast as I
15 can because even -- even when I stop at a regular stop and lower
16 the bus, it takes me 15 minutes to get them off because I have to
17 help just about every last one of them off the bus, you know. So
18 -- and they was, they was trying -- they was coming. They was
19 trying to get off the bus but the train was steady coming.

20 When those lights came on, I couldn't tell you. My mind was
21 getting these people off the bus. But when I went up to that
22 crossing, there wasn't no lights on, wasn't no rail lights on,
23 wasn't no gate down, wasn't nothing. I didn't even see the train
24 coming. But when that train -- when I saw that train coming -- I
25 don't know how far it was because, like I say, I wasn't really

1 paying attention in time and everything. My main priority was try
2 to get them people off the bus, and that's what I was doing, you
3 know. And then I noticed the lights flashing, the bell ringing
4 and everything and that train just getting closer and closer and
5 closer, you know.

6 I did the best I could to get those people off the bus. I
7 tried to get everybody off. If I'd have had 20 minutes I probably
8 could have got them off of there in time, but, you know, it was
9 just, you know, it wasn't -- I wasn't thinking about time. My
10 main concern was to get those people off the bus as fast as I
11 could, and that's when that train hit us.

12 Q. Do you remember what happened after the train hit the coach?

13 A. Yeah. After the train -- there was this guy that was out
14 there. The door was on the bus open. He came -- after the train
15 hit us, people started screaming and everything. When that train
16 hit us, I slammed into the column right there. And people were
17 screaming and everything, and the train just kept pushing the bus
18 and pushing the bus and pushing the bus and when the bus finally
19 stopped, this guy got on the bus and said, everybody just try not
20 to move; people is coming to help you and everything. And then
21 before you know it, a lot of people was there, started to get the
22 people off the bus and everything.

23 I got on the phone and called my yard, my dispatch, told them
24 I needed to talk to Mr. Tanner, I needed to talk to Chris, I
25 needed to talk to somebody that was in charge because the bus just

1 got hit by a train. But in the communication, I don't know, the
2 phone -- he hung up or I hung up or one of us, so I had to call
3 again, try to get through. But I was in pain because -- I was in
4 pain. I was hurting. And they trying to get these people off the
5 bus and everything, and they got some of them off and then the guy
6 finally came and got me off the bus and laid me down on the
7 ground, and that's where I stayed until they picked me up and
8 brought me to the hospital.

9 Q. Okay.

10 MR. LaPONTE: Were you transported to the hospital,
11 Mr. Ambrose, by ground, by an ambulance?

12 MR. AMBROSE: Yeah. Yeah, by ambulance.

13 BY MR. COLLINS:

14 Q. While we're on the subject, what injuries did you sustain in
15 the crash?

16 A. I had broken ribs on my left side. I had a hole in my lung.
17 But the doctor said that it was, you know, it was a small hole so
18 they really were just going to let it -- see if it was going to
19 close by itself. But I got broken ribs, just about all my ribs on
20 this side is broken.

21 Q. And that's your left side?

22 A. Yeah, my left side.

23 Q. And you said you went back into the column. So you think
24 when the collision happened, you went into the steering column?

25 A. Yeah, I went into the column because I was turned around

1 looking at the people trying to get them off the bus, and when
2 that train hit, I just went back, you know. I don't know if it
3 was the steering column or what, but I know I just -- the breath
4 just left my body I got hit so hard.

5 MR. LaPONTE: My turn?

6 MR. COLLINS: Yeah. I think, I think that's a good pass
7 through the accident so I'll turn it over to Mike and he can hit
8 some of his specific points.

9 BY MR. LaPONTE:

10 Q. So, Mr. Ambrose, tell me a little bit about -- we're going to
11 go away from the train and we're going to leave that set there for
12 a moment. When did you start driving commercial vehicles? What
13 -- and how did you get into it and what, you know, what led you
14 to, you know, end up being a CMV driver, commercial motor vehicle
15 driver?

16 A. Well, when I first -- we came from Louisiana because of
17 Hurricane Katrina. We moved down here. I worked in construction.
18 I worked in construction 10 years while I was down there. When I
19 came here, I figured I'd get back into the same trade, but my
20 first winter in Texas, that was out of the question. I wasn't
21 going to be out there in the -- I don't like cold weather.

22 So I was applying for jobs at this job -- at this employment
23 place, and there was some women over there for Fort Worth ISD. So
24 I applied for Fort Worth ISD and they told me I had a Louisiana
25 license, told me I had to go get a Texas license. So I went to

1 get a Texas license and I applied and I got the job, and they took
2 me to all the training and everything, went to go take tests to
3 get our CDL and everything. So that's when I first got my CDL in
4 2006 working for Fort Worth ISD driving a school bus.

5 Q. Okay. So the actual school district did your CDL training?

6 A. Yes, the school district did my CDL training.

7 Q. And that was specifically to be a school bus driver?

8 A. To be a school bus driver.

9 Q. So you know about the paddle and the lights and the 1500
10 feet --

11 A. Yeah, yeah, and stopping at every -- every time a railroad --
12 we got to stop at a railroad crossing and everything.

13 UNIDENTIFIED SPEAKER: Louis, did you also have experience in
14 the military driving heavy equipment?

15 MR. AMBROSE: Yeah, I drove, I drove -- I was in Seabees. I
16 drove heavy equipment. I drove heavy equipment and drove truck
17 transporting heavy equipment when I was in the military.

