

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SEPTA TROLLEY ACCIDENT
PHILADELPHIA, PENNSYLVANIA
JANUARY 4, 2017

Accident No.: DCA17FR003

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Interview of: CHRISTOPHER SMITH

SEPTA Headquarters
Philadelphia, Pennsylvania

Friday,
January 6, 2017

APPEARANCES:

RYAN FRIGO, Operations Group Chair
National Transportation Safety Board

GEORGETTA GREGORY, Chief, Railroad Division
National Transportation Safety Board

NICHOLAS WEBSTER, M.D., Medical Officer
National Transportation Safety Board

MIKE HOEPF, Human Performance Investigator
National Transportation Safety Board

STEPHEN JENNER, Ph.D., Human Performance Investigator
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TROY LLOYD, Lead Accident Investigator
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KATIE BERRILLO, Engineer
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Pennsylvania Department of Transportation (PennDOT)

SCOTT ROGERS, Senior Director, Service Operations
Southeastern Pennsylvania Transportation Authority
(SEPTA)

WILL VERA, Vice President
Transport Workers Union (TWU) Local 234

TONY GOINS, Business Agent
Transport Workers Union (TWU) Local 234
(On behalf of Mr. Smith)

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I N T E R V I E W

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2 MR. FRIGO: My name is Ryan Frigo, and I'm the Operations
3 Group Chair for NTSB for this accident.

4 We are here today on January 6, 2017, at SEPTA Headquarters
5 in Philadelphia, Pennsylvania to conduct an interview with Mr.
6 Christopher Smith who works for SEPTA.

7 This interview is in conjunction with the NTSB's
8 investigation of a collision between two SEPTA trolleys in West
9 Philadelphia, on January 4, 2017. The NTSB accident reference
10 number is DCA17FR003.

11 Before we begin our interview and questions, let's go around
12 the table and introduce ourselves. Please spell your last name
13 and please identify who you are representing and your title. I
14 would remind everybody to speak clearly so we can get an accurate
15 recording. I'll lead off and then pass to my right.

16 Again, my name is Ryan Frigo. The spelling of my last name
17 is F-r-i-g-o, and I am the Operations Group Chair for the NTSB on
18 this accident.

19 MS. GREGORY: And I'm Georgetta Gregory, G-r-e-g-o-r-y. I'm
20 the Chief of the Railroad Division for the NTSB.

21 MR. ROGERS: I'm Dave Rogers, R-o-g-e-r-s, Senior Director
22 for SEPTA Service Operations.

23 MS. BONINI: Hi, Chris. I'm Beth Bonini, and it's B-o-n-i-n-
24 i. I work for PennDOT. I'm our State Safety Oversight Manager.

25 MS. BERRILLO: I'm Katie Berrillo, B-e-r-r-i-l-l-o. I work

1 as an engineer in the FTA Region 3 Office.

2 MR. VERA: Will Vera, Vice President of Local 234.

3 MR. LLOYD: Troy Lloyd, L-l-o-y-d, Lead Accident
4 Investigator, Federal Transit Administration.

5 DR. WEBSTER: Dr. Nicholas Webster, W-e-b-s-t-e-r, Medical
6 Officer, National Transportation Safety Board.

7 MR. HOEPF: Mike Hoepf, H-o-e-p-f, NTSB, Human Performance.

8 DR. JENNER: Stephen Jenner, S-t-e-p-h-e-n, J-e-n-n-e-r,
9 Human Performance with the NTSB.

10 MR. SMITH: Christopher Smith, S-m-i-t-h, operator for SEPTA.

11 MR. FRIGO: And, Mr. Smith, do we have your permission to
12 record our conversation today?

13 MR. SMITH: Yes.

14 MR. FRIGO: And, Mr. Smith, do you wish to have a
15 representative with you today?

16 MR. SMITH: No. Oh, yes, I'm sorry.

17 MR. GOINS: Tony Goins, G-o-i-n-s. I am a -- what am I?
18 Staff Rep, TWU Local 234 Business Agent.

19 MR. FRIGO: Thank you, sir. And, Mr. Smith, are -- is it
20 okay with you if we proceed on a first name basis?

21 MR. SMITH: Yes.

22 MR. FRIGO: Thank you, Chris. I just have a few other items
23 that I'd like to read onto the record, and then we will begin.

24 The purpose of this investigation is to increase safety, not
25 to assign fault, blame or liability. The NTSB cannot offer any

1 guarantee of confidentiality or immunity from legal or certificate
2 actions, and the transcript or summary of the interview will go
3 into the public docket.

4 Chris, thank you for coming in and talking with us here
5 today. I think there's a lot about this accident that you can
6 help us understand and hopefully we can -- hopefully we can learn
7 some stuff from you.

8 INTERVIEW OF CHRISTOPHER SMITH

9 BY MR. FRIGO:

10 Q. Can we start out by just having you walk us through your
11 history here at SEPTA? When you started, what that position was
12 and just take us to your position that you have today.

13 A. Okay. I started out at SEPTA I believe 2013. I've been an
14 operator, trolley operator ever since. I operate the LRV and PCC.
15 I go by Sam. My day started off very well, the usual as far as
16 going down the street and operating the trolley. It was wet
17 outside in the beginning of the day. Then later on, it became
18 dry. The sun came out, and it was around the time I would say
19 close to my last -- no, I say probably my second run. That's when
20 everything started to clear up, and the streets dried up.

21 Upon that day of me leaving the loop which is where the
22 trolleys get to the end and we start over again and go down the
23 street, that day was good and it was clear. That day, that run
24 that I pick up is pretty heavy at that time of day coming out of
25 the tunnel. I picked up passengers, went in the tunnel, came out

1 of the tunnel. When I came out of the tunnel, I turned at 36th
2 and Lancaster.

3 Upon that time, when I got to 37th and Powelton, I saw the
4 other trolley turning the corner itself and coming down the
5 street, but at that point, I was at a stoplight waiting, pulled
6 off, proceeded. Get to 38th Street. On my right-hand side is a
7 UPS truck and in front of it is two passengers waiting to get on.
8 I didn't want to board the passengers in front of the UPS truck.
9 So -- because he was in my stop zone. So I stopped behind the UPS
10 truck, and I was sitting -- there was a Spanish woman right beside
11 me getting ready to get off, and when I pulled up to the back of
12 the UPS truck, I was stopped. Upon that, I would say five seconds
13 later, I was rear ended by the other trolley.

14 And upon that point, I was -- the impact was very severe. I
15 knew people was hurt because I heard them screaming and yelling
16 and just a lot of mayhem. It was a lot of dust on the trolley
17 from the, from the accident.

18 At that point, I immediately PTT'd for assistance. Once they
19 called back -- they called back right away. Once I got
20 assistance, I gave them my name, block number, account number,
21 name number, block number, told them what happened. I need
22 ambulance. I need medical rescue. I have numerous passengers
23 injured, and I need them right away.

24 Upon that, he asked me which way was I facing. I told him I
25 was at 38th Street going west. And I got up, got myself together.

1 I was still kind of distraught and shook up from the impact, but I
2 was able to walk through and ask people, you know, were they okay
3 and they were just telling me the severity of their injuries and I
4 really wanted to get to the people that was in the back because
5 they took the (indiscernible) of the impact.

6 Once I got back there, there was a lady, she was holding her
7 baby but she was hurt. She couldn't walk. They had to help her.
8 And there was a lot of people that couldn't walk, I would say
9 about four or five, that couldn't walk. They needed wheelchair
10 assistance.

