



Human Performance Attachment – NTSB Interview with Bus Driver

Louisville, NY

HWY23FH005

(36 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE,
NEW YORK ON JANUARY 28, 2023

Accident No.: HWY23FH005

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Interview of: CHRISTOPHER VALERO, Bus Driver
LBFNY, LLC

Monday,
January 30, 2023

APPEARANCES:

MICHAEL FOX, Senior Highway Accident Investigator
National Transportation Safety Board

RAFAEL MARSHALL, Ph.D., Human Performance Investigator
National Transportation Safety Board

JAMES BEGLEY, Owner
LBFNY, LLC

RAUL MARTINEZ, Interpreter

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I N T E R V I E W

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2 (Whereupon, Mr. Martinez served as an interpreter,
3 translating the questions from English to Spanish and Mr. Valero's
4 answers from Spanish to English.)

5 MR. FOX: This is Michael Fox, investigator for the National
6 Transportation Safety Board. Today is January the 30th, 2023. We
7 are getting ready to interview the driver that was involved in a
8 crash in Upstate New York. There are several folks in the room.
9 We're going to go around the room and identify each person that's
10 in the room.

11 We'll start off with you, sir, the owner of the company.

12 MR. BEGLEY: Jim Begley, owner of the company and employer of
13 Christopher.

14 MR. FOX: Christopher? And can you spell your last name?

15 MR. BEGLEY: B-e-g-l-e-y, James Begley.

16 MR. FOX: And what's the name of your company?

17 MR. BEGLEY: LBFNY, LLC.

18 MR. FOX: *Señor*?

19 MR. VALERO: Christopher Valero.

20 MR. FOX: And can he spell his last name?

21 MR. VALERO: V-a-l-e-r-o.

22 MR. FOX: Okay. And you, sir?

23 MR. MARTINEZ: Raul Martinez, M-a-r-t-i-n-e-z.

24 MR. FOX: And your role in this interview?

25 MR. MARTINEZ: I'm interpreter.

1 MR. FOX: Interpreter. Okay.

2 And Dr. Marshall?

3 DR. MARSHALL: This is Rafael Marshall with the NTSB. Last
4 name is M-a-r-s-h-a-l-l.

5 MR. FOX: And we'll start off with a quick question --

6 MR. BEGLEY: I just want to mention, he was on the bus, too.

7 MR. FOX: Yes.

8 MR. MARTINEZ: Oh. Oh, yes, I was also in the accident.

9 MR. FOX: Okay. And that's our interpreter.

10 Before we start doing any questioning, we mentioned before
11 that we're recording this interview. Is that okay with
12 Christopher?

13 MR. VALERO: *Si*.

14 MR. FOX: *Si?* Okay.

15 MR. VALERO: Yes.

16 MR. FOX: Okay. Very good. All right.

17 On behalf of the the Chair and the entire staff at the NTSB,
18 we want to offer our condolences to this tragedy. We're sorry for
19 the loss of your friends and all that you have gone through. And
20 we're -- we also have here, locally right now with us, someone
21 from our Transportation Disaster Assistance Office. He's -- his
22 name is Matt Screen (ph.); we'll give you his contact information.
23 But he's supposed to be reaching out and talking to all of you
24 tomorrow.

25 (Conversation in Spanish between interpreter and Mr. Valero)

1 MR. FOX: Yes. Okay. So thank you all for being here.

2 INTERVIEW OF CHRISTOPHER VALERO

3 BY MR. FOX:

4 Q. So, Christopher, how long have you been employed with the
5 carrier, with the bus company?

6 INTERPRETER: With the company, right?

7 MR. FOX: Yes.

8 MR. VALERO: (Through interpreter) Since we were in Maine,
9 which was in --

10 INTERPRETER: June?

11 MR. VALERO: (In English) Yeah, June.

12 BY MR. FOX:

13 Q. In June of this year or -- of 2022?

14 A. *Si*.

15 Q. Okay. And what kind of license do you have?

16 A. (Through interpreter) He has a driver's license from
17 Venezuela and he also has an international license which he got
18 here.

19 Q. Okay.

20 MR. FOX: And we'll just take a picture of that.

21 DR. MARSHALL: Okay. Do you mind if I take a picture of
22 this?

23 MR. VALERO: *Si*.

24 DR. MARSHALL: Okay.

25 BY MR. FOX:

1 Q. Is that a commercial license? Is it for a bus or, you know,
2 like a CDL like in America?

3 A. Buses.

4 Q. It's for buses?

5 INTERPRETER: Yeah, not a --

6 MR. VALERO: (Through interpreter) Because with this in
7 Venezuela he can drive buses.

8 INTERPRETER: With that one. I'm sorry.

9 MR. FOX: Okay. Yeah, I want to take a picture of that, too.

10 BY MR. FOX:

11 Q. How -- were you -- did you ever go to like driving school,
12 truck driver school or --

13 A. In Venezuela, yes.

14 Q. In Venezuela? What year was that?

15 A. I don't remember, but the first license that they gave me is
16 from -- is a Class B, which is for cars and trucks. And from
17 there, I started driving buses.