18 BY MR. LaPONTE:

19 Q. So you were in the Seabees?

20 A. Yeah, I worked NCF.

21 Q. Now are they still called the Seabees?

22 A. Yeah, they're still Fighting Seabees, yeah.

23 Q. Okay.

24 A. Construction Mobile Battalions.

25 Q. Okay. All right. And then how long did you work for the

1 school district?

2 A. Six years.

3 Q. Six years. And what prompted you to seek other adventures in
4 the transportation industry?

5 A. I got tired of them kids, man.

6 Q. That's fair enough.

7 A. Yeah, them kids was -- there was some bad, bad, bad kids,
8 man. I mean, it was ridiculous, and I just got tired of putting
9 up with them every day.

10 Q. Okay. And then where did you go from there? What's your
11 next --

12 A. Waste Management. I went to drive for Waste Management for a
13 little while, driving a roll-off truck, picking up dumpsters and
14 everything, and that was a lot of work, so -- and I got kind of --
15 that kind of like, you know, really wasn't for me because I was
16 getting older, you know, and that was a lot of hard, that was a
17 lot of hard work. So I put an application in for Echo, Echo --
18 well, it was called Gotta Go Trailways at the time. I put an
19 application in for them, got called for an interview and that's
20 when I got hired.

21 Q. Okay. All right. And so then you were there -- what time
22 did you -- when did you start for --

23 A. I think it was --

24 Q. -- Gotta Go or Echo or --

25 A. 2012, I think I started with them.

1 Q. Okay. All right. And I was looking on your application that
2 the company has provided and you also listed a company called
3 Roadrunner Charter.

4 A. Yeah, but that was --

5 Q. Tell me about that.

6 A. That was after I worked with them. Well, I was working with
7 Echo. Me and another driver got into a confrontation, okay. So,
8 you know, they did what they had to do and, you know, they
9 terminated me. So I went to work for Roadrunner for a while.

10 Q. Oh, okay.

11 A. You know, I went to work for them, because I love driving
12 buses. So I went over there and worked for them. And then after,
13 you know, I don't know, I worked for Roadrunner for about six
14 months or anything, I got a call from Chris. And, you know, me
15 and him talked and everything. He told me that he wanted me --
16 you know, what the deal was and that he wished I would come back.
17 So when that opportunity came, I left Roadrunner and came back to
18 working for Echo.

19 Q. Okay. So this disagreement you had with another driver, that
20 was just a verbal disagreement? You just got into a little
21 yelling match or what --

22 A. Yeah, it was, it was --

23 Q. -- driving, of course.

24 A. It was a verbal disagreement, you know, and everything and,
25 you know -- yeah, it was a verbal disagreement and because he was

1 in my face really, you know, and I just kind of like put my hand
2 on his chest and pushed him back and he called the police and said
3 I assaulted him, so -- but, you know, I really didn't.

4 Q. Yeah. Did anything other than you unfortunately losing your
5 job at that time with Echo or -- was it Echo by then at that point
6 in time?

7 A. Yeah, it was Echo.

8 Q. There was nothing else that happened after that?

9 A. No.

10 Q. I mean, the police didn't come and there was no charges
11 filed?

12 A. The cop came but he said, man, look, man, you know, this is
13 something minor, you know, you guys -- we were coming from the
14 Super Bowl when they had it in Phoenix, you know, we was coming on
15 our way home.

16 Q. Yeah.

17 A. And he said, man, I'm going to let you guys go on about your
18 business, bring your buses home. So we just got in the buses and
19 drove on home.

20 Q. Okay. Thank you. Had you worked -- and when you were
21 working for Echo, do you work anywhere else on your days off or
22 anything?

23 A. No.

24 Q. So are you considered a full-time driver --

25 A. Yes.

1 Q. -- with Echo?

2 A. Yes.

3 Q. Okay. All right. Okay. And the reason I was asking kind of
4 about the Waste Management or your history, rather, is because
5 actually at one point in time, in your -- in the book that was in
6 the motorcoach after the accident --

7 A. Um-hum.

8 Q. -- there was a Waste Management card in there.

9 A. Yeah, I --

10 Q. Is that just to remind you about how miserable you were then
11 and how happy you are --

12 A. No, I'm going to tell you why that Waste Management card
13 there. Because I lost my ruler, you know, and I was using the
14 Waste Management card to draw the straight lines on my logbook.
15 You know, that card is kind of thick enough so I could use that.
16 That's why it was in my thing because I was using it to draw lines
17 in my logbook.

18 Q. That makes perfect sense. And I want to compliment you, your
19 logs are very, very articulate.

20 A. Thank you.

21 Q. You do a good job at logging. They're very clean.

22 There is -- when you were down in Mississippi, did you ever
23 get a roadside inspection with the Mississippi police?

24 A. No.

25 Q. No?

1 A. No.

2 Q. Well, the Mississippi police think they gave you an
3 inspection on the day of the accident, and so that's why, that's
4 why I'm asking. And this is -- I'll show you this document and
5 see if that -- because there's been a lot of confusion about it
6 because of the time and the location.

