

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

TRAIN DERAILMENT \*  
SACRAMENTO, CALIFORNIA \*  
AUGUST 22, 2019 \*

Accident No.: DCA19FR011

\* \* \* \* \*

Interview of: RYAN JOHNSTON

Saturday,  
August 24, 2019

## APPEARANCES:

TOMAS TORRES, Rail Accident Investigator  
National Transportation Safety Board

STEPHEN JENNER, Ph.D., Human Performance Investigator  
National Transportation Safety Board

MICHAEL ROSE, Operations Inspector  
California Public Utilities Commission (CPUC)

JOHN DARRAGH, Director of Light Rail  
Sacramento Regional Transit District

SHEILA LAWTON, Business Agent  
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ATU Local 256

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California Public Utilities Commission  
(Observing)

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I N T E R V I E W

1  
2 MR. TORRES: Okay. We're going to get started. This is an  
3 NTSB informal interview. My name is Tomas Torres, T-O-M-A-S, T-O-  
4 R-R-E-S. Today's date is August 24, 2019. We are at the  
5 headquarters for Transit interviewing the operator in connection  
6 with an accident that occurred at Sacramento, California on August  
7 22, 2019. The accident number is RRD19FR011.

8 The purpose of the investigation is to increase safety, not  
9 to assign fault, blame or liability. NTSB cannot offer any  
10 guarantee of confidentiality or immunity or -- from legal or  
11 certificate actions. A transcript or summary of the interview  
12 will go in the public docket.

13 The interviewee can have one representative of the  
14 interviewee's choice.

15 Do you understand this interview is being recorded?

16 MR. JOHNSTON: Yes.

17 MR. TORRES: Okay. Please state your name and spell it.

18 MR. JOHNSTON: Ryan Watt Johnston. R-Y-A-N, W-A-T-T, J-O-H-  
19 N-S-T-O-N.

20 MS. LAWTON: Sheila Lawton. S-H-E-I-L-A, L-A-W-T-O-N.

21 MR. NIZ: Ralph Niz, president/business agent, ATU Local 256.

22 MR. TORRES: Spell out your name.

23 MR. NIZ: N-I-Z, the last name. First name is Ralph, R-A-L-  
24 P-H.

25 MR. GILBERT: I'm Daren Gilbert. It's D-A-R-E-N, G-I-L-B-E-

1 R-T. I manage the Rail Transit Safety Branch for PUC. I'll be an  
2 observer.

3 MR. DARRAGH: I'm John Darragh, J-O-H-N, D-A-R-R-A-G-H. I'm  
4 the director of light rail operations for Sacramento Regional  
5 Transit.

6 MR. ROSE: My name is Michael Rose, M-I-C-H-A-E-L, R-O-S-E.  
7 I am the operations inspector for the state of California for the  
8 CPUC.

9 DR. JENNER: I'm Stephen Jenner, S-T-E-P-H-E-N, J-E-N-N-E-R.  
10 I'm a human performance investigator with the NTSB.

11 MR. TORRES: Okay, Tomas Torres for the NTSB.

12 INTERVIEW OF RYAN JOHNSTON

13 BY MR. TORRES:

14 Q. You say your name is Ryan?

15 A. Correct.

16 Q. Hey, Ryan, can you give us just a brief history of your work  
17 history here? You know, when you hired out, all the duties that  
18 you perform.

19 A. I was hired almost 5 years ago now as a light rail vehicle  
20 technician. Went through the district training program. I think  
21 it's fair to say I've been assigned to any and all duties  
22 pertaining to that occupation.

23 Q. So you're basically involved with maintenance of the  
24 vehicles?

25 A. Light rail vehicle maintenance technician. Correct.

1 Q. So it's all electrical components? Pneumatic?

2 A. Electrical, mechanical, pneumatic. All of the above. All  
3 systems on the train.

4 Q. And what's your work schedule like? When do you go to work  
5 in the morning?

6 A. I work what they call an early swing shift. It's 3 to 11.

7 Q. And that's Monday through Friday or --

8 A. I have Tuesday/Wednesday off.

9 Q. Tuesday/Wednesday off? Okay. So on the day of the accident,  
10 that was, like, your first day back to work?

11 A. I've been working here for quite some time.

12 Q. No, no. I mean, like, from your rest days. You have Tuesday  
13 and Wednesday as your rest days.

14 A. That was my Monday.

15 Q. That was your Monday. Thursday was your Monday. Okay. And  
16 you went on duty at 3 p.m. that day, August 22.

17 A. Correct.

18 Q. So when you went on duty, can you describe, you know, what  
19 took place, what was -- what's your assignment, who spoke to you,  
20 anyone on duty at 3 p.m.?

21 A. I reported to the meeting at the beginning of the shift, as  
22 we always do. I was assigned to the same assignment that I had  
23 been assigned to for several weeks prior, and that was to the  
24 Murph (ph.) Building across the yard to assist with the UTDC, two  
25 Siemens contractors that had been hired to assist with that

1 project. And I was assigned to help them with that project.

2 Q. So in that meeting, that's when you found out that's what you  
3 were supposed to be doing, your assignment for that day?

4 A. Correct.

5 Q. Did they discuss anything like a job briefing, you know, with  
6 -- do you remember what was discussed, other than you're going to  
7 work, you know, on that vehicle with the two contractors? I mean,  
8 you know, it doesn't have to be word for word.

9 A. I have no -- I have no recollection of any specifics from  
10 that meeting, other than that was my assignment.

11 Q. Okay. Sounds good.

12 A. I typically receive more details from the Siemens employees  
13 when I arrive at that location.

14 Q. Okay. So you were assigned to that vehicle to do what kind  
15 of work that day? What were you supposed to be doing to that car?

16 A. That particular vehicle had complaints of unsmoothness in the  
17 propulsion during acceleration. Operators were describing a bump  
18 during acceleration. It's a relatively minor performance issue,  
19 trying to provide a smooth ride for the passengers and limit wear  
20 and tear on the vehicle. That was what we were troubleshooting  
21 and looking for.

22 Q. So at what time did you get on the vehicle, you know, like,  
23 there with the employees? And what was discussed with those  
24 Siemens contractors?

25 A. I do not remember the exact time, but I would speculate it

1 was approximately 4 o'clock before I made it over to the building  
2 and started talking with them about the work for the day.