18 He says it's called Encava because of the way the bus is, 20
19 people -- I guess carrier. He doing that for about 2 years. He
20 has his (indiscernible) for about 17 -- 17, 18 years, he's been
21 driving buses. His father was also a bus driver.

22 Q. Really? Okay. Very interesting. So he did go to some type
23 of a training school, and then since that period he's been
24 operating for 17 or 18 years?

25 A. Yes.

1 Q. Okay. Very good. And that was in Venezuela?

2 A. Si.

3 Q. How long has he been operating buses here in the U.S.?

4 A. When he started with the company.

5 Q. Okay. So --

6 INTERPRETER: June.

7 MR. BEGLEY: June.

8 MR. FOX: June of last year?

9 INTERPRETER: Um-hum.

10 MR. FOX: Okay.

11 MR. BEGLEY: And a little background of the company, we're
12 not a busing company by any means.

13 MR. FOX: I understand.

14 MR. BEGLEY: Yeah. We have --

15 MR. FOX: Yeah. We'll cover that at another interview.

16 BY MR. FOX:

17 Q. Who hired you?

18 A. My boss.

19 Q. And you're pointing to?

20 INTERPRETER: Jim Begley. James Begley.

21 MR. FOX: Okay. Just because the tape, they don't know.

22 BY MR. FOX:

23 Q. And who is your supervisor?

24 A. Right now it's Yogi.

25 INTERPRETER: Every jobsite's different. When we go to a

1 jobsite, we get -- there's another supervisor.

2 MR. FOX: Okay.

3 BY MR. FOX:

4 Q. And when you got hired by Mr. Begley, did you receive any
5 training with this company?

6 A. Alex explain to us what -- don't break the laws, go the speed
7 limit, be very careful, don't drink, obviously; don't let anyone
8 drink on the bus.

9 Q. Okay. Now, and so was that a training class or was that a
10 training manual or anything like that?

11 A. No. He's already had the experience.

12 Q. Okay. But when Mr. Begley hired him was there a training
13 class or anything?

14 MR. BEGLEY: Not a formal class.

15 MR. FOX: Not a formal class. Okay.

16 BY MR. FOX:

17 Q. Are you assigned any specific bus?

18 A. Yes. The bus that was --

19 Q. The bus that was in the crash?

20 A. Um-hum.

21 Q. Did it have a specific number or unit number?

22 A. Don't remember.

23 Q. Don't remember. How long have you had that piece of
24 equipment that you've been operating or, you know, using it?

25 A. They had swapped it out. When they were coming down from

1 Pennsylvania, this was the bus that he was in charge of.

2 Q. And how long -- so how long has he been operating that bus?

3 A. Since we were in Pennsylvania, but I don't know -- I don't
4 remember when that was.

5 MR. BEGLEY: When did you guys -- you -- when did he come up?
6 First of the year, probably. Right after the Christmas break?

7 INTERPRETER: Hmm. Christmas break we went to the -- we were
8 there at Camden maybe, what --

9 MR. BEGLEY: Probably January 1st.

10 INTERPRETER: Yeah.

11 MR. BEGLEY: I'm not sure. Something in that range.

12 DR. MARSHALL: Around January 1st?

13 MR. BEGLEY: Yeah.

14 DR. MARSHALL: Okay.

15 BY MR. FOX:

16 Q. Do you have any other duties besides driving the bus?

17 A. Like when we're at work?

18 Q. Yes.

19 INTERPRETER: Yes. He's a -- he can operate the Skidster as
20 well. So when we need someone -- some stuff, parts moved, he's
21 also -- rides a Skidster. We -- we're getting trained on how to
22 operate the crane.

23 MR. BEGLEY: Excavator.

24 INTERPRETER: The excavator. I'm sorry. I said crane, but,
25 yeah, the excavator. He just started learning that recently, but

1 our main thing is racking, installation, and -- that's pretty much
2 it.

3 MR. BEGLEY: Yeah. I would say equipment operator in the
4 course of the day.

5 MR. FOX: Okay.

6 MR. BEGLEY: Or sometimes a laborer. But majority of the
7 time you're in a machine?

8 MR. VALERO: *Si*.

9 BY MR. FOX:

10 Q. Are you dispatched or is it a daily route that he's taking
11 the workers?

12 INTERPRETER: It's the same route every day. Same route
13 every day.

14 MR. FOX: Every day?

15 INTERPRETER: Yeah.

16 MR. VALERO: (Through interpreter) It's the only route. He
17 need to use his GPS (indiscernible). But once he already knows
18 it, it's not -- here, he burns the route into his mind and no
19 longer need to use the GPS.