11 But once I got everybody -- saw how everybody was, I got back
12 up to the front of the trolley, I got off. I went back to check
13 on the trolley behind me.

14 Upon me checking the trolley behind me, when I walked up, the
15 operator, he was laying across his console and I asked him, was he
16 all right, and he really didn't -- he didn't say much. I said --
17 told him just stay, stay put, and I called for supervision. And
18 then there was a lady sitting on the step. She was sitting behind
19 his trolley from what he told me previous. She was sitting behind
20 his trolley, behind him, behind his seat, behind the wall, and
21 when the impact hit, she hit that wall and busted her head and
22 things, and there was blood everywhere. So I told her the
23 ambulance was on the way. I say, "Be patient. Just calm down,"
24 and they was on the way. She said, "Okay." And then she laid
25 back, kind of like lay on the steps. She laid back a little.

1 I went back up front, just started checking on passengers.
2 The passengers were still distraught. I let them know that the
3 ambulance was coming. I heard them coming, and they got there
4 pretty fast. So once the ambulance got there, he asked me, he
5 said, "Are you hurt?" I said, "I'm hurt but take care of the
6 passengers first." And he took care of the passengers. So he saw
7 the severity of how many people was hurt. He started calling in
8 and telling everybody -- his crew that he need ambulances there
9 and they have multiple injuries and things like that.

10 My trolley seats 52 people, and when I counted, all my seats
11 were full and people were hurt. So that's how I said, when he
12 asked me how many, I said I have 52 hurt. It could have been some
13 standing, but I couldn't -- I didn't see them previous. But once
14 they did that, they started doing the severity of injuries. I
15 started giving people cards, to get their names and their number
16 and everything, but people were so distraught and shook up and
17 scared, they really -- some people couldn't even write because
18 they were nervous.

19 So once, once that happened, I started written down their
20 names and stuff myself for those who couldn't do it. So we got
21 those, me and another supervisor. We were passing out cards,
22 getting that, but the firemen, the paramedics were passing out
23 certain numbers for certain injuries, depending on how severe you
24 are, a 3 or a 2 or a 1. So they was passing out mostly 3s I saw
25 and some 1s and things like that, and then some passengers

1 couldn't get off on their own. They had to be helped off. So we
2 proceeded with that.

3 They got the trolley clear and once again, I went outside, I
4 checked on the other driver. He was sitting on the steps and he
5 was distraught, and I went back on my trolley to make sure
6 everything was -- that the trolley wouldn't roll or anything like
7 that. I knew it wasn't going nowhere but I just had to make sure
8 that I put it in standby neutral.

9 Upon that, they told me to sit on the trolley and just relax.
10 My supervisor said, "Are you hurt?" I said, "I'm more in shock
11 than anything, but I do want to go to the hospital and get checked
12 out." So I sat on the trolley until it was time for me to get in
13 the ambulance.

14 I got in the ambulance. At the time, they checked my blood
15 pressure. My blood pressure was high because of what was going
16 on. She said, she said wait until I get to the hospital and then
17 she'll check it again. She checked it again and it was down to
18 its normal level. Then they took us into the emergency room and
19 we went to triage and they saw us from there, and they checked me
20 out. My motor skills and everything were good. So they told me
21 to get my clothes on but she wanted me to take a Motrin. She said
22 I might not feel it today. I may not even feel it tomorrow but,
23 "You're going to start to feel some type of pain because you were
24 -- that was a bad accident. The impact, you know, was great." So
25 she said, "Just be prepared, you know, to have some bumps and

1 bruises and you're going to feel some type of way."

2 So after that, I got checked out. I went home -- no, we went
3 back to the depot. I did reports on -- an injury report on myself
4 and a report on the whole experience itself. And then from there,
5 I went home and was feeling a little achy. So I took a little
6 Aleve and I was up for a while, and then I went to bed. And then
7 the next morning, I contacted the -- well, I contacted them last
8 night, that I wanted to go see their doctor and I came in and went
9 and saw their doctor, saw her, and she told me the same thing, and
10 if I start to feeling any type of way, just to come back in and,
11 you know, if I come back in, she's going to put me out or
12 whatever, just so I can get myself together, you know.

13 The accident is still in my head. It's like I hear it all
14 over again but I'll get through it.

15 Q. Chris, you know, thank you for sharing all that detail with
16 us. That's extremely helpful for us to have your recollection of
17 what occurred. I'd just like to -- I'd like to ask you a few
18 questions about what you can recall from that run --

19 A. Um-hum.

20 Q. -- that day prior to being struck by the other trolley, and
21 then I'm going to pass it around the room after that, but do you
22 -- were you running on time or were you --

23 A. I was on time.

24 Q. You were on time.

25 A. Yeah. I was on time. That run, when the accident happened,

1 I was on time. I came out of the tunnel around -- probably around
2 12:35, maybe 12:40, but that's, that's good. I'd rather be
3 running late than early. So, you know, I was on time.

4 Q. Okay. And from, from when you came out of the tunnel and,
5 and until where the accident occurred, about how much time had
6 passed by?

7 A. From the tunnel to the time where I was, I wouldn't even say
8 that's five minutes. I wouldn't even say that.

9 Q. Did you pick up many passengers --

10 A. No.

11 Q. -- once you got out of the tunnel?

12 A. I was loaded. When I got out of the passenger -- I believe I
13 dropped one passenger off at 36th and Market, and then proceeded
14 from there and didn't drop another passenger off. I believe I may
15 have dropped one off on 36th up on 36th and Lancaster. I'm not
16 sure, but from that time, it's a five minute -- not even five
17 minutes from there to 40 -- to 38th.

18 Q. Okay. Do you, do you recall -- I know you mentioned -- in
19 your description, you mentioned seeing the trolley behind you --

20 A. Um-hum.

21 Q. -- around 37th Street.

22 A. Yeah. When I came up, when I came up 36th Street, I turned.
23 When I got the 37th and Powelton, the next corner, I saw him come
24 around the corner. So as I was approaching 37th and Powelton,
25 that's when I looked and saw him in the back coming up.

1 Q. Did that surprise you to see another trolley that close
2 behind you?

3 A. He thought have been there, no. He shouldn't have there, no.
4 It did.

5 Q. Okay. Was that the first time you saw that trolley behind
6 you?

7 A. Yes. That day, yes. That was my follower. That's, that's
8 where I saw him at, yes.

9 Q. Okay. And on a, on a typical run, not that day, but would
10 you ever encounter trolleys behind you? Is that something that
11 typically happens on, on this, on this line or this time of day on
12 that line?

13 A. It happens. It happens. Whether they get that close, no.
14 You'll see a trolley behind you, you know, if they get behind you
15 especially I'm going to say during the course of the morning. We
16 -- trolleys are out like every five minutes, every six minutes,
17 and we go down the street behind each other. You can get bunched
18 up but you know to maybe -- if a trolley's that close, you try to
19 get in front. Just get down the street and you maybe bypass a
20 stop and let the next trolley get it, pick them up because you
21 will have a full load going down. Once you get a full load,
22 there's picking nobody up until somebody's getting off because you
23 don't want to bunch your trolley too tight where you can't see out
24 your mirrors. So.

25 Q. So -- and, and on that day you had, you had a clear line of

1 sight out of, out of your mirrors?

2 A. Yeah, I had a clear line of sight out of my mirrors and out
3 of my back. Two mirrors on the side, you only see past the
4 clearance bar. You don't see past the -- you can't see the back
5 of the trolley.