7 A. I never got a roadside inspection by the Mississippi police.

8 Q. Okay.

9 A. Once we left that, once we left that casino -- once we left
10 that casino, I was not stopped by the police or anybody until that
11 accident. So I did not get a roadside inspection by the police --
12 by the Biloxi police.

13 Q. You didn't have to go through a port of entry into
14 Mississippi when you came from Louisiana?

15 A. No, because when we, when we came from Louisiana, they had a
16 thing there saying if a light was flashing that say that the buses
17 stop, but it was closed.

18 Q. Oh, okay.

19 A. It was closed. It wasn't -- you know, I didn't have to go
20 through because it wasn't even open or nothing like that. So as
21 far as the --

22 UNIDENTIFIED SPEAKER: Yeah, we have a problem with that.

23 MR. AMBROSE: As far as being stopped by the police, I never
24 got stopped by Hattiesburg.

25 BY MR. LaPONTE:

1 Q. Well, that's, that's the other -- that's why we're trying to
2 clarify that, is that this report supposedly shows you in
3 Hattiesburg at 5:30 in the afternoon. Now we know that's
4 impossible.

5 A. 5:30 in the afternoon, yeah.

6 Q. We know that's impossible on 3/7, given the events of the
7 day.

8 A. Yeah, so that's definitely --

9 Q. Okay. We just wanted to verify that so we can get that
10 cleaned up with the State of Mississippi.

11 A. Yeah, definitely. This is not right.

12 Q. You may have that copy.

13 A. Oh, thank you.

14 MR. COLLINS: And if I understand you correctly, you crossed
15 from Louisiana into Mississippi, not on the 7th, but on the 6th?

16 MR. AMBROSE: The 6th, yeah.

17 MR. COLLINS: Because you crossed in and went to Hollywood
18 Casino.

19 MR. AMBROSE: Hollywood Casino, yeah.

20 MR. COLLINS: Okay. That was the other point I wanted to
21 make sure we had correct. More confusion that we're going to
22 clarify.

23 BY MR. LaPONTE:

24 Q. So also in the motorcoach, Mr. Ambrose, were your logs from
25 the beginning of the trip until the day of the crash.

1 A. Um-hum.

2 Q. And I'm just going to ask you to look at these and, if you
3 would, just kind of, you know, verbally verify that those are
4 yours and that is more or less, you know, your activities for the
5 trip.

6 A. Yeah, these are mine.

7 Q. Okay. All right. And so for a moment let's go back, if you
8 don't mind, to when you started on the 7th from the casino -- so
9 there's been conversation that a message was sent out by the tour
10 -- the lady who was with Diamond Tours --

11 A. Right.

12 Q. -- to, she claims, the motorcoach operators, you know, to
13 tell them to use the scenic route, the 90 route into town. Did
14 you ever get a text message or a phone message or anything?

15 A. No, I didn't.

16 Q. Okay. So when you started to 110, which is the itinerary
17 that is printed on the charter --

18 A. Right.

19 Q. -- you were almost there and then the group leader --

20 A. Yeah, I was in the turn lane to make the turn to go toward
21 I-10. Ms. Carol said that -- asked me if I was going I-10. I
22 told her yes. She said, well, you know, you're not going to go on
23 the scenic route? I said, would you guys like to go on the scenic
24 route? And she said, yes, we want to go on the scenic route. So
25 Ms. Mary -- like I said, Ms. Mary got on the microphone and said,

1 she said, Louis is going to take up down 90 so we can see -- go
2 down the scenic route, and everybody started clapping. So I made
3 a U-turn behind the gas station, got back on the street, and made
4 a left turn and went down that way.

5 Q. Have you ever taken that route before?

6 A. I never -- I haven't been in -- I was stationed in Gulfport,
7 Mississippi when I was in the Seabees, but I hadn't been -- I left
8 there, I left there in 1977. I haven't been down to Mississippi
9 since.

10 Q. That was your first trip --

11 A. That was my first trip to Gulfport.

12 Q. -- to this particular -- to Gulfport and Biloxi?

13 A. Yeah, this -- that was my first trip down there, because I
14 was -- when I was driving I was telling Ms. Carol, I said, man,
15 when I was down, there wasn't none of this down here. This has
16 changed. This is like a little Las Vegas now.

17 So, you know what I'm saying, I hadn't been -- that's how
18 long the last time I been to Gulfport.

19 Q. So this was the first time you operated this particular
20 tour --

21 A. Yeah.

22 Q. -- for Echo and Diamond -- or Diamond being the tour?

23 A. Yeah, this is the first time I did -- yeah, it was the first
24 time I did this one.

25 MR. LaPONTE: Okay. Dennis.

1 MR. COLLINS: I think, because I'm going to have a pretty
2 good long list of questions, but they're pretty easy, I think I'll
3 ask Jack if he has any from the railroad's point of view just to
4 make sure we don't miss anything.

5 BY MR. STOLARCZYK:

6 Q. Okay. I just want to make sure that I got it clear. Did you
7 notice the low clearance signs for the hump crossing?

8 A. Like I said, I saw the sign but I didn't really focus on it
9 because there was a car coming and my attention went to that car.
10 But I saw that sign, you know, just glanced at it real quick but
11 -- and on that sign it was like a truck pulling a lowboy, you
12 know. The trailer was a lowboy. So --

13 Q. And something else. Let's see here. How long was the bus
14 stuck on the crossing prior to the accident?

15 A. I can't tell you how long we were stuck on the crossing. I
16 wasn't timing it. I was just -- give me a minute.

17 Q. That's okay. Take your time.

18 MR. COLLINS: That's all right. And if for that or any other
19 reason you need to stop or take a break, just tell us, whatever
20 you need.