20 BY MR. FOX:

21 Q. How far is that from here to the jobsite?

22 A. The GPS says it's 45 minutes. We do a gas stop --

23 Q. Do you keep a logbook?

24 A. No.

25 Q. No. Do you track his hours? I mean, did he work -- do we

1 write down his hours at all, do you know?

2 MR. BEGLEY: We keep track of the hours on the jobsite.

3 MR. FOX: Okay.

4 MR. BEGLEY: Yeah. And we just assume, you know, an hour in
5 the beginning of the day, an hour at the end of the day. But we
6 have, you know, like time clock records of, you know, Christopher
7 clocking into work every day forever.

8 BY MR. FOX:

9 Q. Do you do a pre-trip inspection on the bus?

10 A. That's one of the things he does before everybody wakes up.
11 He wakes up earlier. He does an inspection around the bus, turns
12 it on, checks the tires, scrapes off ice. Alex explain to him
13 this is something that you have to do every day before you
14 actually leave.

15 Q. Does he write it down? Does it have a little book, you know,
16 like a driver vehicle inspection report?

17 A. No.

18 Q. No? Okay. And the day -- or the week prior to the crash,
19 was there anything going on mechanically with the vehicle?

20 A. No.

21 Q. Brakes, steering, everything okay?

22 A. Everything good.

23 Q. Okay.

24 MR. FOX: Let's see. Go ahead, Dr. Marshall. You can --

25 DR. MARSHALL: Okay.

1 MR. FOX: -- ask whatever questions you got.

2 BY DR. MARSHALL:

3 Q. So I'm going to ask you some questions about the last 3 days
4 before the crash. Okay. So what I really want to do is find out
5 what your activities were on the days before the crash. Could you
6 tell me how many days you were working in a row prior to the
7 crash?

8 A. Monday, Tuesday, Wednesday; we didn't work Thursday; Friday
9 we worked, and Saturday. Saturday was the crash.

10 Q. Okay. So if we were to go back to Wednesday, can you tell me
11 about your activities during that day starting when you woke up
12 and then --

13 A. That day I woke up late, around 9 in the morning. He wrote
14 his parents, his daughters. I started watching TV. Prepared his
15 lunch -- no, his breakfast, took a shower.

16 You're talking about the day after the wreck, right?

17 Q. No. I'm talking about Wednesday.

18 A. In the morning I wake up, brush my teeth, I get dressed. I
19 walk downstairs. I turn on the bus. I let it warm up. I go back
20 upstairs. I prepare my lunch while I'm showering. And then I
21 get -- I put on my work clothes. He walks downstairs around 5:40
22 to wait for us and at 5:50 we leave.

23 Q. So 5:50 you leave.

24 A. And we're on our way. We stop at the gas for those who
25 didn't buy anything to get breakfast, stuff like that. And from

1 there, we go to the jobsite.

2 Q. Around what time do you arrive at the jobsite?

3 A. Around 6:50, 6:55 we're at the jobsite. From here, the gas
4 station, then the jobsite.

5 Q. So from like 5:45 to 6:55 you're driving; is that correct?

6 INTERPRETER: From around 5:50 all the way to 6:45.

7 DR. MARSHALL: Okay.

8 MR. BEGLEY: That includes stopping at the gas station,
9 right?

10 INTERPRETER: That includes stopping at the gas station.

11 MR. VALERO: And the stop at the gas station's fast because
12 the majority of everybody already wakes up early and eats. It's
13 only a few of us.

14 BY DR. MARSHALL:

15 Q. Okay. Okay. And then once you're at the jobsite, what did
16 you do on Wednesday?

17 A. Our supervisor gives us the instructions on what needs to get
18 done that day, what they want to get done. He got into the
19 Skidster and did the job that was assigned to him. He does his
20 job until it's lunchtime. From lunchtime he goes and then parks
21 the bus, takes us to go eat. And from there, we get back to the
22 jobsite. He waits about 20 minutes until it's time to get back to
23 work because we get an hour lunch. That's when we ask the
24 supervisor if we're still doing the same chores, the same jobs.
25 Get in the Skidster until whatever Isaac says he needs him to do.