6 Q. Um-hum.

7 A. If you want to see the back of your trolley, you look in your
8 rearview mirror and you look out the windows and you look out
9 back. But the two mirrors on the side, that's just for -- to see
10 people right there that's getting on your trolley and to see right
11 to the clearance bar. They're set.

12 Q. Okay.

13 A. You can't see past that.

14 Q. Okay. And from the time you, you first saw that trolley
15 behind you and until when the accident occurred, do you remember
16 how much time went by approximately?

17 A. Okay. I went through the light. Okay. I was at the light.
18 I got the light. I went through. So evidently he caught the
19 light, too. And I'm saying that was within a matter -- you're
20 going to get a light, (indiscernible) 60 seconds (indiscernible).

21 Q. Okay. What about distance-wise?

22 A. He was, he was already at 36th and Market. He was at 36th
23 and Lancaster.

24 Q. Okay.

25 A. I was at Powelton. That's a block. That's a block. I had a

1 block on him, and then I took off once I got the light. So he
2 would make up the distance between blocks and just closer and
3 closer. I stopped once I got to 38th and Lancaster. When I
4 stopped up there at 38th and Lancaster, I would say probably
5 about, maybe a good five, six seconds after that, he hit me.

6 Q. Okay. And, Chris, what do you remember about the, the rest
7 of the environment around the time of the accident? Were there --
8 was there a lot of traffic?

9 A. It wasn't a lot of traffic. The only thing that was my
10 obstacle of letting off my passenger was the UPS truck to my right
11 on my side. Now if I would have -- and the two gentlemen that was
12 standing in front of UPS. I didn't stop where I stopped at and
13 they would have got -- were trying to get on the trolley, it might
14 have been worse.

15 Q. Chris, thank you. I'm going to -- I do have some more
16 questions, but at this time, I'm going to --

17 BY MS. GREGORY:

18 Q. And I have just a couple, Chris. You, you referenced blocks.
19 You said it was about a block. Can you give me some idea of how
20 long the blocks are here in Philadelphia in that area in, in feet?

21 A. The block from 37th -- from 37th to -- from Powelton to 36th,
22 about 500 feet.

23 Q. 500 feet?

24 A. Yeah, because each pole is 100, 100 feet.

25 Q. Okay.

1 A. Yeah, I'd say about 500 feet.

2 Q. And then it's my understanding that when you come out of the
3 tunnel, not too far out of the tunnel, there's a Y?

4 A. Yes, right there. Yeah, there's a Y. That's on top of the
5 hill at 36th.

6 Q. And are there some specific things that you have to do at
7 that Y?

8 A. Once we get to the facing point switch, you stop, come to a
9 complete stop and then you proceed if you have the light. If you
10 don't have the light, you stay at the facing point switch until
11 you do.

12 Q. And is, is there a speed restriction around the leg of the Y?

13 A. Yes, five miles an hour.

14 Q. So the following train (sic) would have had to have done
15 those same steps as well?

16 A. Yes.

17 Q. And so could you put into some estimation of time how long
18 those tasks take you?

19 A. Within a matter of -- to get around that corner, within a
20 matter I'd say maybe 10 seconds.

21 Q. Okay. Okay. I was just curious about that. I had heard
22 about that Y there and so that should have added some additional
23 space between the two trains.

24 A. Two trolleys can't turn at the same time.

25 Q. Right. Okay.

1 A. So if one is coming eastbound, he gets the right-of-way.
2 Eastbound trolley gets the right-of-way.

3 Q. Okay. Thank you, Christ.

4 A. You're welcome.

5 BY MR. ROGERS:

6 Q. Chris, I just have a couple of things. You had mentioned
7 that you had -- one of your passengers was waiting to alight at
8 38th Street.

9 A. Yes, that was the Spanish lady.

10 Q. Yeah. But -- had you opened the doors before you got struck?

11 A. No, I hadn't even opened the doors yet.

12 Q. So it was that soon after you had stopped?

13 A. Yes.

14 Q. Did she get knocked down by the impact?

15 A. Yes.

16 Q. She did?

17 A. Yes, she did get knocked down.

18 Q. Okay. And you had mentioned that you had a total of like 52
19 passengers.

20 A. Yes.

21 Q. Do you know out of the 52, were, were any of them standees?

22 A. I can't remember if anyone were standees.

23 Q. You don't know.

24 A. When I checked on everybody, everybody was sitting.

25 Q. You knew the number but you didn't know what they were doing

1 before contact?

2 A. No.

3 Q. And then just one other things. When you went back to check
4 on, you know, you said you went back where it seemed to be more
5 severe in the back --

6 A. Because that's where the impact was.

7 Q. Right. Was the rear windshield broken?

8 A. The rear windshield wasn't broken --

9 Q. Okay.

10 A. -- but the floor was buckled.

11 Q. Okay. That's all I have.

12 BY MS. BONINI:

13 Q. Hi, Chris. Beth Bonini from PennDOT. First I wanted to say
14 thank you for being here today and talking to us and the type of
15 response that you did for yourself, for the other operator and for
16 all the passengers. Could you explain the -- even some -- you had
17 -- it sounds like you had training.

18 A. Um-hum.

19 Q. Can you explain the training and, and -- that you've had to
20 respond the way you did and when the last time you've had
21 training?

22 A. Well, they train you at -- when you first come in the door
23 how to respond to stuff. You don't know if it's going to be that
24 severe, but we have had people -- I've had people have seizures
25 and things on my trolley, you know, make sure they lay to the side

1 so they won't choke and things like that, put something behind
2 their head. Just basic training, you know. I took Red Cross, you
3 know, training, things like that because I used to work where I
4 needed it, and it just came in handy, just to make sure everybody
5 was all right, you know. I knew I was -- my motor skills were
6 okay and I could function. I just wanted to make sure, I checked
7 on everybody else before -- just make sure if I had anyone that
8 might have had a heart attack or something like that. I had to
9 check on everybody before, you know, so I can tell the paramedics
10 who was more severe than others.

11 Q. So you've been an employee is it three years?

12 A. Two and a half.

13 Q. Two and a half.

14 A. Two and a half.

15 Q. Have you -- you say you had initial training. Have you had
16 any other training since your initial training two and a half
17 years ago?

18 A. Every time we do a -- we have to recertify --

19 Q. Okay.

20 A. -- every year. So it's talked about and it's brought up, and
21 we discuss it.

22 Q. Okay. Thank you.

23 A. Um-hum.

24 MR. FRIGO: Nothing for you. Next.

25 BY MR. VERA:

1 Q. Out of curiosity here is -- are you -- two and a half years?

2 A. Um-hum.

3 Q. Are, are you a --

4 MR. FRIGO: Would you give your name?

5 MR. VERA: I'm sorry. Will Vera, Local 234, V-e-r-a, because
6 I forgot to spell it in the introduction.

7 BY MR. VERA:

8 Q. But two and a half years.

9 A. Yes.

10 Q. And you're a regular operator.

11 A. No, I'm one of the hold-downs. I'm not a regular yet until I
12 get up into seniority, as far as if someone comes down, they go
13 up.