21 MR. AMBROSE: Like I said, I wasn't -- I didn't -- wasn't
22 timing how long I was on that track. You know, once I got hung up
23 and I knew I couldn't move that bus, I just started getting the
24 people -- trying to get the people off the bus. I wasn't paying
25 -- I wasn't looking at my watch trying to see what time, how long

1 I was on there. All I know is I was stuck on that track and I
2 couldn't move.

3 BY MR. STOLARCZYK:

4 Q. Got it. And so at what point in time did you decide to
5 evacuate the bus? As soon as you got stuck?

6 A. As soon as I, as soon as I couldn't get this bus moving.

7 Q. Okay.

8 A. As soon as this bus wouldn't go in reverse -- I mean, it went
9 in reverse but it wouldn't back off the track. I couldn't pull it
10 off, go forward to get it off the track, then it was time to get
11 those people off the bus.

12 Q. And my last question, and I don't know if you addressed this
13 or not, did you provide the passengers with a safety briefing and
14 how to exit the bus in the event of an emergency prior to your
15 trip?

16 A. Yeah.

17 Q. And when did you do that?

18 A. When we got in the first day in Bastrop.

19 Q. Can you expound on that a little bit?

20 A. Yeah, I told them where the emergency exit is, the windows is
21 the emergency exit, is the windows and everything. And in case of
22 emergency, we would exit the bus as soon as possible, you know.
23 Just a little speech that we give when we get people on the bus.
24 Told them how to open the window, red latch on the window, push
25 the window open and the window will open.

1 Q. Okay. And final question that I have is, did you notice
2 anything unusual about the railroad, the railroad train or
3 anything at the prior -- prior to the accident?

4 A. No.

5 Q. Okay. Thank you very much, sir.

6 A. All right.

7 BY MR. LaPONTE:

8 Q. Mr. Ambrose, I just have a question. You had stated earlier
9 that when you came up to the crossing, you looked at it and then
10 you raised -- you flipped the switch to make the back of the bus
11 go up?

12 A. Um-hum.

13 Q. Is that the tag axle rear adjustment? Can you explain what
14 that is?

15 A. Yeah. Well, it was raises the back up. It's a habit with
16 me. I do it when I go -- every railroad crossing I go to, whether
17 it's flat on the ground or in a little -- it's just a habit that I
18 raise the back of that bus up, because you never know if it's
19 going to drop on the other side or not, you know, and drag the
20 bottom or back of the bus. Even sometimes going in driveways, I
21 lift the bus up.

22 Q. Okay. Is that, is that -- explain how that works if you
23 could?

24 A. Well, you know, sometime you got driveways that, you know, on
25 a slant. You go up there, the bus go up and the bottom -- the

1 back of the bus might drag on the street --

2 Q. Yeah.

3 A. -- or anything. So if you lift it up, you won't have that
4 problem, the bus won't drag. You lift the bus so the back of the
5 bus won't drag, the tailpipe or bumper, you know, it won't drag.

6 So going across railroad tracks, I lift the back of the bus
7 up if I'm going over anytime, if I'm going straight across. Just
8 a habit that I got into was one of the trainers told me, you know,
9 it's better to be safe than sorry, to lift the back of the bus up
10 because you never know.

11 Q. Yeah. Good. To lift the bus up, is that the tag axle that
12 is gear activated and lifts the bus or what exactly lifts the bus?

13 A. Well, there's a button in front, and when I hit it the back
14 of the bus -- I don't know if it's the tag wheels that lift the
15 bus up, but the bus does go up in the back.

16 Q. Okay.

17 A. And then there's, you know, like when passengers are getting
18 on the bus, there's the button you hit that makes the bus lean.

19 Q. Kneeling.

20 A. Yeah.

21 Q. The front. Okay. I can get -- I'm sure there's some
22 technical expertise at Echo that will show me how that works.

23 MR. WEST: We can do that.

24 MR. LaPONTE: Yeah. Okay.

25 BY MR. LaPONTE:

1 Q. Let's see. I have one other question. And you said you had
2 your GPS on in the bus. Was that your GPS or was it the company's
3 GPS?

4 A. It's mine.

5 Q. Your personal GPS?

6 A. Yeah.

7 Q. Do you know if that is a commercial model GPS? I mean, it's
8 structured for commercial vehicles versus, you know, your private
9 car?

10 A. Well, it have car and it has truck on it.

11 Q. Oh, okay. And it was set -- how do you set it when you
12 operate it?

13 A. When I'm driving, when I'm driving in cities like that --
14 usually when I'm driving on highways it's set on cars, you know,
15 but when I go to cities like New Orleans, places like that got --
16 that I've been before and I know have narrow streets, I put it on
17 truck, because sometimes it go ahead and send you down a street
18 that you know you can't do down.

19 Q. Okay. Do you -- is that -- do you know how that is set when
20 it's in the truck mode? Do you know what changes in the GPS?