1 Q. So what time is lunch?

2 INTERPRETER: Lunch is at 12.

3 DR. MARSHALL: Twelve to 1 is lunchtime?

4 INTERPRETER: Um-hum, 12 to 1 is lunchtime.

5 DR. MARSHALL: Okay. And you said you're doing Skidster? Is
6 that -- what's that?

7 INTERPRETER: Yeah. It's kind of like -- it's a forklift.

8 DR. MARSHALL: A forklift?

9 INTERPRETER: Yeah, it's like a forklift.

10 DR. MARSHALL: Okay.

11 BY DR. MARSHALL:

12 Q. And so, so you're working a forklift for pretty much the
13 whole time that you are on the jobsite?

14 A. *Si.*

15 MR. FOX: It's a piece of machinery. Is it wheeled or is
16 it --

17 INTERPRETER: It's tracks.

18 MR. FOX: Tracks. Okay.

19 INTERPRETER: It's traction. It's --

20 MR. FOX: Okay. My son is licensed to do that and an
21 excavator, so I do know the equipment. I'll show you a picture
22 later. It has a bucket on the front. Like they move earth around
23 and dig holes and --

24 INTERPRETER: And you swap it out with other stuff.

25 MR. FOX: Right. And you can -- it has other implements you

1 can put on.

2 DR. MARSHALL: Okay. And this is completely outdoors?

3 INTERPRETER: Yes.

4 DR. MARSHALL: There's no cab or anything like that?

5 INTERPRETER: All outdoors.

6 BY DR. MARSHALL:

7 Q. Okay. All right.

8 A. About 30 minutes before it's time for us to leave, that's
9 when he go down, he start cleaning the machineries, taking off ice
10 off of it.

11 INTERPRETER: Because we had an incident where they weren't
12 cleaning them once and a track came off, and it's pretty pricey to
13 pay someone to do that. So from therein, 30 minutes after the
14 jobsite, people who are using machines come back down first and
15 start cleaning their machines and making sure they're fueled up.

16 BY DR. MARSHALL:

17 Q. Okay. So for 30 minutes before you get off -- before you
18 start driving again, you're helping cleaning the machines; is that
19 correct?

20 A. And it's fast. Yes, and it's pretty fast.

21 Q. Okay. And then what happens after that?

22 A. From there, we're heading back same route. We don't make any
23 stops. Sometimes we stop at the gas. I don't remember that day
24 we stopped. And from there, we get here to the hotel and that's
25 pretty much it.

1 Q. What time do you arrive at the hotel?

2 A. No se.

3 INTERPRETER: Well, it depends, because sometimes we --
4 depending on the weather, if it's bad, we take off a little bit
5 early. All right. Sometimes it's like, what -- it was 1:10 when
6 we worked half a day; 4 o'clock, 4:30, 5 o'clock. So around those
7 hours. But that day, that day I'm pretty sure we left like around
8 5, I want to say.

9 DR. MARSHALL: Okay.

10 INTERPRETER: Five or around 4:40.

11 DR. MARSHALL: Okay.

12 INTERPRETER: From there, about another hour. So I want to
13 say maybe around 5:30, 5:40, something like that, when we got back
14 to the hotel.

15 DR. MARSHALL: Okay.

16 BY DR. MARSHALL:

17 Q. Do you have any other tasks that you do once you arrive to
18 the hotel?

19 A. Okay. Well, yes, he does, but that day no.

20 INTERPRETER: He is also the guy that takes us to do our
21 Walmart runs to buy groceries and wash our clothes, take us to
22 laundromats.

23 DR. MARSHALL: Okay.

24 MR. VALERO: On days off.

25 DR. MARSHALL: I see.

1 MR. VALERO: When we have time off.

2 DR. MARSHALL: So, but on Wednesday around 5:40 you arrive
3 here and that was all you had to do?

4 INTERPRETER: Um-hum.

5 (Conversation in Spanish between interpreter and Mr. Valero)

6 INTERPRETER: Yes, on Wednesday we did do a Walmart run since
7 it was supposed to snow on the next day when we had off pretty
8 bad. So we were like, you know what, we'll just do the Walmart
9 run right now.

10 DR. MARSHALL: Okay.

11 INTERPRETER: And that was one of the reasons why we had the
12 day off, because the weather was going to be pretty bad.

13 DR. MARSHALL: I see.

14 BY DR. MARSHALL:

15 Q. And so that was Wednesday you went to work, and then Thursday
16 you said you were off work?

17 INTERPRETER: Yes.

18 DR. MARSHALL: And is that a regular day off or is that --

19 INTERPRETER: No.

20 DR. MARSHALL: -- just something because of the weather?

21 INTERPRETER: The weather.

22 MR. BEGLEY: Weather.

23 BY DR. MARSHALL:

24 Q. Okay. Can you just give me like a rundown of what you did on
25 Thursday?

1 A. He went to the guys' rooms that we -- our coworkers, talked
2 and ate. Afterwards, I went to my room and watched a little bit
3 TV, on his phone with his family.