14 Q. Okay. So this, this day that was not your regular run then?

15 A. That was my regular run for the week.

16 Q. For the week?

17 A. For the week.

18 Q. How often -- is, is this a day run or was this a midday run
19 or was this an evening run?

20 A. It was a day run into the evening.

21 Q. Into the evening?

22 A. Yes.

23 Q. How often are you working day work?

24 A. The majority. I workday work 90 percent now, 90 percent of
25 the time, day work.

1 Q. Okay. And prior to having this hold down --

2 A. Um-hum.

3 Q. -- what did you say you were working prior to that?

4 A. Either early, early morning or a midday.

5 Q. Okay.

6 A. So it fluctuates from time to time.

7 MR. VERA: That's all I have now.

8 MR. LLOYD: Troy Lloyd, Federal Transit Administration.

9 BY MR. LLOYD:

10 Q. The trolley car, the one that got struck, describe the type
11 of rear end markers that had?

12 A. Say that again. I'm sorry.

13 Q. Rear end markers.

14 A. Rear end markers?

15 Q. Yeah, the display markers. Is there red lights on the back
16 or --

17 A. There's red lights once you hit your pedal, they start
18 flashing stop --

19 Q. Okay.

20 A. -- you know, back and forth, back and forth, back and forth.

21 Q. So if I hit the brake, then those -- they go from moving --
22 they go from a solid red --

23 A. Um-hum.

24 Q. -- to when I hit the brake, they go to a flashing red --

25 A. Yeah.

1 Q. -- correct?

2 A. Yes.

3 Q. Okay. So tell me, what's -- in your incidence where you said
4 you had the UPS truck, what would be an operation for an operator
5 to bring a consist to a stop?

6 A. Well, I think -- I feel I did the right thing by stopping at
7 the rear because I didn't want to be in a crosswalk because if I
8 did, my trolley would have been halfway in the street trying to
9 secure the passenger. So I stopped behind the UPS truck, let this
10 passenger off and then let the other passengers come to me which
11 was probably maybe 20 feet.

12 Q. So what, what pedals would you -- what would you do? What
13 would you do with your feet? What would you do with your hands?

14 A. Coming to a stop?

15 Q. Yeah.

16 A. You had to deadman, make sure that's always down and then you
17 ease yourself at a decent speed to the back of the trolley -- to
18 the back of that UPS truck and then come to a stop.

19 Q. So at, at no time --

20 A. There wouldn't be no acceleration. It would be fully
21 stopping. It would be a fully stopping motion. Probably middle
22 of the block, I'm starting to slow down to a safe speed. So there
23 would be no jerking or anything like that.

24 Q. So where you're at, once you come to a stop, behind the UPS
25 truck, you completely stopped.

1 A. Yes.

2 Q. Do a foot on brakes or do a foot on deadman or deadman off --

3 A. No.

4 Q. -- foot off brakes?

5 A. I was on deadman, foot on brake.

6 Q. Foot on brakes. So that would have had those lights
7 flashing?

8 A. Yes.

9 Q. What was the weather that day?

10 A. Dry.

11 Q. Dry.

12 A. At that time, dry. We had a rainy morning, but at the time
13 of the day, the sun came out and dried stuff off (indiscernible).

14 Q. Within a range of distance, what do you think your sight
15 distance was?

16 A. From?

17 Q. For that day. For traveling, what do you think your sight
18 distance was for?

19 A. I got the big picture in the window. I could see down the
20 street at that time, that day, yeah.

21 Q. A pretty good clear sight distance?

22 A. Clear sight, yes.

23 Q. Thank you.

24 MR. LLOYD: That's all I have.

25 DR. WEBSTER: Nothing for me right now.

1 MR. HOEPF: Mike Hoepf, NTSB.

2 BY MR. HOEPF:

3 Q. Yeah, so I just have a couple of quick follow-up questions
4 where we're talking about the day of the accident and you covered,
5 you know, a good description. Just a few things and maybe just
6 jog something that you might, you know, think of. Could you maybe
7 just again briefly comment on the trolley coming up behind you?
8 Were you, were you looking --

9 A. I --

10 Q. You weren't looking back at the time.

11 A. I wasn't looking back. The only thing I was looking at was
12 ahead and at the UPS truck --

13 Q. Right.

14 A. -- you know, at the end of the UPS truck and coming to a
15 stop.

16 Q. Got you.

17 A. No, I didn't look back. I saw her right here.

18 Q. Um-hum.

19 A. I saw her right here, and she was like close by me. So that
20 was the assumption of her getting off the trolley. That's why I
21 stopped back there behind the UPS truck.

22 Q. Okay. Okay. So you saw the trolley behind you a block or
23 two --

24 A. I saw the trolley come around 36th onto Lancaster from 36th
25 Street.

1 Q. Okay.

2 A. So as he was coming up 36th Street, I'm here.

3 Q. Um-hum.

4 A. I'm stopped, but I saw him coming up around.

5 Q. Um-hum.

6 A. That's why I looked back, and I could see him coming up
7 around.

8 Q. Okay. But you didn't think anything odd --

9 A. No, I didn't think anything odd from that, no.

10 Q. Okay. And then when you stopped, you know, you said you
11 stopped behind the truck, a little bit further back from where the
12 stop would usually be?

13 A. Um-hum.

14 Q. But was that anything odd or was that pretty --

15 A. I mean people are always parking in the zones like that. So
16 you either want to pull up in front of it or you want to pull up
17 behind it. I pulled up behind it --

18 Q. Um-hum.

19 A. -- which was a safe spot to pull.

20 Q. Um-hum.

21 A. And which was from, from the stop zone, where the sign was, I
22 would say that's what, maybe 10 feet, 15 feet, or something like
23 that.

24 Q. Um-hum.

25 A. The length of the UPS truck.

1 Q. Got you. Got you. Okay. So that wasn't -- you wouldn't
2 call that an unusual stop?

3 A. No.

4 Q. Okay. All right. And actually I have just quick -- one more
5 follow-up question there. You talked a little bit about some
6 times the trolleys get bunched up a little bit.

7 A. Um-hum.

8 Q. I wonder if you could just comment a little bit on that, a
9 little further on what you guys might do. I don't know if there's
10 anything that you would do to try to get in front of the other
11 trolley or the guy behind you --

12 A. No.

13 Q. -- is he supposed to do anything to --

14 A. We can't get in front of them because you can't go around the
15 trolleys.

16 Q. No, no, no, I mean like say you -- are you supposed to like
17 -- you said you might pass a stop or something.

18 A. If he's in front of me, I can wait, stop and wait --

19 Q. Right.

20 A. -- and let him get some distance in between us --

21 Q. Okay.

22 A. -- let him go down the street, or he may bypass that stop and
23 leave them passengers for me, and I'll pick them up. That will
24 put more distance behind him because I've got people getting on
25 while he's going down the street separating from us.

1 Q. Okay.

2 A. So, yeah, it can go down like that.

3 Q. Okay. Okay. Are there any operating guidelines or anything
4 in terms of minimum distance you're supposed to maintain?

5 A. There's supposed to be a certain distance away from trolleys
6 going down the street. I use a block radius.

7 Q. Okay.

8 A. And then if you're in that trolley's block or anything like
9 that, a safe distance -- a safe speed may be 10 or -- depending on
10 what the traffic is.

11 Q. Um-hum.

12 A. But never a high rate of speed.

13 Q. Got you. So if you got to be within a block of the trolley
14 in front of you, you would just stop and just wait for them.

15 A. I might wait at the light and let a cycle or two go through.

16 Q. Okay.

17 A. And then -- or I go at a safe distance, I go at a safe speed
18 and go down the street but never where I will come up behind that
19 trolley too close.