3 Q. And were they going to make the repair themselves and you  
4 were just going to be operating the vehicle?

5 A. No, it's -- we work as a three-man team. We had been for the  
6 weeks prior working as a three-man team. It was a free-flowing  
7 exchange of information, and recently, it had been called a  
8 training opportunity, given that Siemens were -- they were the  
9 ones that had commissioned these trains when we refurbished them.  
10 They had been called back as contractors to help out. And they  
11 knew the trains intimately, and it was an opportunity for our  
12 personnel to gain knowledge and experience from them directly.

13 So we were -- the three of us were comfortable with each  
14 other and had been years prior when they were here. At this time,  
15 for several weeks, I'd been assigned over there. We had been  
16 working together as a three-man team. I would describe Alton  
17 (ph.), the Siemens' employee, Alton, as the lead, because as far  
18 as Regional Transit was concerned, I was there to assist them,  
19 retrieve parts from the parts department, operate the train and  
20 learn as much as I could. In the last couple of days, maybe the  
21 last week, the training had been stressed more. There was talk  
22 about adjusting my work schedule so that I could be there more  
23 often. Successful opportunity, as I described it. Everything was  
24 good.

25 Q. So do you work a lot of overtime? Is it like a straight hour



1 (indiscernible)?

2 A. I personally do not enjoy overtime, so I personally do not  
3 work the overtime that's offered.

4 Q. So it's volunteer --

5 A. Yes.

6 Q. -- overtime?

7 A. Yes.

8 Q. So you get on the vehicle, and then the -- you guys take  
9 turns operating the vehicle, or you're -- or was that your  
10 assignment for that day or --

11 A. When you say take turns, you're referring to the Siemens  
12 employees?

13 Q. I mean, like -- yes. I mean, like, I mean, how do you, how  
14 do you know who's going to operate the --

15 A. The Siemens employees do not operate the train.

16 Q. Okay, so they just make repairs and --

17 A. They make repairs. The closest they would get to operating  
18 the train would be keying up the key switch only to provide car  
19 power to the car for their troubleshooting purposes. The way I  
20 understand it -- and I've never witnessed them do otherwise --  
21 they do not operate the train. They never give a drive command to  
22 the car.

23 Q. Okay. And so you receive training on how to operate it? You  
24 got classroom instruction and stuff or --

25 A. Myself?

1 Q. Yeah.

2 A. On that particular car?

3 Q. Right.

4 A. There was no classroom training for that particular car. It  
5 was on-the-job training experience. Again, years prior when these  
6 cars were being refurbished and commissioned again after their  
7 refurbishment, they didn't operate. They were not operational.  
8 Siemens refurbished them. They became operational. And myself  
9 and a few other technicians that were assigned to that project at  
10 the time, we learned how to operate them on the job, either from a  
11 Regional Transit supervisor who was the person doing the training  
12 or the Siemens employees that were in charge of that project at  
13 the time.

14 Q. So it was like on-the-job but not, like, classroom.

15 A. My recollection right now is that we've never received any  
16 formal classroom training on the UTDC car.

17 Q. So you get on the vehicle and you need to test it or, like  
18 you say, it was kind of rough or had a bump.

19 A. If I could -- my last statement?

20 Q. Yeah.

21 A. I have received main line training to operate the trains, all  
22 three trains that we operate. The CAF, the Siemens and the UTDC  
23 were included in my main line training. The rulebook portion is  
24 classroom, and it is covering all three of those cars. So I have  
25 received classroom training on operating the trains, but you -- I

1 understood you were asking me specifically about the UTDC car --

2 Q. No, in general. (Indiscernible).

3 A. In general -- yeah, I wanted to clarify that, that there --

4 Q. Yeah, no. Good. Thank you. I appreciate that.

5 A. Yeah. Not devoid of all training. There definitely was  
6 training provided, but it was broader in scope to all three  
7 different types of cars that we operate, main line operating and  
8 the rulebook training.

9 Q. Okay, yeah, and that's what I meant.

10 A. Okay, that's what you meant. Sorry. I went a different  
11 direction with that answer.

12 Q. No, but you know, I guess every car has a specific training  
13 or --

14 A. There are --

15 Q. -- they're different.

16 A. There are distinct differences between the three cars that we  
17 have here at the district.

18 Q. And with this particular car, when you -- have you ever been,  
19 you know --

20 A. Intimately familiar. Myself, was more familiar with the UTDC  
21 car than I was with the CAF and Siemens, as I had spent more  
22 hours, more time on the UTDC car in all aspects: operating,  
23 troubleshooting.

24 Q. So you gave them --

25 A. But I would describe myself as proficient to a professional

1 level in all three cars.

2 Q. And you have, like, a certification? They give you a card,  
3 or you just pass an exam and then you're qualified?

4 A. No. I have the district's training program that they put me  
5 through when I was a new employee. That was a year and a half to  
6 2 years long. There was a rather informal diploma, a placard,  
7 awarded at that time, but it's not -- my understanding was -- is  
8 that there is no state or federal criteria in which to operate a  
9 train. You're under the purview of the district that employs you.

10 Q. Yeah, that shows that you completed their training.

11 A. Their training. That was it. Yeah.

12 Q. Sure. Ask a question (indiscernible). Okay. So anyway, so  
13 you get on the vehicle at the station, right? Where's the vehicle  
14 located when you get on it?

15 A. I did not enter the vehicle at the station. I first got on  
16 the vehicle here in the yard.

17 Q. In the yard? Okay.

18 A. In the, in the Murph Building shop. It was inside the shop  
19 when I arrived at my shift. That's where I first entered the  
20 vehicle.

21 Q. So you get on the vehicle with those contractors. And then  
22 you -- how did you move it from the shop to the main track, to the  
23 main line?

24 A. Prior to doing that, we exited the shop. We ran what we  
25 would call low-speed runs. The yard speed is 10 miles per hour.

1 So we ran back and forth alongside of the Murph Building, adjacent  
2 to the Murph Building track. Again, I don't recall that night  
3 particularly if we went out towards the wash rack, but we  
4 sometimes, if there's not traffic in the yard, will extend that  
5 low-speed run further into our property towards the wash rack.  
6 And again, we made -- I don't recall how many, but oftentimes  
7 we'll do two or three, maybe five or six runs back and forth  
8 looking for whatever it is we're troubleshooting on that  
9 particular work order on that day. And if it shows itself at low  
10 speed, we don't need to go on the main line; we'll go right back  
11 in the shop.