4 Q. I see.

5 A. That's about it. That's everything.

6 Q. I forgot to ask, what time did you go to bed on Wednesday?
7 Do you remember?

8 A. He usually falls asleep around 8:30, 9, but he's never stay
9 up late -- stays up late past 10.

10 Q. I see. And what time did you wake up on Thursday?

11 A. He usually always wakes up around 5, and since that was going
12 to be a day off, he woke up around 8:30 or 9.

13 Q. Okay. And then, so you just really hung out with your
14 friends and texted family?

15 A. Every day he talks to his family, his daughters and his
16 parents.

17 Q. And on Thursday, what time did you go to bed?

18 A. He always goes to sleep early, same thing. It's rare the
19 days that he stays up late. He has an alarm that automatically
20 wakes him up at 5. He always wakes up. As soon as he's awake,
21 that's when the alarm starts to ring.

22 Q. I see. So his sleeping schedule is usually like 9 p.m. until
23 5 a.m.?

24 INTERPRETER: From 8 to 10. He doesn't stay up like past 10,
25 and once it's 10, no, he goes to sleep.

1 BY DR. MARSHALL:

2 Q. Okay. And then let's just go through Friday then. Can you
3 give me an idea of what -- so you woke up -- what time you woke up
4 and then what your activities were for all of *Viernes*?

5 INTERPRETER: Okay. Friday, that was --

6 MR. VALERO: I woke up, I got dressed, turned on the bus,
7 come back upstairs, prepare my lunch, take a shower. I put on my
8 clothes and he waits for us down.

9 BY DR. MARSHALL:

10 Q. Okay. And so again, this was around 6:45 that you would
11 leave the hotel; is that correct?

12 INTERPRETER: No. It is 5:50 when we leave the hotel.

13 DR. MARSHALL: So you left at 5:50 on Friday?

14 INTERPRETER: Yeah.

15 BY DR. MARSHALL:

16 Q. Okay. And then that means -- you're going to the same site,
17 correct?

18 INTERPRETER: Yeah. Every day we wake up and leave at the
19 same time.

20 DR. MARSHALL: Okay.

21 INTERPRETER: Usually they stay up like a little late, like
22 around 5:50, 6 o'clock, but they usually -- like, hey, Raul, what
23 the fuck? We can't leave the jobsite because you have the
24 batteries. I'm like, fuck.

25 MR. VALERO: (Speaking Spanish).

1 MR. BEGLEY: He's always the late one?

2 (Laughter)

3 BY DR. MARSHALL:

4 Q. And then what were your activities on Friday at work?

5 MR. FOX: That was the day of the crash, right?

6 DR. MARSHALL: Saturday.

7 MR. FOX: Oh, Saturday. I'm sorry.

8 MR. VALERO: (Through interpreter) He finished up the job he
9 had done the previous day because he wasn't finished, and he was
10 on the Skidster, same, same routine.

11 BY DR. MARSHALL:

12 Q. Same routine on Friday as Wednesday? Okay.

13 A. We were going to finish that day what was left.

14 Q. So what time did you leave the jobsite on Friday, then?

15 (Conversation in Spanish between interpreter and Mr. Valero)

16 INTERPRETER: I think that was the day where it was getting
17 pretty cold and the guys were -- we left the jobsite around 4:30,
18 I believe.

19 DR. MARSHALL: Okay.

20 INTERPRETER: We're not really sure.

21 DR. MARSHALL: 4:30, and then --

22 INTERPRETER: Around 4:30.

23 DR. MARSHALL: And then you got -- and then what time did you
24 arrive back here at the hotel?

25 INTERPRETER: Well, it's usually -- it's an hour trip from

1 there, so I want to say maybe about 5:20.

2 MR. VALERO: That day we stopped at the gas and they were
3 waiting for me because I was using the restroom.

4 BY DR. MARSHALL:

5 Q. Okay. So maybe 5:30 here?

6 INTERPRETER: I want to say more like 5:40.

7 DR. MARSHALL: Okay.

8 BY DR. MARSHALL:

9 Q. And then can you tell me what your activities were after?

10 A. Every time he gets here he sits on the sofa that he has in
11 his room. He texts his parents, his daughters every day.

12 Watching TV, take a shower, watch TV. I lay down.

13 Q. And then you went to bed at what time on Thursday?

14 A. I don't have the exact time, but 8:30 I'm in bed. I'm still
15 watching TV and then I go to sleep.

16 Q. You fall asleep. Okay. And I apologize for having to go
17 through all of these things. I just want to get all of the
18 specifics. So Saturday, what time did you wake up Saturday?