21 A. Well, you have to set it to. I set it to the height of the
22 bus.

23 Q. Okay.

24 A. I set it to the length of the bus. You have to put that in
25 so it can set.

1 Q. Oh, okay.

2 A. You set it to the vehicle that you're driving. The bus is
3 11'6", so I might set it at 11'7", just 1 inch higher. It's 45
4 foot long. I put 45 feet, you know, so -- and then you set it
5 like that, then you put it on truck and that's the way it's set.

6 Q. So then it downloads whatever data it has --

7 A. Yeah. And so if you're going to a bridge that's -- if you
8 set it at 11'7" and you're going to a bridge that's 10 feet, that
9 GPS will go off. I mean, it will beep, beep all kind of noise,
10 that it will go -- make -- tell you that the bridge is too low
11 that you're coming to.

12 Q. Okay. All right. And then to go back a little bit, when you
13 got to the hospital, did the hospital do blood -- take blood tests
14 or blood samples when you first got there, do you remember?

15 A. Yeah, I was being stuck with all kind of needles. I think --
16 yeah, they were taking blood. The guy who came in there and --
17 and I had to urinate in a cup, you know, and he, he -- you know, I
18 -- he tried to get me -- I couldn't -- he had to help me stand up
19 so I could urinate in the cup and everything. They took blood and
20 gave me a breathalyzer and everything.

21 Q. Okay.

22 A. They did everything.

23 Q. So they took blood as well as did the DOT post-accident test?

24 A. Yeah.

25 Q. Okay. All right. I'm not as organized as Mr. Collins. You

1 know, being an old Italian, you have to write this down and then
2 half the time you forget what you wrote down, and the really tough
3 part is a lot of times you can't read it after you've written it
4 down. So --

5 MR. COLLINS: I wasn't going to say anything, but --

6 UNIDENTIFIED SPEAKER: I can attest to that. Take a look at
7 my scribbles.

8 MR. COLLINS: That's the other reason I like recordings
9 because then I don't have to read my own handwriting afterwards.

10 MR. LaPONTE: I think that pretty well wraps up what I have
11 from the motor carrier standpoint.

12 BY MR. COLLINS:

13 Q. Since we're still talking a little bit about the actual
14 crash, do you know or can you recall, once you made the decision
15 that folks had to get off the coach, how many people got off
16 before impact?

17 A. I couldn't tell you how many people got off. I wasn't
18 counting. You know, I couldn't tell you exactly how many got off.

19 Q. And again, that's fine. It's just to the best of your
20 recollection. If you can't remember, you can't remember. That's
21 always a good answer. I just want to say that again because there
22 aren't any right or wrong ones, just whatever you can remember is
23 what I'm looking for.

24 Okay. I said there were going to be some background type
25 questions, and I think we've gotten to the point where I'm ready

1 to ask those. So we'll move away again from the crash a little
2 bit. And I'll just ask you, how would you describe your health in
3 general?

4 A. It's good.

5 Q. Okay. Do you see any doctors on a regular basis?

6 A. No.

7 Q. No. Do you have a primary care or family doctor that you go
8 to if you do need to see a doctor --

9 A. Yes.

10 Q. -- a particular person? Who would that be?

11 A. Who's our doctor --

12 UNIDENTIFIED SPEAKER: Laponna.

13 MR. AMBROSE: Laponna Lewis?

14 UNIDENTIFIED SPEAKER: Moore.

15 MR. AMBROSE: Moore. Yeah, Laponna Moore.

16 BY MR. COLLINS:

17 Q. Okay. And I think I've come across her name before. It's
18 the clinic, Baylor Family Health?

19 UNIDENTIFIED SPEAKER: Yes.

20 MR. COLLINS: Perfect.

21 BY MR. COLLINS:

22 Q. Do you have any ongoing medical conditions?

23 A. No. The last time I went to her because I had a sinus
24 problem.

25 Q. Okay.

1 A. And I never had a sinus problem until I moved to Texas, and I
2 had a sinus problem then and it was hard to breathe and
3 everything, so --

4 Q. Coming to visit, I have the same problem. There's something
5 here that I'm allergic to.

6 A. I never had a problem till I moved to Texas.

7 Q. Do you remember when that was you went to see her for your --

8 A. That was about, what, 4 months ago.

9 Q. Okay. And interestingly enough, my next question was
10 allergies. So you did have some but it was a seasonal allergy; it
11 comes and goes?

12 A. Yeah, it comes and goes, you know, every once in a while. It
13 comes and goes. You know, like I think about it, I just get -- my
14 nose will get so stopped up that I can't, I can't sleep at night.
15 I got to breath through my mouth, and that's horrible when you
16 wake up the next morning and your mouth is so dry you can't, you
17 know -- and so, yeah, I go to -- when I get that, I go to her and
18 let her know and she prescribes something for me that --
19 prescribes something for me to take to, you know, clear that up.

20 Q. Okay. Were your allergies or any other health concerns on
21 the day of the crash?

22 A. No.

23 Q. And generally, even going back to the start of the trip,
24 anything bother you? Hay fever, headaches?

25 A. Nope, nothing. I was -- had a good night's sleep, you know,

1 I was feeling good the next day. I was looking forward to us
2 getting back on the road.

3 Q. Okay. Do you drink alcohol?

4 A. No.

5 Q. Do you take any kind of drugs that aren't medicines?

6 A. No.

7 Q. Okay. Do you take any prescription medicines on a regular
8 basis?

9 A. No.

10 Q. Okay. Did you take any over-the-counter stuff, like aspirin
11 or Tylenol or anything like that, in the 3 days prior to the
12 crash?