12 On this day, it did not present, and we sought to go on the  
13 main line as we often do. I believe my -- if memory serves me, I  
14 pulled back to the apron of the Murph Building shop. Contractor  
15 wanted to use the restroom before we went out, which is pretty  
16 typical. That's kind of how we do it. And at that point, I make  
17 a phone call on my cell phone to Metro control on their landline  
18 and ask them if it's a good time. Don't monitor the main line  
19 channel, so I don't really know what's going on on the main line  
20 day-to-day operations-wise. I work in the shop.

21 So I asked him, is now a good time, or later? What time  
22 would you like me to go? He gave me the go-ahead for -- it was  
23 essentially right now. It's 29 -- I don't recall the exact time,  
24 but the phone call that I placed, it was like, you have several  
25 minutes to drive the train across the yard less than 100 yards,

1 throw one switch, and then you're right there at the 30 series  
2 switches. So I wasn't physically far. It wasn't a stretch for me  
3 to say, okay, I'll be there at that time. And when I got to that,  
4 you know, signal at that switch, you know, to exit the yard and  
5 enter the main line, we stopped, made the radio call, got the  
6 authorization, repeated the authorization back to Metro control  
7 and opened the box with the key, pressed the button, got a green  
8 light, threw the crossovers.

9 And that's how we -- just per -- nothing abnormal that night  
10 that I remember. It was very much the same way we had been doing  
11 it, the same way I had been doing it, the way I had been trained.

12 Q. So when you, when you line the switches, they are manually  
13 operated, or was it --

14 A. No, it's a, it's a box. It's a switch box to -- you unlock  
15 the box with the key, open the door, press a button.

16 Q. And it lines two switches?

17 A. It lines two switches for a crossover.

18 Q. And then you cross over --

19 A. Correct.

20 Q. -- to the main track.

21 A. Onto the outbound track.

22 Q. Right. And at that time, you had a green signal.

23 A. Correct.

24 Q. And they -- did they prescribe to you or did they tell you  
25 what the limits were, like from point A to point B? Did they give

1 you get a milepost or --

2 A. During my call, during my call, I would have specified top of  
3 the Grand Avenue Bridge and back to the yard. And in that request  
4 is implied, you know, all moves necessary to go there and back and  
5 get out of the -- the idea is that you go there and back. You're  
6 in between revenue trains, and you get out of the way before the  
7 next train enters that block.

8 Q. And the dispatcher or control operator, did he tell you that  
9 there was going to be another train, you know, behind you or ahead  
10 of you or --

11 A. Well, had he done that, I wouldn't have entered the main  
12 line. No, he gave me --

13 Q. No, no, no. I mean, did he say, you know what, go ahead and  
14 do it but, you know, (indiscernible) that somebody else. Did he  
15 say anything to you or give you any heads up?

16 A. No. No, no. Of course not. No. No, he gave me  
17 authorization and the time, and I repeated the time, and I  
18 entered.

19 Q. So you went from the shop to -- what's that?

20 A. Top of the Grand Avenue Bridge.

21 Q. Grand Avenue Bridge. And then you was just going to make how  
22 many passes?

23 A. One pass.

24 Q. One pass only?

25 A. Yeah.

1 Q. So at that time, have you completed one pass, or were you  
2 going across as --

3 A. We did not complete -- we made it out to the top of the  
4 bridge. Had begun to come down the bridge back towards the shop.  
5 And made it right to the bottom of the bridge.

6 Q. Yeah. So you were on your way back to the yard, right?

7 A. Correct.

8 Q. So describe that. You know, once you go out there -- well  
9 when you went out there, you were testing the throttle, the power,  
10 and make sure it was operating correctly? Was it operating  
11 correctly?

12 A. The train operated very smoothly. And I was not able to  
13 reproduce the fault, if I remember correctly. We may have even  
14 had a brief conversation as I walked from one cab to the other as,  
15 I don't feel anything; it feels great. And I believe Alton said  
16 he agreed with me.

17 Q. So no defects found.

18 A. No, no defects found. No.

19 Q. Okay. So you're on the way back, okay? Can you describe  
20 that? When you were coming back.

21 A. Gave a throttle command down the -- I mean, had gone twice  
22 and drive. You know, did everything by the book, normal. Driving  
23 back toward the shop. The only thing that might have been  
24 different -- when we look for this bump in the acceleration, one  
25 thing that we're trying to -- it's not a theory. It's known that,



1 when the motors go from series to parallel -- and we're  
2 discovering now with these cars that's around 10, 12 miles an  
3 hour. So oftentimes in the past with different cars, we've  
4 noticed a bump at that time. The switches, the motors go from  
5 series to parallel, and you get a sudden burst of acceleration.

6 It's not a bump. It's not a defect. It's what the train is  
7 supposed to do. And yeah, I think the operators are not familiar  
8 with that. It hasn't been explained to them, and maintenance  
9 personnel is just now figuring that out themselves, that, as we  
10 get these complaints about a low-speed bump around 10, 12, 15  
11 miles an hour, we're oftentimes discovering that there's actually  
12 nothing wrong with the train. If it's driven aggressively, there  
13 will be that bump.

14 So that evening, what I was doing is not driving it  
15 aggressively. I was trying to maintain that speed. I had sped up  
16 and slowed down and sped up and slowed down. If memory serves --  
17 but 20 to 30 miles an hour and then decelerate well below the 10  
18 miles an hour, trying to encourage the train and its drive  
19 propulsion system to cross that threshold as many times as  
20 possible during this one run that we had from the top of the  
21 bridge back to the shop.

22 Q. So you're trying to make it go up to transitions.

23 A. Trying to make it go from series to parallel as many times as  
24 we could during that brief moment that we had on the main line.

25 Q. So how many signals did you encounter? You had, you had one

1 when you left the yard, right? Signal.

2 A. The signal when you leave the yard is the only one that's --  
3 I believe there is a signal -- I'm not intimately familiar with  
4 all the signals on our whole system.

5 Q. I mean, did you knock another signal down? Did you go by  
6 another signal, or you just went up to the -- what's that place,  
7 that location?

8 A. That Grand Avenue Bridge.

9 Q. Bridge? To the bridge and back --

10 A. Yeah.

11 Q. -- there's no other signals other than the one that cleared  
12 the way?

13 A. I believe there is a signal at the -- the name of the station  
14 escapes me right now, but it is the next station just outbound of  
15 our shop. Marconi.