19 INTERPRETER: The day of the accident?

20 BY DR. MARSHALL:

21 Q. That's the day of the crash.

22 A. I woke up at 5. I changed, went downstairs 5:10. The alarm
23 ran, I went downstairs. I turned on the bus. And then I came
24 upstairs to prepare my lunch. I took a shower, I brushed my
25 teeth, I put my creams on. I waited for it was time to go

1 downstairs. At this time it was different because he was the last
2 one to get there.

3 Q. The driver was? So Christopher, you were?

4 A. Si.

5 Q. Okay.

6 A. He goes, he stops at the exit, looks both ways, always looks
7 both ways.

8 Q. And by exit you mean the exit --

9 INTERPRETER: By the hotel.

10 DR. MARSHALL: -- by the hotel?

11 INTERPRETER: Yeah.

12 BY DR. MARSHALL:

13 Q. Okay.

14 A. And the turn heading down towards work. That day it was
15 snowing but it was visible, the street was visible. The street he
16 was on. I could see where I'm supposed to be, the lines on my
17 lane; I could see my lane. I was driving a certain distance. I
18 was going on my -- I was in my lane and the driver was in his
19 lane. I was in my lane, the driver was in his lane. He was
20 driving. And then I can see the lights from the truck that was
21 coming towards his side -- on our lane. He screamed out (speaking
22 Spanish), which is an expression like "Holy crap." Once he
23 thought they would hit, he threw the bus to one side. He tried to
24 control it as much as he could, but from there that was it.

25 Then I look from the rearview mirror, the visor. And then he

1 screamed, everybody -- guys, guys, is everybody okay? And from
2 there, I tried to get out of my seatbelt. That's when he saw me
3 screaming Firulais (ph.), Little John. And then I got out. I
4 also unbuckled my seatbelt -- he saw me get out and then he also
5 undid his buckle and then he got out.

6 And I was there. We saw one of the gentlemen from Puebla
7 toward the back of the bus on the ground. I saw a sign from a car
8 or some type of automobile to head down towards we were. A person
9 got off. He started giving CPR to the gentleman (indiscernible)
10 that was on the ground. That's when I go inside the bus and I see
11 Gregorio on the floor. That's when he saw me. I was screaming
12 Little John, Firulais. He saw Gregorio and he gave me a hug and
13 he started to cry.

14 Q. Okay.

15 A. And after that, I don't know at what moment I took my jacket
16 off to give it to the guy that was performing CPR.

17 INTERPRETER: Because the guy that was on the ground was --
18 he was breathing and he stopped breathing. Then he performed CPR.
19 Then he was able to resuscitate him and he just stopped breathing
20 again.

21 MR. VALERO: (Through interpreter) Then I see that the police
22 officers, the ambulance, the fire department. They treated us.
23 Then he got out and then he started walking with me because I
24 was -- there was no one there on site that spoke Spanish or could
25 translate so I was going from one ambulance to another and --

1 DR. MARSHALL: That was you? That was --

2 INTERPRETER: Yes.

3 DR. MARSHALL: Okay. That was Raul. Okay.

4 INTERPRETER: No -- yes, Raul.

5 MR. VALERO: (Through interpreter) And then they called us
6 for -- to give his interview or his statement. And afterwards he
7 was done with his statement, the police officer walked him back to
8 the truck. And from there, we went back to the hotel.

9 BY DR. MARSHALL:

10 Q. Okay. I just want to go back a little bit to where prior to
11 the crash. So could you describe the snow? Is it this much snow
12 was falling or would you say less than that?

13 A. Less than that, I think.

14 Q. So it was, what, it was like flurrying, more like very, very
15 light snow?

16 A. Yes. The roads were visible. It was a little snow. There
17 was some.

18 Q. Okay. Did you have to slow down because of the snow?

19 INTERPRETER: Well, he always drives pretty slow when it's
20 snowing a lot.

21 DR. MARSHALL: Okay.

22 (Conversation in Spanish between interpreter and Mr. Valero)

23 INTERPRETER: Yeah, the same thing I said. Every time it
24 snows, he's a lot slower. That's why we leave a little bit to
25 give us enough time.

1 DR. MARSHALL: Okay.

2 BY DR. MARSHALL:

3 Q. And what's the speed limit on that road?

4 A. It's 55 one part, then it changes to 45 and then 30, which is
5 the town, and then it changes back to 40 and then 55.

6 Q. Okay.

7 A. Up to work from there 55.

8 Q. Okay. But at that spot it's --

9 A. It's 55.

10 Q. Fifty-five.

11 INTERPRETER: But he doesn't go that high. He was driving a
12 lot slower.

13 DR. MARSHALL: He was driving slower?

14 INTERPRETER: Um-hum.

15 BY DR. MARSHALL:

16 Q. What's the -- what was the daylight? Was it nighttime or was
17 it --

18 A. It was dark.

19 Q. Okay. Completely dark or a little dark?

20 A. Yeah, it was a little dark because the sun was just about to
21 come up.

22 Q. Okay. And what was the traffic like at that time?

23 A. Before I left out of here, there was a machine that came to
24 scrape off the ice off the road. I let him pass, then I left.

