



Survival Factors Attachment – Witness Interviews

Concan, Texas

HWY17MH011

(11 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CHURCH BUS AND TRUCK CRASH NEAR
CONCAN, TEXAS ON MARCH 29, 2017

* Accident No.: HWY17MH011

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Interview of: ANTHONY MAGNUS
Witness

Via Telephone

April 2017

APPEARANCES:

RONALD KAMINSKI, Survival Factors Investigator
National Transportation Safety Board

I N D E XITEMPAGE

Interview of Anthony Magnus:

By Mr. Kaminski

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I N T E R V I E W

1
2 MR. MAGNUS: Yes, sir. This is Tony Magnus calling you back.

3 MR. KAMINSKI: Yes, Mr. Magnus. Thanks for calling me back.

4 MR. MAGNUS: Sure.

5 MR. KAMINSKI: So I just wanted to get a statement from you
6 as to what you saw, and I know it's not going to be pretty, but I
7 guess what you witnessed out there that day. And would you mind
8 if I taped it so I don't have to interrupt you and let you just
9 speak freely?

10 MR. MAGNUS: No, that's fine.

INTERVIEW OF ANTHONY MAGNUS

11 BY MR. KAMINSKI:

12 Q. Okay. So let me start. Your last name is spelled?
13

14 A. M-a-g-n-u-s.

15 Q. Okay. And your date of birth?

16 A. [REDACTED]

17 Q. Okay. And why don't you just start with you were driving
18 southbound, and go from there.

19 A. Yes, sir. Well, we were heading south towards Concan and
20 we're behind that bus. And noticed the Dodge come around, it come
21 around the curve when he came into view, and he was drifting
22 across the yellow line. And then, you know, he kept drifting and
23 they collided head-on, not too far in front of us.

24 Q. And you hit the brakes or steer out of the way, or --

25 A. Yeah, we -- well, I hit the brakes, skidded down to the

1 wreck. Didn't manage to -- managed to get stopped before we made
2 contact.

3 Q. Right. And did you notice, was there any brake lights on the
4 bus or any steering maneuvers prior to impact?

5 A. I didn't notice either one of those.

6 Q. Okay.

7 A. No brakes or -- I didn't see any brake lights, and it didn't
8 appear to me that the van moved.

9 Q. Okay. And did you happen to get out and did you talk to the
10 driver by -- the truck driver?

11 A. I didn't talk to the driver, no, sir.

12 Q. Okay. I guess after the crash, what did you do?

13 A. I had a passenger with me, and he got out. And because we
14 were like the first ones, he got out to go check on the folks, and
15 I immediately put it in reverse and started dialing 911, and
16 backed up the hill to try to, you know, slow the traffic down so
17 nobody else got involved.

18 Q. Right. And your passenger, could you mention his name? I
19 may have that name already.

20 A. Cory Keller.

21 Q. Oh, yes. Yeah. That was another call I was going to make
22 this afternoon, just to get his statement as well.

23 Anything else would be of interest to me in the investigation
24 that you can tell me?

25 A. No. I don't think so, sir.

1 Q. Okay. Did it seem like emergency response got there in a
2 timely manner?

3 A. You know, it took a while, but given where we're at --

4 Q. Right.

5 A. -- you know -- yeah, I would say yes. I mean, but then
6 again, I don't -- you know, I don't know.

7 MR. KAMINSKI: Sure. Okay. Okay, Mr. Magnus. This is my
8 cell phone number. If there's anything else that comes to mind
9 later on, feel free to give me a call. I appreciate it, sir.

10 MR. MAGNUS: Sir, no problem. DPS talked to me the other da,
11 and asked a whole bunch of questions. So they also have some
12 information. I mean, I know you know that, but --

13 MR. KAMINSKI: Right.

14 MR. MAGNUS: They talked to me too. But, yeah, sure. And I
15 don't mind, you know, if I can help in any way, I sure don't mind.

16 MR. KAMINSKI: Okay, sir. I appreciate your help, sir.

17 MR. MAGNUS: All right. Thank you.

18 MR. KAMINSKI: Bye-bye.

19 MR. MAGNUS: Bye.

20 (Whereupon, the interview was concluded.)

21 MR. KAMINSKI: Part 2 interview with Mr. Magnus.

22 MR. MAGNUS: Hello.

23 MR. KAMINSKI: Yes. This is Ron Kaminski again. I'm sorry.
24 Yes, there is a couple --

25 MR. MAGNUS: That's okay.

1 MR. KAMINSKI: There is a couple other questions I wanted to
2 ask.

3 BY MR. KAMINSKI:

4 Q. What kind of travel speed were you going at the time of the
5 crash or at the time when you hit the brakes?

6 A. I don't know about when I hit the brakes, but I had the
7 cruise control at about 64, 65 miles an hour.

8 Q. Okay. And were you pretty much at the same distance for that
9 whole time behind the bus? Are you gaining on the bus, or --

10 A. I'm certain I was gaining on it. I don't know. I don't
11 think very fast because, honestly, I don't remember seeing it -- I
12 mean, there's a lot of curves, right?

13 Q. Right.

14 A. I don't remember seeing it before the -- there's a curve at
15 the top of the hill and then it's kind of a straightaway before
16 the curve where the accident happened. Yeah, I don't remember
17 much about the van before that.

18 Q. Okay. So you were going about 64 miles an hour because you
19 had it on the cruise control?

20 A. Yes, sir.

21 Q. Okay. And I'm trying to think of something else, but I guess
22 -- and, of course, the weather conditions were good?

23 A. Yes, sir.

24 Q. There was no rain. Everything was good, so --

25 A. Yes.

1 MR. KAMINSKI: Okay. Well, I apologize for calling you back.
2 That is the one thing I wanted to --

3 MR. MAGNUS: Oh, that's fine.

4 MR. KAMINSKI: -- get you -- ask you a question regarding
5 your travel speed. So good enough, sir. Thank you again.

6 MR. MAGNUS: All right. Thank you.

7 MR. KAMINSKI: Bye, sir.

8 MR. MAGNUS: Bye.

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: CHURCH BUS AND TRUCK CRASH NEAR
CONCAN, TEXAS ON MARCH 29, 2017
Interview of Anthony Magnus

ACCIDENT NUMBER: HWY17MH011

PLACE: Via Telephone

DATE: April 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.

Katherine Motley
Transcriber

Interview with Witness Kory Keller April 4, 2017

We were going southbound and as we crested the hill we saw the pick-up cross the centerline. I hollered to Tony to stop and Tony hit his brakes. We stopped just short of hitting the bus. We looked behind us and nobody was behind us so Tony backed up to the crest of the hill to stop traffic.

I went to the vehicles and talk to the other witness. He told me that he was following the truck and he was very upset that police didn't respond.

I looked inside the bus and saw nothing that I can do. There were maybe three people towards the back still somewhat conscious.

I just blocked traffic for a while until authorities came.

We were going about 65 miles an hour prior to the crash. We expected the bus to swerve. I don't think the bus had time to brake.

I was impressed with the first responders. They came from both sides. It was only about 10 minutes before authorities came. A nurse came on scene and helped out. The helicopters showed up fast.