16 Q. Marconi. Okay.

17 A. I believe there is a signal there. But again, I'm not, I'm  
18 not a Wayside employee. I'm not intimately familiar with --

19 Q. But you only recall going by the green signal as you left.

20 A. Well, obviously, that's -- that'd be the most important one  
21 for -- when you're making -- it's easy to remember, because you're  
22 making the radio call, you're looking at it, you're getting your  
23 authorization to go at that time.

24 Q. So on your way back, you know, do you remember, you know,  
25 your coming back? Can you describe what you were seeing, what you

1 saw?

2 A. Coming down the Grand Avenue Bridge, approximately -- per my  
3 recollection, approximately 400 yards inbound, the track sweeps to  
4 the left. From my perspective, it sweeps to the left, and there's  
5 a row of trees on the left side there. UP has track adjacent to  
6 ours, and it's not uncommon to see the UP rail lamp or headlights  
7 from motor vehicles. There's a, there's a roadway in that  
8 proximity as well. So it's not uncommon for the hair to stand up  
9 on the back of your neck when you see headlights. You're supposed  
10 to be out there alone, trusting Metro that you're out there alone.

11 You see these headlights. It's not the first time I've seen  
12 headlights in that area. It's not the first time I've slowed down  
13 in that area, seeing headlights coming at me. All times previous,  
14 it had been a motor vehicle on the roadway or a UP train. This  
15 time, the headlight kept crossing through the trees. Limited  
16 visibility through the trees. And when the headlight appeared in  
17 line where I had never seen it before directly in line with my  
18 track, by then I believe I had slowed down significantly already,  
19 and per my recollection, I brought the train to a stop prior to  
20 impact.

21 I recall seeing, I recall seeing the Siemens contractor  
22 standing in the doorway behind me, his reflection in the, in the,  
23 you know, windshield. For a split-second, I'm thinking, well,  
24 he's in my way, because I don't want to be in the cab when this  
25 happens. And I recall seeing his reflection disappear, and he

1 said, get out of the cab. I was already thinking it, so that  
2 happened. And I specifically remember confirming that I was in a  
3 brake stop before I left the cab. I specifically remember  
4 recalling that there is nothing more I can do here in this cab  
5 except get hurt. So I exited the cab.

6 Q. So you recall putting the train into emergency? Is that what  
7 you call it? Emergency brake, or full brake?

8 A. I know it was braking, and if I had to recall on my  
9 recollection, I would say the train was already slowed down  
10 significantly. And I never went to emergency braking per my  
11 recollection. I may have. The video will show. But the train  
12 was already slowed so much I didn't need emergency braking.  
13 That's how I'm remembering it, is that I had decelerated to a  
14 point where emergency braking was not -- it was superfluous at  
15 that point. If I did, then good for me. And if I didn't, the  
16 train had already stopped anyways.

17 Q. But you had enough time to leave the cab, right?  
18 (Indiscernible).

19 A. I saw the, I saw the headlight from, I would guess, a good  
20 400 yards away. And again, slowing down as I observed the  
21 headlight getting closer and closer to a dangerous point. Okay,  
22 this is a train on my track. I continued decelerating. 400 yards  
23 turns into 300 and 200 yards. Siemens employee jumps out of the  
24 way and he says, get out of the cab. And I -- monitoring my  
25 deceleration and the closing rate of the other train is something

1 I remember being very aware of. And I'd done everything I could  
2 do here. I've decelerated my train to a point -- there was no  
3 time to pick up a radio or honk a horn or anything like that. It  
4 was --

5 Q. So you knew you had taken action.

6 A. I had taken all the action I could take.

7 Q. So on the way back, you know, do you remember -- do you  
8 recall how fast you were traveling from --

9 A. Coming down the bridge?

10 Q. Yeah, before you started to slow down.

11 A. Lower than usual. I cannot speak to specific speed, other  
12 than, like I stated earlier, we were not doing a full-speed run at  
13 that time. That would be the main difference from that night from  
14 other nights, is that we typically use the bridge to roll and get  
15 speed to hit that 55 mile an hour track speed as soon as possible  
16 to do a high-speed run if we're high-speed testing. I was not  
17 doing that. I think that was good news for everybody, is that we  
18 were not intending to go fast down the bridge. And that is my  
19 recollection at this point. If the video shows otherwise, I might  
20 -- regardless, I was able to stop plenty early.

21 Q. Right. Right. So the maximum authorized speed for that  
22 segment of track is 55?

23 A. The main line is 55, yeah.

24 Q. 55? Okay, on your return back, did you ever call the control  
25 operator or train dispatcher? Did you ever tell them that you

1 were headed back to the, back to the shop?

2 A. No, that was not -- so no. No. All moves from the yard to  
3 the Grand Avenue Bridge and back, I believe is what I stated on  
4 the radio. I had authorization for that.

5 Q. Yeah, but on the way back, says, hey, you know what? We're  
6 heading back. We're getting -- did you relay anything?

7 A. No.

8 Q. No. So at that time, when you were -- you say you didn't  
9 have to operate the vehicle at maximum operating speed. So your  
10 testing was sufficient at the speed that you were -- that you  
11 required?

12 A. If I recall, we had done a bit on -- when we first departed  
13 the yard, we had done some higher speed testing on the way up out  
14 to the bridge, considered that our high-speed test. On the way  
15 back in, as I recall, we wanted to try to produce the speed  
16 necessary for the motors to switch from series to parallel and see  
17 if that was the bump that operators were describing. Because we  
18 were not able to reproduce any issues with that car.

19 Q. So in this case, you left on a green signal, went up to the  
20 bridge, and then you were making a return trip. When you're  
21 making a return trip, does that affect how fast you're going to  
22 go? Or is it 55 either direction?

23 A. Main line is 55. The whole, the whole point of us going --  
24 the maintenance personnel going on the main line is to run 55  
25 miles an hour. That is why we use that section of track and not

1 the yard. The yard is --

2 Q. So even if you don't go beyond the following -- the next  
3 signal, you're between two signals and you make a reverse movement  
4 between those two signals. It doesn't affect how you're going to  
5 operate or how fast you're going to go back in reverse?

6 A. Not how I was trained, no. Not to my knowledge, no.

7 Q. So it's 55 regardless whether you're between two signals.

8 A. I guess I'm not sure what you're asking.

9 Q. Well, let me see. You got two signals. Here's your train.  
10 You can go in that direction and you stop short of that signal.  
11 And then you make a reverse movement. Does that affect your  
12 speed, how fast you're going to go back in reverse?

13 A. No.

14 Q. No?

15 A. In a reverse, you're not going to see the block signals in  
16 reverse. So my understanding is I have secured through Metro that  
17 section of track for myself.