25 And the traffic, there was little automobiles on the road.

1 Q. Okay. How about cars going the opposite direction? Was
2 there --

3 A. Little. Little. Traffic was very (indiscernible). It's not
4 a busy road. Cars do pass through there, but not to create a lot
5 of traffic.

6 Q. Okay.

7 A. Like not in a city.

8 Q. How -- was there any glare for you from the passing cars?

9 A. No. Because when there's no cars I turn on my high beams,
10 but when a car is coming, he turns off his high beams so they can
11 see.

12 Q. Okay. So when the truck was coming, you had your low beams
13 on?

14 A. When the truck was coming this way, he had his high beams off
15 and he could see. And he also had his high beams off, both of
16 them.

17 Q. Can you describe again when you saw the truck coming, what
18 exactly you observed?

19 A. I was driving and he was on his lane. He was in his lane.
20 But as closer as he's getting -- this is the truck that crashed
21 into us and that's us and our lanes. The bus was driving but as
22 soon as it started getting closer, he noticed that it was starting
23 to get towards him. When he noticed that, that's when he turned
24 to his side.

25 Q. How far do you think you were from the bus -- from the truck

1 when he started going into your lane?

2 A. It was close. I don't know how close. I don't know if I
3 want to say it's like from here to the wall, because it was fast,
4 because as they're both driving.

5 Q. Okay.

6 A. He was coming -- came, but at the last minute he came to our
7 lane and my reaction was turn the truck, turn the bus to --

8 Q. Which direction did you turn the bus?

9 A. To the right.

10 Q. Okay.

11 DR. MARSHALL: All right. I've been talking quite a lot.

12 Mike, would you like to --

13 MR. FOX: Yeah.

14 BY MR. FOX:

15 Q. I just had a couple other questions. How many hours do you
16 work a week?

17 A. Forty-five, 47 hours.

18 Q. And then are you paid weekly, bimonthly, or --

19 INTERPRETER: We're paid weekly.

20 MR. FOX: Weekly?

21 BY MR. FOX:

22 Q. And do you have a medical card, a commercial driver medical
23 card? Medical certificate? DOT medical card?

24 A. Like insurance?

25 Q. No. It's a DOT medical card.

1 A. No.

2 Q. No. Okay. I know Rafael will get into it. Are you on any
3 medications?

4 A. Right now, yes.

5 Q. Before.

6 A. Before, no.

7 Q. I see that you are -- have a brace on your hand, on your arm.
8 Is that a result of the crash?

9 A. Yes. We went to the hospital yesterday. That's what they
10 gave him.

11 Q. You did go to the hospital. Did you go to the hospital
12 immediately after the crash?

13 A. No, because they interviewed us and then from the
14 interview -- we were there for about 6 or 7 hours, and then they
15 brought us here to the hotel.

16 Q. Did you sustain any other injuries besides your hand or arm?

17 A. Yes. Yesterday it hurt me a lot more on my shoulder, my
18 ribs, and my hands.

19 Q. Okay. Were you wearing your seatbelt?

20 A. Yes.

21 Q. Do you know if anyone else on the bus was wearing a seatbelt?

22 A. No.

23 DR. MARSHALL: Is the bus equipped with passenger seatbelts?

24 INTERPRETER: I think so. I'm not 100 percent sure.

25 DR. MARSHALL: Okay.

1 MR. BEGLEY: Yeah, I mean --

2 MR. FOX: We saw it. I can't remember.

3 MR. BEGLEY: -- you guys would know.

4 MR. FOX: I can look at my pictures, but I didn't know.
5 I'm good.

6 DR. MARSHALL: Okay.

7 BY DR. MARSHALL:

8 Q. Sorry for going back to the truck again. Do you -- did it
9 look like he was doing it deliberately?

10 A. No. No, because I didn't see him. I don't see him. He's
11 going all right and one moment he just gets in my lane.

12 Q. I see. Okay. You mentioned that you do not take any
13 medication. Do you take like prescription or do you take over-
14 the-counter medication?

15 A. No. He doesn't take any.

16 Q. Do you see a certain doctor? Like do you have a primary care
17 physician?

18 A. No.

19 Q. Okay. Have you -- so you don't have any issues with your
20 legs or your eyes or your hearing or anything else?

21 A. No, just when I hit myself after the crash right here.

22 Q. About the bus, when you're driving the bus, what do you
23 usually do? Do you listen to the radio or are you talking to
24 anybody in the bus usually?