13 A. The first day I took a -- I took two Bayer aspirins.

14 Q. Okay. And why did you take those?

15 A. Because I hadn't -- because I hadn't eaten anything and I had
16 a headache, you know, so I took the Bayer aspirin.

17 Q. So on the first day when you were leaving Bastrop, that day?

18 A. Yeah, that was the only day.

19 Q. You had a headache and you took a couple of Bayer. And it
20 took care of the headache for you?

21 A. Yeah, took care of the headache.

22 Q. Herbal supplements, Bioflex Joint Health or anything else
23 they sell on those infomercials, do you take any of those?

24 A. No.

25 Q. In general, how would you describe your vision?

1 A. Well, I just had my DOT test, so -- they said my eyesight was
2 good, so --

3 Q. Okay. And you didn't have any problems with it on this tour
4 trip --

5 A. No.

6 Q. -- with your vision? Do you wear glasses or contacts for any
7 reason?

8 A. No, I don't wear glasses. I wear reading glasses when I'm
9 looking at small print. I wear reading glasses, that's it. But
10 as far as driving and (indiscernible) wearing glasses, no.

11 Q. Okay. And same sort of question about your hearing. In
12 general, how would you describe your hearing?

13 A. Well, my wife say -- my wife say I'll be sitting here looking
14 at TV and she be in the bedroom and she say the TV's too loud, but
15 to me it's normal, you know. So I think my hearing is good.

16 Q. That went a different direction then I thought it was going
17 to. I thought your wife was going to say what my wife says,
18 but --

19 A. Yeah. She say --

20 Q. -- you handled that well.

21 A. She say --

22 Q. Can you turn the TV down?

23 A. Yeah, I can hardly hear it, you know.

24 Q. And no issues with your hearing on this tour?

25 A. No. No.

1 Q. See I just type my cheat sheets. That means I just can read
2 it easier. And in the past couple of weeks, have you had --
3 before the crash, have you had any stressful life events? And we
4 call those, somebody gets married, somebody gets divorced, a child
5 is born, somebody passes away, a grandchild is born, started a new
6 job, anything like that that would be stressful?

7 A. No.

8 Q. Okay. And this is always a tough question to ask when the
9 boss is in the room, but are you satisfied with your job?

10 A. Oh, I love my job.

11 Q. Okay.

12 A. I love my job.

13 Q. Okay. In general, on an average day, what time would you go
14 to bed?

15 A. Well, if I have to go -- if I have to go to work early in the
16 morning, 10:00 I'm usually in bed.

17 Q. Okay.

18 A. If I don't have to go to work, I usually stay up and play
19 video games. If I don't go to work the next day, I stay up and
20 play video games and watching TV, watching movies or something.

21 Q. Okay. And when would you -- if you had to go to work, when
22 would you normally get up, do you think?

23 A. Depending on what time I have to be to work. Like if I have
24 to be to work at -- if I have to be to work like 4:00 in the
25 morning, I get up at 2:00.

1 Q. Okay.

2 A. You know, so I can get up, get dressed, take me a shower, if
3 I need to take a shower, get dressed and everything. And I
4 usually like to be to work by -- between 45 minutes to a half an
5 hour early. So if I have to check out my bus and anything's wrong
6 with the bus, I get a chance to go take it to the mechanics and
7 have them look at it so I won't be -- my pet peeve is I don't like
8 to be late for a charter.

9 Q. About how long on average, because I know traffic conditions
10 can vary, but about how long does it take you to get from your
11 residence here to the yard when you're going to go start a tour,
12 go to work? Your commute is how long?

13 A. Well, if there's no traffic, 30 minutes.

14 Q. Okay. Generally speaking, on a day you're not working, do
15 you have -- feel the need to take a nap?

16 A. If I'm sitting at home doing -- if I'm not working in my yard
17 or anything, yeah, if I'm sitting there, I usually -- sitting down
18 looking at TV, I usually just fall asleep, take a nap, fall asleep
19 or something like that.

20 Q. Okay. Do you have any trouble falling asleep at night? Ever
21 take any medications to help you fall to sleep?

22 A. No, I never have took any medication to fall asleep.

23 Q. Okay. Do you wake up during the night usually or, say, in
24 the middle of the night have to get a drink of water, have to go
25 to the restroom, anything like that?

1 A. Probably go to the restroom if I have to go to the restroom.
2 But I keep water on the side of my bed, so -- I keep something to
3 drink on the side of my bed. But, yeah, I might get up to go use
4 the restroom.

5 Q. Is that an every night thing that might happen --

6 A. No.

7 Q. -- or just occasionally?

8 A. No, just occasionally.

9 Q. Okay. Now from -- we'll go back to the start of the tour,
10 which I believe started on a Saturday. This tour trip, you picked
11 them at Bastrop on Saturday?