18 Q. So he gave you that track.

19 A. That authorization is what that's -- what's included in that  
20 authorization is that you will be the only car out there.

21 Q. Okay. And I guess that's what I was trying to get at.

22 A. Okay.

23 MR. TORRES: Sounds good. At this time, I want to pass it to  
24 Dr. Jenner.

25 DR. JENNER: Thank you. Do you need a break, or are you able

1 to keep on going for now?

2 MR. JOHNSTON: I need a potty break at some point, sure.

3 DR. JENNER: Is now a good time for you?

4 MR. JOHNSTON: That's fine, yes.

5 DR. JENNER: Okay, we'll go off the record for a five-minute  
6 break.

7 MR. JOHNSTON: Okay, very good.

8 MR. TORRES: Okay, we're (indiscernible) break. We'll be  
9 back in a few.

10 (Off the record.)

11 (On the record.)

12 MR. TORRES: Okay, we return from break, and we'll continue  
13 with Steve Jenner here momentarily.

14 DR. JENNER: This is Steve Jenner with the NTSB. Actually  
15 (indiscernible) different areas that I eventually want to get to,  
16 but some of it is about your training and experience and your --  
17 sometimes we have a medical physician that's sometimes part of the  
18 interview who's not here today, but I'll be asking you about your  
19 overall health and things like that. But I'm going to wait for,  
20 you know, follow-up questions to do that. I want to continue on  
21 with, you know, just some of -- jump around a bit with some  
22 follow-up questions from your discussion earlier.

23 BY DR. JENNER:

24 Q. If you can explain to me why your first call to the Metro  
25 controller was on the cell phone versus radio? You had mentioned,



1 prior to getting authority, you used your cell phone. Can you  
2 walk us through that, please?

3 A. That's how we were trained. We were instructed in training.  
4 My understanding, it's a common procedure to have a maintenance  
5 personnel -- if you're not able to physically walk up to Metro, if  
6 you're not in the same building or in the same facility even, you  
7 call them on the phone. It's a common practice for us. You would  
8 either call the gold or the blue line. They have two different  
9 landlines. And you would talk directly to the Metro controller  
10 who is working on the line that you're trying to enter or asking  
11 to enter.

12 And they would either say, nope, today's a crazy day; we're  
13 behind schedule. You know, call it off; tell your maintenance  
14 supervisor that no, you can't do testing today. Or they would say  
15 yes, at this time call me from switch whatever, and it's a, it's a  
16 go. It's like a, it's like a courtesy call, a preliminary -- suss  
17 out the situation. If you waste a whole bunch of time moving a  
18 car across the yard up to a switch, installing troubleshooting  
19 equipment, have two contract technicians with you and it ends up  
20 being a big waste of time because you can't go on the main line,  
21 that's what that phone call is for. It's to give Metro a heads  
22 up, and to give us the opportunity to prepare for our  
23 troubleshooting that's sometimes very detailed.

24 Q. Okay. And can you just give a generic -- if you can remember  
25 details, great; if not, just the generic how you request

1 information, what you're requesting and what the response may be.

2 A. Well, you try to keep it short and sweet because you  
3 appreciate that they're on the radio trying to run the main line,  
4 and you've just asked them to pick up a landline. And so this is  
5 Victor 12. Is tonight a good night for me to go on the main line  
6 to the Grand Avenue Bridge and back? Oftentimes that's it.  
7 That's a common thing here, and they're used to it. And if they  
8 say no, it typically comes pretty quick. They know if they're  
9 busy and other things are happening, and it's like, okay, thanks  
10 for your time; goodbye. And you let them get back to what they're  
11 doing.

12 Other times, there will be a pause at that moment where they  
13 check the schedule and they look at the board or do whatever they  
14 do. I don't know what Metro controllers do, but they'll come back  
15 to you on the phone with an approximate time that they'd like you  
16 to be at the switch. And they may ask, will you do one run or  
17 multiple runs? It's short and sweet. It's pretty  
18 straightforward.

19 Q. Did they ask on this occasion will it just be one time or  
20 multiple?

21 A. No. This was a -- no, he just said yes, and I believe we  
22 discussed the time. And I had called -- it's in my cell phone  
23 record. I don't recall the exact time, but it was several minutes  
24 prior to the acceptable time. It was like, okay, we have enough  
25 time to go to the bathroom and turn the train around, go back

1 through a switch in the yard and make it to the 30 series  
2 switches.

3 Q. Is there ever discussion of how much time you think you need?  
4 You say, I need 10 minutes, 15, 20 minutes?

5 A. No. No, it's --

6 Q. It's the --

7 A. It's understood that it would be out and back, and you have  
8 plenty of time to do that. It's understood that it's a 30-minute  
9 -- you have 30 minutes between 30-minute headways.

10 Q. So there's 30 -- typically there's 30-minute headways between  
11 revenue trains?

12 A. That's the whole point of us asking to go at that time of  
13 day. We have to wait for all of our testing until after a certain  
14 time of day, which is part of the reason why we make that phone  
15 call to make sure that Metro is, you know, in fact -- it's up to  
16 them to decide, you know, if we're -- if there's an allottable  
17 amount of time, if 30-minute headways are happening at that same  
18 time every day. It's up to Metro. They run the show. So that's  
19 why we call and ask.

20 Q. So it sounds like it was just a routine permission and  
21 acceptance, that conversation. There was no, yes, but you have to  
22 hurry, or I'm running behind. There is no provisions?

23 A. I don't recall anything about that, no.

24 Q. Okay. And why physically a cell phone versus a radio to make  
25 that call?

1 A. That's how we've been told to do it. I couldn't answer that.  
2 I don't know.

3 Q. Okay. So it was shortly after the phone call that there was  
4 a restroom break, and then you guys were on your way.

5 A. Boy, if I -- and again, recollection serves, the Siemens  
6 employee was using the restroom. I was not. I believe I stayed  
7 behind in the car, and you'll see that on the video. I don't  
8 recall the answer to that question, but if -- I believe, I believe  
9 I stayed behind in the car and made the call, and they went to the  
10 restroom and came back. I don't, I don't recall.

11 Q. Do you have a sense about how long you were out there? We've  
12 talked about a 30-minute window. Do you know how long you were  
13 out there?

14 A. Yeah, 30-minute headways. And if you're going out and back,  
15 that run takes less than 15 minutes, 10 minutes out and back. We  
16 didn't dwell at the top of the bridge or anything.