25 (Conversation in Spanish between interpreter and Mr. Valero)

1 INTERPRETER: Well, usually he does put music on. That's
2 what I'm telling him, but that day he didn't; I don't remember any
3 music playing.

4 DR. MARSHALL: Okay.

5 INTERPRETER: Sometimes he puts music on through his cell
6 phone, just leaves his phone there and then drives. But that day
7 he didn't have any music on or anything. That's why I was -- or I
8 can go to sleep and wasn't going to (indiscernible), we're talking
9 about.

10 BY DR. MARSHALL:

11 Q. On that day, how would you describe the passengers? Like
12 what were they doing while you are driving?

13 A. I always look at the mirror to see what everybody's doing.
14 Some people were on their phones texting and others were asleep.

15 Q. Okay. So there's not a lot of conversation going on?

16 A. Just Firulais who would talk and just say (speaking
17 Spanish) -- jokes. Yeah, but not all the time. But he's usually
18 the one that talks, says stuff like that, we should have left you
19 and blah, blah, blah. But it's about 2, 3 minutes, and then,
20 yeah, the bus is quiet.

21 MR. FOX: I noticed on the bus, I saw today there is like
22 little name plates or, you know, pieces of tape with people's
23 names on there.

24 INTERPRETER: Those were from another -- that's before we --

25 MR. FOX: Another --

1 INTERPRETER: -- before our site.

2 MR. FOX: Oh, so those names are not --

3 INTERPRETER: No.

4 MR. FOX: -- not relevant to you guys?

5 INTERPRETER: Uh-uh.

6 MR. FOX: Okay.

7 MR. BEGLEY: The names on the bus of who gets what seat?

8 INTERPRETER: Well, yeah, that was before. Then everybody
9 wanted their assigned seat, this is my seat, because they were all
10 fighting for the seats.

11 MR. VALERO: (Through interpreter) Yeah, that was also
12 because they would leave the bus very dirty. So they're like this
13 is my seat. I'm cleaning my area.

14 BY DR. MARSHALL:

15 Q. Where do you put your phone when you're on the bus?

16 A. More or less where the radio is because there's like a little
17 port right there.

18 Q. Yeah.

19 A. The radio goes, he just -- he just throws his phone there and
20 that's it once he has his music on.

21 INTERPRETER: Even when he does play music, we're only
22 listening to music for like maybe, what, 15, 20 minutes because we
23 don't get a lot of cell service on this road, and then from there
24 it's just quiet.

25 BY DR. MARSHALL:

1 Q. Okay. Do you ever get texts or phone calls while you're
2 driving?

3 A. No. I don't like answering it because I'm driving.

4 Q. Okay.

5 MR. FOX: Is that your only phone? Do you have a company
6 phone or just your own personal?

7 MR. VALERO: (Through interpreter) Just that one, his.

8 BY DR. MARSHALL:

9 Q. Did you have -- when you were on scene after the crash, did
10 you have -- I mean, did you have any contact at all with the truck
11 driver?

12 A. No.

13 Q. Nothing at all? Okay. Did anybody on the bus describe
14 seeing the bus -- I mean, the truck prior to the crash?

15 A. No, don't remember.

16 Q. Okay.

17 DR. MARSHALL: Mike?

18 MR. FOX: I don't know if you have any more questions or not,
19 but maybe we can get your number so that if we have any additional
20 questions we can give you a call?

21 INTERPRETER: He's asking -- yes, but you're going to be my
22 interpreter. I'm saying, well, yeah, but I'm pretty sure you all
23 are going to assign someone who speaks Spanish.

24 MR. VALERO: [REDACTED]

25 MR. FOX. [REDACTED]

1 MR. VALERO: [REDACTED]

2 MR. FOX: [REDACTED]

3 MR. VALERO: [REDACTED]

4 MR. FOX: [REDACTED]

5 MR. VALERO: Yeah.

6 MR. FOX: Okay. *Gracias*.

7 Those are the questions I have.

8 DR. MARSHALL: Okay. Yeah, I think I'm done, too.

9 MR. FOX: Yeah. So we'll get a copy of -- this interview
10 will be transcribed and then we can send a copy I guess --

11 MR. BEGLEY: To me, and I'll --

12 MR. FOX: Yeah, you'll forward it on. Send it to the boss.

13 INTERPRETER: All righty.

14 MR. FOX: We're so sorry that we have to meet under such
15 circumstances and we wish you a speedy recovery and wish you well.
16 And we thank you all for your time today. And this concludes the
17 interview.

18 (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 CRASH OF A FREIGHTLINER BOX
TRUCK & BUS IN LOUISVILLE, NEW YORK
ON JANUARY 28, 2023
Interview of Christopher Valero

ACCIDENT NO.: HWY23FH005

DATE: January 30, 2023

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.


Kay Maurer
Transcriber