12 A. I picked them up Sunday. Sunday morning.

13 Q. You picked them up Sunday morning.

14 A. Yeah.

15 Q. But I believe you were in Bastrop already on Saturday night?

16 A. Yes, I left Saturday to go to Bastrop.

17 Q. Do you remember what time you got to Bastrop on that
18 Saturday?

19 A. Yes, 6:30.

20 Q. 6:30. And what time did you go to bed that evening?

21 A. I think I went to bed about 10:00.

22 Q. And then the Sunday morning, you have to pick those folks up.
23 What time did you get up?

24 A. I got up about, I got up about -- because I had seen how far
25 I had to go to pick them up, how far they were from the hotel and

1 it was only like, what, 3 miles, 3½ miles from the hotel. So I
2 had to pick them up at 7:30, so I got up at -- I got up at 6:00,
3 got dressed, went outside, pre-tripped my bus, left to go over
4 there. Picked them up about 6:45, might have been 7:00, because,
5 like I say, I was only a couple of miles away from where they
6 were, and picked them up.

7 Q. And I think I saw a note that they had added a second pickup
8 location --

9 A. Yeah, Sealy.

10 Q. -- to the tour?

11 A. Yeah, in Sealy.

12 Q. In Sealy. Okay.

13 A. Yeah.

14 Q. And just generally speaking, there was -- there were some
15 scheduled times on the tour plan paperwork for what time you had
16 to pick folks up. Just generally that Sunday, did you -- were you
17 able to keep that schedule?

18 A. We was early.

19 Q. You were early.

20 A. Yeah, we were early.

21 Q. Okay.

22 A. Because she had to call -- yeah, we were early.

23 Q. Okay. And I came down here -- I have a section on licensing,
24 but I'm looking at it to make sure I don't double up what
25 Mr. LaPonte asked, and I think -- no, he asked about your

1 education stuff.

2 A. Yeah.

3 Q. At Echo, do you do any recurrent or annual training?

4 A. Oh, yeah. They give us -- yeah.

5 Q. What sorts of things do you do through the company?

6 A. Well, we do like defensive training, you know.

7 Q. Okay.

8 A. And we do like, you know, when we train about the distance
9 between buses, you know, the distance between the cars and
10 everything, and when you're supposed to look and use lanes and
11 different, different like -- when you're supposed to change lanes
12 and everything, the distance between the car in front of you and
13 the bus and everything, braking, so in case of anything, you have
14 time to stop, to stop your bus and everything. So, yeah, it's --
15 there's training.

16 Q. Okay. Do you remember when the last time you had some of
17 that training was?

18 A. About 5 months ago. Yeah.

19 Q. And how often in general do you go through that training at
20 Echo?

21 A. Probably about three times a year.

22 Q. Okay. And this was a 2016 Van Hool CX45 coach. I got it.
23 Mike's teaching me the bus lingo so I'm happy when I get it.

24 Had you driven that make, model of coach before this trip?

25 A. Yeah, I drove -- yeah, I drove a Van Hool. That's my

1 favorite bus to drive is the Van Hools.

2 Q. So how would you describe how familiar you are with Van
3 Hools?

4 A. I'm familiar with the Van Hools more than any other bus on
5 the lot because, you know, that's what I started driving. That's
6 what I started with was the Van Hools and everything.

7 Q. And you said the Van Hools are your favorite coaches?

8 A. Yeah, Van Hools. I like Van Hools.

9 Q. What other manufacturer of coaches have you driven?

10 A. I've driven the Temsa, MCIs. When I was at Roadrunner I
11 drove the Prevost, you know. So --

12 Q. Okay. And we covered the route. Just ask, does the company
13 have a policy about you using your cell phone while you're
14 driving?

15 A. You're not allowed to use a cell phone while you're driving.

16 Q. And just as a follow-up, were you using your cell phone
17 anywhere --

18 A. You're not allowed to have your cell phone up to your head.
19 If you got a head -- a earpiece on and like that --

20 Q. Um-hum.

21 A. -- you know, as long as your hands is on the wheel. You're
22 not going to drive with the phone stuck to your head and
23 everything.

24 Q. And as you came up Main Street on the Tuesday and were
25 approaching that crossing, were you using the telephone?

1 A. No.

2 Q. No. Were there any other electronic devices in the coach?
3 You said the GPS was up and running. Was there anything else?
4 Radio, television?

5 A. No, radio wasn't on. The radio wasn't on.

6 Q. Okay. And if you can, if you can kind of picture the scene
7 for me, as you're approaching -- driving up Main Street and you're
8 approaching the crossing, you said there was a vehicle that you
9 weren't sure was going to stop.

10 A. Right.

11 Q. Is there anything else going on out in that visual
12 environment that caught your attention, that made you go, you
13 know, "What is that?" or "I've never seen that before" or anything
14 unusual just in that, in that picture?

15 A. No.

16 Q. Nothing unusual. Okay. And I think that's all of mine
17 except one, but we can come back to that one.

18 A. Okay.

19 BY MR. LaPONTE:

20 Q. Dennis brought up a point about the Van Hools. How often do
21 you drive the coach you were driving that day that was involved in
22 the crash? When was the last time you had operated that specific
23 motorcoach?