17 Q. Right. What I heard was typically you're running almost  
18 track speed there and back. Is that my understanding?

19 A. I believe we did run track speed out on the way out, yeah.

20 Q. And on the back, you're now doing the 20 to 30 down to 10 for  
21 troubleshooting purposes?

22 A. For about 200 yards. We didn't make it very far inbound.

23 Q. Okay. Oh, so going out was full track speed.

24 A. If memory serves. There may have been some stop and go, but  
25 nothing in excess of what we had previously done on days prior.

1 Q. What would be the reason for stop and go?

2 A. Well, there's a station. You have to slow down for the  
3 station. Depending on the symptom that you're troubleshooting,  
4 you may need to stop. On a, on a maintenance run like this to the  
5 Grand Avenue Bridge, it's not uncommon to stop dozens of times to  
6 bring the wheel speed to 0 and then accelerate again. If you have  
7 a set of circumstances in a vehicle that you need to reproduce and  
8 you can't do it in the yard from 0 to 10 miles an hour, you would  
9 go on the main line, and you go from 0 to 20 or 0 to 30, whatever  
10 it is you're doing on that particular vehicle.

11 Q. Okay. My understanding is that you went out to the bridge  
12 and came back on the same track; is that correct?

13 A. Correct.

14 Q. Is that standard operation?

15 A. Yes.

16 Q. Okay. Does that track have a number, or Track 1, Track 2?  
17 How do you --

18 A. Inbound and outbound.

19 Q. That's considered the outbound track?

20 A. Yes, sir.

21 Q. Okay. And you're coming back in on the, quote, "outbound  
22 track."

23 A. Correct.

24 Q. Okay. And there's no -- I think you discussed this a little  
25 earlier, but there's -- once you depart after the -- I'm sorry.

1 Let's go back a little. You have the cell phone conversation, and  
2 then you have a radio conversation to formally get authority; is  
3 that correct?

4 A. Correct.

5 Q. Okay. And if you could just provide a little more details  
6 about the radio component and discussion?

7 A. Metro, this is Victor 12 at Signal dah-dah-dah and what I  
8 would like to do. And they answer back with a -- whatever they  
9 say, and then you repeat the authorization time back to them. And  
10 then you're good to go. You then have control of that section of  
11 track for your testing purposes.

12 Q. Right. Do you recall how radio -- how clear radio  
13 communication was that day? Were there any issues with  
14 understanding each other?

15 A. I do not recall any issues, no.

16 Q. Okay. So if I'm going to walk away with understanding that  
17 this evening was sort of routine, there was nothing from your end  
18 --

19 A. Up to a certain point, it was. Yeah.

20 Q. Up until a certain point. But up until that point, it --  
21 everything appears to have gone typically or routinely. Is that a  
22 fair way to --

23 A. Absolutely. Very, very similar to many other nights that we  
24 had done almost exactly the same thing.

25 Q. Okay. You had talked about the training for operating --

1 training you received for operating different types of trains.  
2 You have three different types of trains. For that, you did  
3 receive some formal classroom and on-the-road training?

4 A. Correct.

5 Q. Okay. Is there testing and qualification runs involved in  
6 that?

7 A. Yeah. You're testing in the classroom after the instructor  
8 presents the material. There's a written component to the test.  
9 Operating on the main line with the instructor and the instruction  
10 that comes with that, and then you operate while he observes. And  
11 that's the test.

12 Q. Okay. Is there also testing on the -- your knowledge of the  
13 signal system?

14 A. Yeah, and there's also yard -- switches in the yard. I  
15 believe there's a separate component for the yard and the throwing  
16 manually, throwing switches in the yard. And yes, throwing  
17 switches in the main line, whether they be manual or automated.

18 Q. When did you receive your training to operate trains?

19 A. Most recently was relatively recently, actually. It's a  
20 couple months ago, as I recall.

21 Q. So before a couple months ago, you were not operating trains?

22 A. No, we get -- no, sorry --

23 Q. No. When did you, when did you first learn --

24 A. When did I first receive my training?

25 Q. Yes.

1 A. Well, I was hired almost 4 years -- sorry, 5 years ago.  
2 Would have been at that time.

3 Q. And about how long was --

4 A. I don't, I don't recall -- I know getting the Class A  
5 license, which is -- that took the district a bit of time. And as  
6 I recall, you can't do your main line training until you have your  
7 Class A license. I don't recall exactly. I'm sure there's  
8 records that would, that would speak to that. But having been  
9 employed here for nearly 5 years, it would have been within the  
10 first year of my employ that I received, you know, the training.  
11 Main line, yard and the switches and all that. And then the  
12 follow-up -- you know, the refresher -- rulebook, is what we call  
13 it. And I had just gone through that, like I said, relatively  
14 recently. I don't recall exactly when, but I want to say it was  
15 in -- within this year, several months ago.

16 Q. Is that like an annual type of refresher or test?

17 A. The district has a criteria as to how often you do it. I'm  
18 not 100 percent sure what that timeline is.

19 Q. Okay. We talked about the 30-minute space between -- gap  
20 between trains. Is there a period where there's a shorter gap,  
21 like a rush hour period where the gap between trains is less than  
22 30 minutes?

23 A. Yeah, we recently -- relatively recently started running 15-  
24 minute headways. But again, that's -- the whole point of that  
25 phone call to Metro is to be certain that -- after that time of



1 night, we had gone to the 30 minutes and --

2 Q. Yeah, I'm just trying to learn the operations in general.

3 A. Yeah, different times of day.

4 Q. Right. Did you know when that 15-minute period lasts between  
5 certain clock times?

6 A. I work at night. I don't know what happens on the main line  
7 typically, as I'm a maintenance employee. They run the main line  
8 how they run the main line, and we fit in where they allow us.

9 Q. Got it. Okay, just to understand some details, on the way  
10 back after you reached the bridge and on the way back, you  
11 discussed seeing a headlight for the first time, perhaps between  
12 trees? I'm going to let you summarize when the first time that  
13 you saw the headlight coming at you. From the revenue train --

14 A. Oh, okay.

15 Q. -- so you're on your way back. And at some point, you detect  
16 that there's an approaching train.

17 A. Well, yeah, it's a --

18 Q. I'm trying to understand when it was --

19 A. Was there a more detailed -- I'm sorry, I'm not --

20 Q. Sure.

21 A. What are you looking for?

22 Q. When you first detected that there was a train approaching  
23 you, did you hear something? Did you see something? Did someone  
24 in your train alert you to it?