20 Q. Got you. Got you. So -- and so that day you had a full, a
21 full trolley but other than that, nothing out of the ordinary?

22 A. I had a fully trolley that day, yes. I got 52 seats on the
23 trolley and when I walked back and was checking on people, every
24 seat was full.

25 Q. Yeah.

1 A. There was somebody in every seat. There was a couple of
2 people that wasn't hurt.

3 Q. Um-hum.

4 A. But the majority of the people were -- they were hurt.

5 Q. Got you. Got you. But -- so -- but a busy day or was that
6 pretty standard to have a full trolley?

7 A. That's a normal day.

8 Q. Oh, that's pretty much a normal day, okay.

9 A. It's a normal day.

10 Q. Okay. So nothing, nothing unusual happened that you can
11 think of.

12 A. No.

13 Q. I think you said it was dry weather.

14 A. Dry weather.

15 Q. It's --

16 A. It became a good day.

17 Q. Yeah.

18 A. It was cool outside but with the trolley, it was a good day.

19 Q. Okay. Okay. I was just wondering if you noticed anything
20 unusual about any of the equipment or anything unusual, but it
21 doesn't sound like --

22 A. My equipment, my trolley, I had a good working trolley.

23 Q. Okay.

24 A. It was good.

25 Q. Okay. Thank you.

1 MR. HOEPF: That's all the questions I have. I'll pass off
2 to Steve here.

3 DR. JENNER: Steve Jenner.

4 BY DR. JENNER:

5 Q. You said this is your normal run.

6 A. Yes, for this -- it was my normal run this week.

7 Q. Okay. So the, the operator who struck you, that's his normal
8 run as well.

9 A. That wasn't his normal run for that day.

10 Q. Not for that day, but have you worked in that sequence before
11 where you're one immediately ahead of him?

12 A. Probably yeah. I would say so, yes. I -- yeah. I could
13 have been -- I've worked with drivers -- I work with all the
14 drivers when they're my leaders, yes, and my followers.

15 Q. Right. With this operator, with the other one.

16 A. Right.

17 Q. Has -- have you ever had concerns about the distance that he
18 kept between your, your trolley and his?

19 A. No, I've never had any problem as far as distance-wise. You
20 know, I'm far enough ahead of them. If he did, he come behind me,
21 he was -- he wasn't that close to me or anything like that, no.

22 Q. Okay. In your initial description, if I can get a little
23 more detail about after the impact --

24 A. Um-hum.

25 Q. -- you eventually went back to the other trolley.

1 A. Okay.

2 Q. And if you can just give a little more detail about when you
3 first saw the other operator --

4 A. Um-hum.

5 Q. -- what did you see and what interaction did you have?

6 A. He was distraught. The impact from it, you know, was pretty
7 severe and he was just laying -- I was trying to talk to him and
8 he was just laying on his console, and I attempted -- also I found
9 out, he spoke to me and everything. I asked him was he hurt?
10 "Hit your head? Are you all right?" He said -- he just mumbled
11 something, but then I just went onto the young lady that was
12 sitting on the step and she was bleeding.

13 Q. Was he slumped over on the console?

14 A. He was on the console -- slumped over on the console, you
15 know. I asked him, did he -- I asked him that because I thought
16 he might have hit his head, banged his head on something.

17 Q. Um-hum.

18 A. So I wanted to know if he was coherent, you know, responsive
19 or anything like that. Once he responded to me, he lifted his
20 head, I knew he wasn't knocked out or anything.

21 Q. Right. But, but he mumbled something to you. What was that?

22 A. He -- he just mumbled, "I'm all right."

23 Q. Okay.

24 A. Okay.

25 Q. Did you ask him what happened?

1 A. I didn't ask him at the time, no, what happened. My main
2 concern was -- I already knew what happened. He smashed into the
3 back of me, and the impact was severe. It was just a matter of me
4 waiting for that ambulance to get there to get these passengers
5 taken care of. I was back and forth. While the ambulance and the
6 rescue was coming, I was back and forth. Once they got back --
7 once they got to me, I was on my trolley, sitting down, and
8 getting ready to put another call in, you know, when I heard them
9 coming. So I just hung the phone up and went from there.

10 Q. Okay. That initial --

11 A. Can I use the bathroom?

12 Q. Oh, sure.

13 (Off the record.)

14 (On the record.)

15 BY DR. JENNER:

16 Q. I just want to revisit something just for clarification. I
17 asked you a question about you had mentioned he mumbled something,
18 and your first reply was you don't know what he mumbled, and then
19 when I ask you again, he said he's all right.

20 A. He mumbled, "I'm all right." Because he lifted his head up
21 and he gave me like a signal like that.

22 Q. And what did he do after that?

23 A. He just put his head back down.

24 Q. Okay. And then you went and you assisted passengers?

25 A. I assisted -- I check on the passenger that was bleeding --

1 Q. Um-hum.

2 A. -- and checked on her and told her I'd be back.

3 Q. Okay. Before you went -- returned to your trolley, did you
4 have any other interaction with the other train operator?

5 A. No, not at that time.

6 Q. Okay. Was that the last time you saw him that day?

7 A. No. We was pretty much together from the accident all the
8 way to the ER triage.

9 Q. How, how were you transported?

10 A. In the same ambulance.

11 Q. Okay. During, during that transport, did you talk to each
12 other?

13 A. We talked briefly but he was talking to his supervisor. He
14 wasn't talking to me. I was talking to the EMT when she was
15 talking to me and checking me out.

16 Q. Okay. Did you happen to overhear any of the discussion
17 between he and the supervisor?

18 A. They kept it kind of like in between them two. So I told
19 them, you know, let them go ahead and talk what they was talking
20 about. When we talked, I asked him what -- was he okay and things
21 like that, but (indiscernible) he was upset.

22 Q. Sure.

23 A. And he was kind of -- he was real distraught. So he was
24 still going through it, and I left it at that.

25 Q. Okay. So that, that transport was the last interaction that

1 you had?

2 A. That was -- my union rep called me, and asked if -- they
3 wanted to know if we was all right. So I wheeled over to him to
4 call the union rep to let them know he was okay --

5 Q. Um-hum.

6 A. -- as far as physically and that was it from there.

7 Q. Did he -- at any point did he seem -- you described he was
8 slumped over. Did he seem to recover a little more during the
9 transport?

10 A. He was in shock, too, yes. I think he was more shocked than
11 I was. So, you know, he just sat there looking -- so the
12 supervisor was talking to him but at that point, I was talking to
13 another supervisor.

14 Q. Um-hum.

15 A. And then after that, they told me to get on the trolley and
16 sit there on the trolley. So that's what I did, and then some
17 official people as far as fire chief, police chief, some
18 inspectors, came up to ask me and talk to me, and then a -- and
19 then who was it -- someone took my statement. SEPTA police took
20 my statement and they went through. He talked to me about the
21 statement and everything. He just took down -- he wanted to know
22 what happened and that was it.

23 Q. That's all I have. Thank you.

24 A. Okay. Thank you.

25 BY MR. FRIGO:

1 Q. Okay. Mr. Anderson -- or I'm sorry, Mr. Smith, I've got --
2 so the 10 and the 15 --

3 A. Um-hum.

4 Q. -- different equipment, right?

5 A. Yes.

6 Q. Can you, can you tell me a little more about that?

7 A. One's a Cadillac and the other one's a (indiscernible). I
8 mean everybody loves driving the 10. Good acceleration, good
9 stopping distance, good braking, easier to maneuver, easier to
10 troubleshoot, PCC. I mean it's historical but do I think it
11 belong out there? No. It don't belong out there.