24 A. That same one?

25 Q. Yeah.

1 A. I don't know. I mean, most of the Van Hools are just about
2 all the same, you know.

3 Q. So there's not a great difference between -- I mean, if you
4 were in 8421 or --

5 A. 8419.

6 Q. Yeah.

7 A. There's not much of a difference at all, you know.

8 Q. Okay. Okay. That's what I've got.

9 MR. COLLINS: Do we want to ask about the -- we can do that
10 off.

11 MR. LaPONTE: Yeah.

12 MR. COLLINS: Anything, Jack?

13 BY MR. STOLARCZYK:

14 Q. I just have one more question that's come up as we were
15 investigating. It's another point of confusion that I'd like to
16 clarify. When our survival folks were going through the bus and
17 looking at damage, we found a pill keeper behind the driver's
18 seat, AM/PM, 7 days a week. Was that your pill keeper?

19 A. No.

20 Q. It's not your pill keeper. Okay. We just weren't sure based
21 on where it's location was, if it might be yours. So we wanted to
22 ask. So I think --

23 BY MR. LaPONTE:

24 Q. I do have one more question, just to clarify because I was
25 writing notes. When you were stuck on the crossing initially, did

1 you recognize the bells come down, whistles, gates, did any of
2 that --

3 A. Not when I first got stuck on the track, they wasn't -- they
4 wasn't even on. When I started getting people off the bus, then
5 they came down.

6 Q. They came down when you saw the train coming?

7 A. Yeah. Yeah, when I started getting people off the bus, then
8 they came down.

9 BY MR. COLLINS:

10 Q. Do you recall hearing the bells? The first thing that the
11 warning does is that -- the railroad, ding, ding, ding.

12 A. Ding, ding, yeah.

13 Q. And then do you recall hearing a train horn?

14 A. Yeah, I recall hearing the train horn and I recall hearing
15 the bells.

16 Q. And you saw the lights come on and the gates come down?

17 A. Yeah, I saw the lights come on, but I was trying to get
18 people off the bus before that, way before they came down.

19 Q. I understand. I just wanted to make sure that you were
20 telling me that everything was functional because you heard it and
21 saw it.

22 A. Yeah.

23 Q. That's why I asked the follow-ups.

24 BY MR. LaPONTE:

25 Q. And I have a question. Actually there's also some confusion

1 about how many group guides there were for the seniors group that
2 you were transporting.

3 A. Um-hum.

4 Q. So there was a Carol that was listed on the charter
5 paperwork. Were there any other group guides that were involved
6 in kind of herding the folks around?

7 A. Well, it was mostly Ms. Carol and Ms. Mary.

8 Q. Okay.

9 A. They were the only two, because like Ms. Carol would say
10 something and she would tell Ms. Mary to let the passengers know,
11 you know. So they were the only two that I could see really in
12 charge.

13 Q. All right. And then when you're on a charter, Mr. Ambrose, I
14 know that you're supposed to, you know, keep the customer
15 satisfied as it were. How much input do these folks have when
16 you're out on a charter?

17 So, you know, if Ms. Carol decides she wants to go, you know,
18 off on a lark somewhere, what does that look like? You know, in
19 terms of you're out on a charter, one of these folks says, you
20 know, Mr. Ambrose, can you take us here; Mr. Ambrose, can we do
21 this? Is there a parameter of when you would say, yeah, I can do
22 that or no, we're not going to do that.

23 A. Well, it depends -- it depends because if I have a charter
24 and I have paperwork in front of me telling me where we're going
25 to go and they want to go somewhere way off the way, my first

1 thing I do, I call dispatch and find out if it's all right for me
2 to do it.

3 Q. Oh, okay.

4 A. Yeah, I call dispatch and say, okay, these people want to go
5 15 miles to this place over here, you know, I'm just calling let
6 you know it's all right if I do it or not, and then they'll tell
7 me if it's all right or not.

8 Q. Okay. That's a good policy.

9 MR. LaPONTE: That's all I have. Thank you, sir.

10 MR. COLLINS: Does anyone have anything else for the
11 interview part?

12 Then we will --

13 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL COLLISION OF FREIGHT TRAIN
TRAIN AND TEXAS TOUR BUS
BILOXI, MISSISSIPPI,
ON MARCH 7, 2017
Interview of Louis Ambrose, Jr.

ACCIDENT NUMBER: HWY17MH010

PLACE:

DATE: March 15, 2017

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Kathryn A. Mirfin
Transcriber

CORRECTION/CLARIFICATION SHEET

Louis Ambrose, Jr. submits this Correction/Clarification Sheet upon review of the transcript of the interview of Louis Ambrose, Jr. by the National Transportation Safety Board on March 15, 2017 in reference to Accident No. HWY17MH010; Fatal Collision of Freight Train and Texas Tour Bus in Biloxi, Mississippi on March 7, 2017.

Page 7 line 2; "It was just hung up on, on that track right there."

The following sentences should be added immediately after the above sentence on line 2 for clarification:

"As soon as I knew we were stuck on that track I told Ms. Carol to start getting people off the bus and I started getting people off the bus. We were getting people off the bus before there was any sign of the train coming."

Page 24 line 10; "Well, it have car and it has truck on it."

The following words should be added for clarification after "truck."

"-tractor-trailer"

Page 29 line 4; "No."

The following sentence should be added for clarification after "No" on line 4.

"Not on this charter because I never drink alcohol while on a charter."

Date: May 12, 2017

Respectfully submitted,


Louis Ambrose, Jr.