25 A. No, I saw it plenty early. I believe I saw it before -- the

1 only other person that was, that -- again, the two Siemens  
2 employees, two Siemens contractors, that were with me, one was in  
3 the middle of the car. He was nowhere near the cab. The other  
4 one was standing in the passenger compartment at the cab door  
5 observing me driving, you know, for the troubleshooting that we  
6 were doing. I'm certain that I noticed it first. Maybe we  
7 noticed it at the same time. I don't know what he saw, but --  
8 Q. Right. And what I'm trying to understand is how -- about how  
9 far away it was and what did you see. Did you -- can you give an  
10 estimate about how far away it was?

11 A. I might -- my estimate would be it was well beyond 400 yards  
12 when I first saw it. Again, it is relevant that there was a curve  
13 there, trees obstructing the view. And when there's a curve, the  
14 rail lamp, assuming it's a rail lamp -- in this case, it was -- is  
15 not shining directly at you. So until it straightens out and  
16 shines directly at you, discerning it from other headlights can't  
17 be done. There's lots of lights in the background.

18 Like I said earlier, there's cars on the road. There's a UP  
19 track adjacent that oftentimes will produce a similar  
20 circumstance. And this particular light was brighter and it  
21 became apparent at -- like I said, around 400 to 300 yards or so,  
22 it became apparent that this was a rail lamp of a train and that  
23 it was crossing through the trees from what would be the UP side,  
24 potentially. It was getting closer and closer. And as it, as it  
25 became closer and closer to in line with our track, it was also

1 turning to face us, so the light became brighter at that time.  
2 And I would describe that as 300 yards.

3 And by then, I'm already decelerating. And as it becomes,  
4 you know, very apparent that it is another train on our track,  
5 we're obviously decelerating more.

6 Q. Did you hear -- do you know if the other train used its horn?  
7 Did you hear anything?

8 A. I don't think we were ever close enough for that to be  
9 relevant, no. It was so far away. When I started decelerating  
10 and reacting, we were too far away for audible.

11 Q. Okay.

12 A. I mean, if there was a horn, it was well after the point  
13 where I had decided to stop the train completely and leave the  
14 cab. I don't recall hearing a horn. Doesn't mean there wasn't  
15 one. I just don't recall.

16 Q. Maybe at the, at the next break, would it be possible for --  
17 if you were to look at your cell phone call record to see what  
18 time your outgoing call was so we can try to get a sense of --

19 A. Yeah, I have it written down in my notes. I just didn't  
20 bring them in. My wife's in the car. I'll just grab the paper  
21 where I wrote it down. Yeah.

22 Q. We'll revisit that, if that's okay.

23 A. Okay.

24 DR. JENNER: That's all the questions I have for now, so  
25 we'll just continue to my left.

1 MR. ROSE: Did you want to take that break and go grab that  
2 note real quick and give yourself a --

3 MR. JOHNSTON: I'm good if you want to keep going.

4 MR. ROSE: Okay.

5 MR. JOHNSTON: If you want to stay on that topic, I'm happy  
6 to go get it. Whatever.

7 DR. JENNER: We'll continue.

8 MR. ROSE: Okay. My name is Michael Rose. I'm with the CPUC  
9 here in the state of California. So I just have a few questions  
10 for you here, Ryan.

11 BY MR. ROSE:

12 Q. So when you guys leave the shop, what is your, what is your  
13 written procedure that you guys have in place for that move that  
14 you, that you did that night?

15 A. When we leave the shop or when we leave the yard?

16 Q. I'm sorry, I'm sorry. When you leave the, when you leave the  
17 yard to enter the main line, do you have a written procedure for  
18 that move?

19 A. Yeah, I'm not going to be able to recite it line for line per  
20 rulebook. But obviously, obtain permission is -- you know, you're  
21 going to make contact with Metro, tell them where you are, tell  
22 them what you want to do, obtain permission to do so. They give  
23 you an effective time. They may give you -- they may say no, but  
24 if they say yes, they're going to give you, you know, a time. You  
25 repeat the time back to them. And if there were any special

1 instructions, that would be the time Metro would give them to you.  
2 It didn't happen this evening.

3 Q. Okay. With that, when you say they give you a time, do you,  
4 do you notate that time anywhere? Do you have a written document  
5 that you write down the time you were given the authority to go  
6 out there? Or if you were given a special instruction, do you, do  
7 you write that down or just remember it?

8 A. No. There's no need to remember it. We've only been  
9 instructed to repeat it back over the radio. If the special  
10 instruction was that the effective time was not right now, if they  
11 said a time to me that wasn't right now, like, the current time, I  
12 would, I would second-guess Metro and say, wait a minute, what  
13 time is it?

14 Q. Right, right.

15 A. What time is it right now? That's not what happened this  
16 day.

17 Q. Okay. Was there a time when the procedures were changed or  
18 different than what you performed on that night? Did you use --

19 A. Which procedure?

20 Q. Did you guys use a different track? Did you guys use the  
21 inbound track at one time, or have you guys always used the  
22 outbound track to leave the yard?

23 A. Yeah, I mean, those procedures, those maintenance testing  
24 procedures, have changed a couple times since I've worked here,  
25 the short time I've worked here. We used to be able to put cones

1 up inside the yard and run on the yard lead, the first track in  
2 the yard adjacent to the main line. We would obtain permission  
3 from Metro to put, you know, barricades up, or cones, and exceed  
4 the yard speed. It's been a long time since that was the case,  
5 and I do not recall the authorized speed in the yard. Haven't  
6 done that for many years.

7 Dayshift, which I have not been on for many years -- well not  
8 many years, but it's been a couple years -- would do a brake rate  
9 testing. And they would manually throw the switch, which is some  
10 -- many yards away from the box that I used that evening, the  
11 automated box, and manually throw switches. They will exit the 30  
12 series, again, on the inbound track and then come back into the  
13 yard on the inbound track. That was the procedure for brake rate  
14 testing for some time. Other times, they would cross over and do  
15 the procedure that I did. It was all at the time that we had 30-  
16 minute headways all day long.

17 And depending on where trains were in the system and where  
18 they wanted to fit you in between trains, revenue trains, they  
19 would tell you, use the box and cross over, or use the manual --  
20 throw the -- unlock and throw the switches manually and stay on  
21 this track. I mean, that's years ago now. I don't, I don't  
22 believe that's how we do it anymore. Those procedures are -- and  
23 again, I haven't done brake rate testing on an inspection on  
24 dayshift. It's not a function that I have performed in several  
25 years. And that's completely separate from what happened this

1 time.