12 Q. And --

13 A. Doors don't want to open sometime, and it's too high. The
14 step is too high. If you have a grandma, they have to pull their
15 dress up. I don't think it should be out there.

16 Q. Do you ever -- I know you don't have a regular shift yet, but
17 do you ever -- are you ever in the situation where you let's say
18 operate the 15 in the morning and then the 10 in the afternoon?

19 A. Yes, the shift I have now. It's the 10 in the afternoon --
20 10 in the morning until around 2:00, I take a break. I have a
21 break for like two and a half hours, and then I go operate the 15
22 for one trip.

23 Q. Does that ever present a challenge?

24 A. No, it's my job. I'm going to do it. I'm going to go ahead
25 and do it, do what I got to do. And sometimes I mean it's no

1 problem. It gets down the street. It does what it's supposed to
2 do, you know, but it's an older trolley.

3 Q. Handles a little differently?

4 A. Much differently.

5 Q. And, Chris, what about -- how often do you see supervisors
6 out there checking on you?

7 A. They're always out there. They're always out there checking,
8 making sure you've got all your equipment, checking
9 (indiscernible) making sure you're running down the street, you
10 know, on time.

11 Q. Have you ever had a check before that involved, you know,
12 safe following distances, anything along those lines?

13 A. Have they mentioned following distances upon checking on me?
14 No.

15 Q. Okay. Chris, thank you. That's all I have.

16 MS. GREGORY: I don't have anything else.

17 MR. ROGERS: Thanks, Chris.

18 MR. SMITH: You're welcome.

19 BY MS. BONINI:

20 Q. Any checks on having -- making sure you have your rulebook?

21 A. Rulebook, flashlight, passenger cards for incidents and your
22 daily bulletin.

23 Q. Okay.

24 A. You're supposed to have that.

25 Q. When's the last time someone checked you for those items?

1 A. I got checked -- I was on the 15. I got checked last week I
2 believe.

3 Q. Okay.

4 A. I was on the 15 bus though when I got checked.

5 Q. And how often?

6 A. They check probably maybe twice a month to make sure you've
7 got your stuff.

8 Q. Okay.

9 A. Yeah.

10 Q. All right. Thank you.

11 BY MS. BERRILLO:

12 Q. I think you just answered this but I was just going to ask,
13 when they run the 15 bus, do you run that?

14 A. Yes.

15 Q. Okay. So you do buses.

16 A. I do buses, the 15B that goes from Front and, Front and
17 Girard to Port Richmond.

18 MR. VERA: Chris, this is Will. I have no more questions but
19 on behalf of the Local, I want to commend you --

20 MR. SMITH: Thank you.

21 MR. VERA: -- for having handled yourself and represented all
22 of us that day.

23 MR. SMITH: Thank you very much.

24 MR. FRIGO: Dr. Webster.

25 BY DR. WEBSTER:

1 Q. Dr. Webster, just I want to double check, you're doing fine?

2 A. Yeah, I'm okay. I'm a little tight. That was a big impact.

3 I'm okay though. When I take some Aleve, I feel better. I'm

4 fine. It's just, you know, I'm fine. I'm all right. I'm good.

5 Q. All right. A couple just general how the company works.

6 You've been employed for about two and a half years.

7 A. Um-hum.

8 Q. How often do they do exams on you to make sure you can see

9 and hear, all that kind of stuff?

10 A. We don't get those.

11 Q. Okay. What about when you're hired?

12 A. Yes, they check your sight, everything, blood pressure,

13 everything, all that's checked.

14 Q. Okay.

15 A. As far as doing a yearly check, no.

16 Q. Okay. All right. Any guidance to you on use of cell phones

17 while you're operating the trolley?

18 A. No cell phones.

19 Q. No cell phones.

20 A. It should be locked away in your bag. That's where it should

21 be.

22 Q. Okay. Use of prescription medicines?

23 A. I have to go through the company. If you get put on a

24 prescription, you're supposed to go through the company and let

25 them know what you're on.

1 Q. How do you know? Is there something that tells you that?

2 A. I'm sure they probably go to medical and they tells them.

3 Q. Well, how do you know you're supposed to do that?

4 A. It's a rule.

5 Q. It's a rule.

6 A. Yes.

7 Q. Okay.

8 A. And it's obeyed. People do what they have to do. It
9 requires as far as if they have prescriptions and things like
10 that, because if the medicine says that it's going to make you
11 drowsy, then you have to take -- you have to let them know.

12 Q. Okay. If you take a sleeping medicine at night --

13 A. Um-hum.

14 Q. -- you go to the pharmacy and take a sleeping medicine at
15 night, do you have to --

16 A. Is it over the counter or --

17 Q. Yeah, you go into CVS and you go say, hey, "I want some over-
18 the-counter sleep medicine."

19 A. Um-hum. We're not supposed to take that.

20 Q. Okay.

21 A. No.

22 Q. Cold medicines?

23 A. No, we shouldn't take that either --

24 Q. Okay.

25 A. -- whether it says non-drowsy or drowsy.

1 Q. Okay. Is there something that says that or --

2 A. Coming up through my training, there was -- because it stays
3 in your system and it makes you feel a certain type of way.

4 Q. Okay.

5 A. And your attention span has to be alert at all times.

6 Q. Okay. How's your health just generally?

7 A. My health is good.

8 Q. Okay.

9 A. I work out about three times a week.

10 Q. More than me. Any health promotion stuff that goes on? Do
11 you get any information on --

12 A. They always have people coming in, you know, want to do
13 checks on us, you know. It's like a fair --

14 Q. Okay.

15 A. -- you know, people come in. It's like a health fair.
16 Cholesterol, sugar, blood pressure and things like that, they do
17 that. They do it twice a year --

18 Q. Okay.

19 A. -- you know, to check everybody out.

20 Q. All right. I think I'm good. I'm so happy that you are not
21 seriously injured.

22 A. Thank you.

23 Q. I'm sorry that you're hurt.

24 A. Thank you.

25 Q. And hopefully you're back up to 100 percent very soon.

1 A. Yeah, thank you.

2 Q. And just recognize that it's going to take a little bit.

3 A. Okay.

4 MR. HOEPF: Mike again.

5 BY MR. HOEPF:

6 Q. I've just got a couple of hodgepodge questions here, but not
7 really a lot here. Our Survival Factors people aren't here. So
8 I'm going to ask a couple of questions about that. Do trolleys
9 have seatbelts?

10 A. No seatbelts on trolleys.

11 Q. Okay. And what's just kind of your overall assessment on
12 let's say the crashworthiness of the trolley? Anything --

13 A. Because you sit up so high, as far as a car hitting you, it's
14 not going to affect you.

15 Q. Okay.

16 A. We really -- the only thing that can really hurt that trolley
17 is another trolley. That's it or, you know, a bigger vehicle but
18 that trolley is built -- that's why the damage that was done to
19 it, they couldn't believe it. So they know it was a hard impact
20 and people were really hurt. So -- but besides that, yeah.

21 Q. Okay. Do you have any -- I mean do you have any concerns
22 about, I don't know -- I mean is, is the braking, you know, if you
23 -- is braking ever an issue?

24 A. We brake on the trolley but you're on metal to metal and
25 sometime in the rain -- you've got to stop maybe mid-block or

1 maybe just ease on up to the stop because you're going to slid,
2 but when it rains, and the tracks get full of water, trolleys stop
3 better than when it's dry.

4 Q. Really.

5 A. Yes.

6 Q. Oh, okay. Interesting.

7 A. Because all the secretions in the oil on the track are washed
8 away and then it feels better when you're stopping. My stopping
9 distance is better on the trolley. I've got to say that because
10 there's no oil and stuff on the tracks.

11 Q. Interesting.

12 A. On the day when it's hot and everything, the tracks are
13 greasy.

14 Q. Yeah. Because before you were talking about it being dry
15 out, and I assumed that that was an improvement in --

16 A. It's an improvement them being -- when it's misting --

17 Q. Um-hum.

18 A. -- that's the worst time for a trolley because it's just
19 going to slide. It's going to slide. So that's why you always
20 track braking, you're hitting the plunger or something like that,
21 but you just have to following a safe distance.

22 Q. Got you.

23 UNIDENTIFIED SPEAKER: What's a plunger?

24 MR. HOEPF: I'm not sure.

25 BY MR. HOEPF:

1 Q. What's a plunger?

2 A. It's the red button on the side of the trolley that drops all
3 the brakes and dumps all the air (indiscernible).

4 Q. You're fine. You're fine.

5 A. You've got the trolley. You've got the track brake and
6 you've also got your plunger over here. I mean --

7 UNIDENTIFIED SPEAKER: Mushroom. Full, full application.

8 UNIDENTIFIED SPEAKER: Yeah, it's called mushroom at some.

9 MR. SMITH: Okay.

10 UNIDENTIFIED SPEAKER: Some agencies call it mushroom.

11 MR. HOEPF: Got you. Got you.

12 BY MR. HOEPF:

13 Q. Okay. So you really don't have any glaring concerns from
14 your perspective about --

15 A. I mean I come from like working. When I coming up, working
16 from starting at day one, you're on a slate. I mean you could
17 come into work at -- I mean you can work -- get off at 2:00,
18 you've got to be back in there at like 11:00, you know, right at
19 your eight hour point, you know. So you've really got to be --
20 you've got to pay attention out there. The trolley is dangerous.
21 You've got to respect the trolley. If you don't respect the
22 trolley, it's going to do what it wants, but you have to really
23 pay attention to what you're doing out there. I mean we go down
24 Lancaster -- Lansdowne Avenue, we got this much space left between
25 the trolley and the cars. That's maybe like 15 inches between the

1 trolley and the cars going down the street.

2 Q. Um-hum.

3 A. And we get blamed for it all the time just because we hit a
4 mirror or something like that but it's a line there, but it's
5 risking it every time you go down the street. You can't go down
6 no street more than 20 miles an hour. You've really got to inch
7 down the street because people opening doors and any scenario that
8 you can think of on Lansdowne Avenue of us hitting something has
9 been done. It's been done. So doors, mirrors, people walking out
10 in front of your trolley all the time, and you've really got to be
11 mindful of kids and things like that. So --

12 Q. Um-hum.

13 A. -- we just -- that's the thing, and I mean I think they
14 should have a little bit more mindful thing for us when we're
15 going down those streets like that because we're trying our best.
16 You know, I don't want to hit anything or someone or something. I
17 don't want to do that. So I do to the best of my knowledge going
18 down the street.

19 Q. Um-hum. So if he did have an issue or concern, do you have
20 some kind of group that you would talk to or person you would talk
21 to?

22 A. We have a safety committee.

23 Q. Yeah.

24 A. And they pretty much address if you have an issue, they will
25 address it, you know.

1 Q. Okay.

2 A. So that's the good thing about that, there's someone you can
3 talk to and address that issue.

4 Q. Um-hum. Um-hum.

5 A. They're there for us, yeah. They're pretty good.

6 Q. Okay. This is sort of a different, different ballpark here.
7 Do, do you -- if you were going to be sick for a day and you were
8 going to call off or something, would that be a problem for you?

9 A. Uh-uh. I've got 200 some sick days. So I mean two points is
10 not going to -- you get called out. You get written up for having
11 -- taking a sick day. It's wrong but you got to -- if you're
12 sick, you're sick.

13 Q. You get written up for it?

14 A. Oh, yeah, you get two points for it.

15 Q. For taking a sick day?

16 A. Yes.

17 Q. Does that seem fair to you?

18 A. No, it's not.

19 Q. Is there a logic behind that?

20 A. Tell me. I don't know the logic behind it. If I call in
21 tomorrow and say I'm sick --

22 Q. Um-hum.

23 A. -- when I come in the next day, I've got a sheet I've got to
24 sign because I got two points.

25 Q. So do you feel like the expectation is you're going to come

1 in even if you're not feeling well?

2 A. If I'm -- I really have to be sick for me not to come to
3 work.

4 Q. Okay.

5 A. But if I'm sick, I shouldn't be penalized for it.

6 Q. Yeah.

7 A. That's two points, and I mean if you're sick, you're sick. I
8 mean it's nothing you can do about that.

9 Q. Yeah.

10 A. So there's been plenty of times I, you know, I don't have an
11 accumulation of a lot of points because I don't call out all the
12 time.

13 Q. Um-hum.

14 A. But if I do, I don't want to be penalized for it.

15 Q. Um-hum.

16 A. No, I don't.

17 Q. Yeah, I mean nobody likes to be penalized.

18 A. No.

19 Q. How many points is, you know, what is -- can you give me some
20 context? What is two points, you know?

21 A. Two points if you call out sick.

22 Q. What, what -- how many points do you have to get to the point
23 where it matters?

24 A. I think it's like 21.

25 Q. Twenty-one.

1 UNIDENTIFIED SPEAKER: Twenty.

2 MR. SMITH: Twenty.

3 BY MR. HOEPF:

4 Q. So 10 times you'd have to call in sick. Do your points go
5 away at some point?

6 A. It depends on your time and how long you work without calling
7 out.

8 UNIDENTIFIED SPEAKER: Can you clarify it?

9 UNIDENTIFIED SPEAKER: Each 30 days that you call without an
10 infraction, you lose 2 points. So you call out today sick, you
11 come to work for 30 days, those 2 points are gone.

12 MR. HOEPF: Um-hum. Okay. Thanks.

13 BY MR. HOEPF:

14 Q. Anything else you want to say about that?

15 A. No, I'm all right.

16 Q. Okay. All right. Last question I've got for you. Did you
17 know Mr. Anderson personally at all?

18 A. Gary Anderson.

19 Q. Gary Anderson.

20 A. Yeah, I know him.

21 Q. Any --

22 A. From the time I started there, you know, we talked,
23 communicate, you know, we always talked and everything.

24 Q. Um-hum.

25 A. He was a good guy, not a bad -- a good guy, you know. He

1 just -- things happen.

2 Q. Um-hum.

3 A. So -- and I wish this would have never happened. I wouldn't
4 with this on anybody, you know, but things happen.

5 Q. All right. Thank you very much. I appreciate your time.

6 A. Yes, thank you.

7 MR. HOEPF: Steve.

8 DR. JENNER: Steve Jenner.

9 BY DR. JENNER:

10 Q. A few follow-up questions. In terms of materials that the
11 company provides for you, do they provide any education on fatigue
12 training?

13 A. Yes. We had fatigue training last year. We took a class on
14 that. Everybody had to take it. We took that last year.

15 Q. That's a required class?

16 A. Required class. I don't know if it's every -- I think it's
17 every year. So it might be coming up pretty soon.

18 Q. Okay. Can you tell me a little about the content?

19 A. A video, talking about your eating habits, your diet,
20 speaking up when you're tired and basically about getting sleep
21 and, you know, getting proper rest and having the proper diet.

22 Q. Did you find it -- how valuable did you find it?

23 A. It was interesting. I found it to be, you know, very
24 interesting and, you know, you learn some things. So then you'll
25 adapt them to your life. So that's what you try to do, get some

1 more sleep and better eating diet, you know. You can't eat a
2 whole meal during your lunch break and then want to go out there
3 and run down the street and perform all the trips, you know.

4 Q. One thing you just mentioned I wrote down, speak up when
5 tired. What does that mean?

6 A. Say if you didn't get enough sleep and you didn't get enough
7 rest, you know, you tell them I'm fatigued, you know, just -- they
8 don't have no problem, you know, giving your run to somebody else.
9 If you're too tired, you're too tired. My supervisor said they're
10 not going to put you out on the street. If you're tired, you're
11 tired.

12 Q. Does -- is there a point consequence along with that?

13 A. I'm sure -- I'm not sure. If he is able to give that run to
14 somebody, then there's no point consequence, but if he can't, you
15 may have to take a sick day or something like that or personal
16 day.

17 Q. Just out of curiosity, have you ever taken advantage of that
18 speak up when tired?

19 A. No, no, I haven't. I don't need to.

20 Q. But do you know if other people have used that opportunity?

21 A. People use it all the time, you know. They may not say
22 they're tired but, you know, they need the day off or can't work
23 this run, you know.

24 Q. Okay.

25 A. You can't go hang out all night and then -- until 6:00 in the

1 morning and then be at work at 9:00.

2 Q. Um-hum.

3 A. You can't do that.

4 Q. Do you know if this is annual training?

5 A. I'm not sure if it's annual.

6 Q. Do you recall one time?

7 A. I had it last year, yeah, and it was mandatory for us to
8 take. They made sure everyone took it.

9 Q. Um-hum.

10 A. Yeah.

11 Q. Did you walk away with any materials or link to any website
12 or anything?

13 A. Just as far as changing your diet and getting more sleep.

14 Q. Yeah.

15 A. Getting the most sleep that you possibly can, you know, get
16 eight hours -- get seven, eight hours of sleep.

17 Q. Okay. Changing directions, one general question and open
18 ended. You've thought about this incident for a couple of days
19 and thinking about this and your experience operating as a trolley
20 operator, can you think of any changes that you would make in
21 terms of rules or equipment or procedures to make the industry
22 safer?

23 A. Like I said, I don't like the PCC because the stopping on
24 that is -- the braking -- I don't think the braking system on that
25 is dependable. Anything else I could think of, just sometime

1 people are -- like when you're on that slate, just be mindful of
2 that slate. Sending an operator out there during the morning and
3 then having him back in there as soon as eight hours run around,
4 he's right back in there, you know. I don't think that's safe,
5 no. So the time in between that, enough rest time is what I'm
6 trying to say.

7 Q. Could it be fewer than eight hours that you return?

8 A. No. It's always eight hours. They won't let you come back
9 before eight hours. It's always eight hours. Sometime you can go
10 home and can't sleep, you know. You could be -- just have that
11 type of body where your body is not ready to lay down yet --

12 Q. Um-hum.

13 A. -- you know, and people who work late at night. Everybody's
14 not adjusted to that like that. So I would say that.

15 DR. JENNER: Okay. Do we need clarification?

16 UNIDENTIFIED SPEAKER: Yeah, clarification is recently there
17 was a law passed where CDL holders have to have eight hours in
18 between runs. Prior to that, there was a contractual clause and
19 you could come back six hours prior to you finishing the day
20 before. So now it's been updated to I guess, have that safety
21 measure in it, for at least eight hours. Any contract, it also
22 states that if you're an extra person, he said he was extra hold
23 down, if you're on the slate, you could have 9 hours in between
24 and you can ask for 10. So prior to all of this going on, you
25 could come back six hours later. You can't now because of the

1 safety issues that go on and things that happen across the country
2 and that sort of thing. So just for clarification.

3 DR. JENNER: Okay. Thank you. Chris, those are all the
4 questions I have. Thank you.

5 MR. FRIGO: Does anybody else have any other questions?

6 BY UNIDENTIFIED SPEAKER:

7 Q. I just -- I'm not a very smart guy. So -- as to how trolleys
8 work. But, I know some of the cars that we drive now have things
9 that look out front, and if there's a pedestrian walking in front
10 or something comes in front of your car, the car will actually
11 stop and not run into them. Is that technology in these type of
12 vehicles?

13 UNIDENTIFIED SPEAKER: Not yet.

14 MR. SMITH: Not yet. That vehicle, the trolley is too heavy
15 for something like that --

16 UNIDENTIFIED SPEAKER: Okay.

17 MR. SMITH: -- you know. It'll slide or either it just won't
18 come to a halting stop.

19 UNIDENTIFIED SPEAKER: Okay. I was kind of curious. I'm not
20 familiar with the vehicle. So.

21 UNIDENTIFIED SPEAKER: There's not much of a drag factor when
22 you've got steel against steel.

23 UNIDENTIFIED SPEAKER: Okay. I appreciate it. It's like
24 sliding an ice cube across a piece of glass.

25 UNIDENTIFIED SPEAKER: I appreciate it. Thank you.

1 UNIDENTIFIED SPEAKER: But it's a good thought. We do have a
2 highway investigator coming up and that will be one of the things
3 he'll be looking at, crash avoidance.

4 BY MR. FRIGO:

5 Q. I just have one follow up before we wrap up, and we, we --
6 when we spoke to Mr. Anderson, he mentioned about the signaling in
7 the tunnel and how in the tunnel, there's a positive separation
8 between the trolleys and, and that's --

9 A. That's because we're governed by the ATC system.

10 Q. -- and you lose ATC when you go street running.

11 A. Yes. As soon as we come out of 36 (indiscernible), you lose
12 the ATC system. That system won't allow you to get close to
13 another trolley at all.

14 Q. Do -- is -- would a system similar to that in your opinion,
15 is that something that would be beneficial to trolley operations
16 on the street?

17 A. Most definitely, yes. Yes. You know, you get too close, you
18 get an alarm. And then if you get too close, it'll dump all the
19 air. That's how it works inside the tunnel. The only place you
20 can get close to another trolley in a tunnel is -- you -- there's
21 a speed restriction regardless but once you get to 15th Street, if
22 there's another trolley in there, you can creep up behind him but
23 it's like at five miles an hour. If you go over that five miles
24 an hour, it dumps you right away, immediately. So it's not like I
25 could -- if I -- say if I fell, passed out or something, and my

1 foot was on the accelerator, it'll dump me no matter what I'm
2 doing. So it's a good system to have. It's operated by the
3 trolleys and (indiscernible). So those trains couldn't crash if
4 they tried.

5 Q. Chris, thank you. Thanks for being with us here today and
6 thank you for sharing your experience and take care of yourself.
7 Thank you.

8 A. Thank you.

9 (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: SEPTA TROLLEY ACCIDENT
 PHILADELPHIA, PENNSYLVANIA
 JANUARY 4, 2017
 Interview of Christopher Smith

ACCIDENT NUMBER: DCA17FR003

PLACE: Philadelphia, Pennsylvania

DATE: January 6, 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