2 Q. Right, right. Okay. So in your words and your understanding  
3 of rules and of procedures and the move that you guys do out there  
4 on the main line, what -- again, in your words, what is your  
5 protection out there?

6 A. Metro control. That's not -- it's recited often around here  
7 that Metro is God. And to me, that was always, you need to  
8 respect Metro. I believe it was a Metro controller that said that  
9 to somebody at one point. You have to respect and trust Metro.  
10 And to me, that always seemed a bit interesting because, not only  
11 do you have to do exactly what God says, but you then -- your life  
12 is in God's hands. And I always saw that as a twofold statement.  
13 But yeah, per our training, it's Metro control. Per our training  
14 and day-to-day practices, you're asking Metro for permission for  
15 everything. You're not allowed to do anything that they don't  
16 give you authorization for. And you're asking them for any  
17 authorization for something that you might like to do. You're  
18 trusting the magnet on the chalkboard.

19 Q. Right. So I'm going to change it up here a little bit. I  
20 actually worked on the other side of the tracks for 15 years with  
21 UP, so I know exactly what you're talking about, especially in  
22 this area with the different lights and trying to ascertain cars.  
23 On ours, it was Metro, so I understand the UP trains and stuff  
24 like that. You were trying to ascertain which is which until you  
25 come around that corner and have clear sight. You talked a little

1 bit earlier about the -- before the collision. I want to get to  
2 the point of collision. So at the point of collision, where were  
3 you exactly? Were you still in the LRV? Did you exit, jump from  
4 the LRV? Or where were you at the point of collision?

5 A. I exited the cab. And the Siemens employee, the Siemens  
6 contractor had dove or thrown himself onto the floor in the aisle.  
7 And that seemed like a good idea. Covering him up. I don't know.  
8 That's what happened. It was an instinctive thing to do, is to  
9 jump on top of him. And he didn't get hurt, so I guess that was a  
10 win.

11 But yeah, I -- the process I went through before I exited the  
12 cab -- because believe me, I wanted to exit the cab a lot earlier  
13 than I did -- was to double check that I was in a, you know, brake  
14 stop and that the train was -- it was decelerating, is -- I had  
15 already done everything I could do, in my opinion and my  
16 recollection, plenty early. I just remember thinking, why is this  
17 other train not stopping? Like, I had plenty of time to stop.  
18 Why is this other train not stopping? And then it was like, well  
19 now I need to protect myself, and having just a matter of a second  
20 or two to do that, that's what I chose to do.

21 MR. ROSE: Okay. Thank you, Ryan. That's all I -- the  
22 questions I have at this time. Thank you.

23 BY MR. ROSE:

24 Q. Does the authorization from Metro control include a  
25 designation by them or what track the authorization is for? Do



1 they tell you what track you're going to go down?

2 A. No, it's understood that if you're at that particular switch  
3 -- there's only one button. Excuse me, there's two buttons. One  
4 is a cancel button to cancel the current call on the main line.  
5 The only other button in that box is to cross over to the outbound  
6 track. There is no other option at that position at that box.

7 Q. So does Metro control the authority to take that switch and  
8 push the button?

9 A. They give you authority to even open the box.

10 Q. Okay, that -- and that's -- I don't know what they tell you,  
11 so that's -- what I'm asking you is, do they tell you to go to the  
12 box?

13 A. Yeah, the way I was trained, we're not allowed to pass the  
14 aspect. So Wayside has built a system so that the box, the  
15 control box, is -- prior to, you can line up your door with the  
16 box prior to crossing the aspect. So you'd stop at the aspect,  
17 you'd read the box number to Metro, get your authorization on the  
18 radio. And you've already lined yourself up with the box. So  
19 there was no -- to my knowledge, there's no way to get from that  
20 point onto the inbound track. It's not possible.

21 Q. Last question I have for you at this time would be, do you  
22 know of a safer way to do this, to conduct this move that you did  
23 that specific night?

24 A. Yeah, I do. There's a lot of things that could be done  
25 differently. There's systemic issues with our entire system that

1 could be improved upon. There's specifics to that location.  
2 There's protocols and procedures at Metro control and at the  
3 operator level, whether it be maintenance or revenue operators,  
4 that could be improved upon. I have been trying to discern what I  
5 did wrong based on my recollection of events, and I am at a loss,  
6 so I am looking forward to the discovery that comes from your  
7 investigation. Because I'd like to learn what went wrong.

8       If I was going to improve upon that particular move, that  
9 particular maintenance testing that we do right there, we do  
10 confirm holds, other places in the system, for switches. We also  
11 have had issues with that switch in the past. The very last time  
12 I did rulebook -- again, just a few months ago -- it was explained  
13 that that particular location, sometimes you'll get a white X  
14 indicating that the crossover switches have lined for your move  
15 when you press the button. And then you get the red over yellow,  
16 red over yellow, whatever it is. But lately, we've been getting a  
17 green. The green light was not operational for some time, and it  
18 was red over yellow. So during rulebook this last time, it was  
19 explained to us that, don't be surprised if all you get is a white  
20 X.

21       That night I got a green, and I had gotten green for several  
22 weeks prior. And it had become common practice -- the green light  
23 -- a green aspect is a green aspect. You got visual confirmation  
24 that the switch is lined and a green aspect. You've already got  
25 your authorization. You're clear to go. That is -- if I was

1 going to improve safety it -- or I mean, I assume that's what you  
2 mean, a better way to make that move. But obviously, safety is  
3 why we're all here today, right?

4 Q. Yeah.

5 A. Confirm hold. Not knowing exactly what went wrong, it's hard  
6 for me to answer that question. It's also hard for me to answer  
7 that question -- I don't want to present the appearance that I'm  
8 void of blame or that I'm blaming another party, because I don't  
9 know entirely what happened. But a confirmed hold seems to have  
10 worked in other parts of our system.

11 Q. And just stop you right there. We're not assessing blame or  
12 anything. We're just here --

13 A. I appreciate that. That's why I think, that's --

14 Q. We're just doing, just doing a fact finding.

15 A. The rest of my ideas are a little more detailed in nature,  
16 and I'd like to see the video first. And if you want to show me  
17 the video later and ask me that question, I'd be happy to share my  
18 opinion. But right now, based -- you know, not knowing exactly  
19 what went wrong -- obviously one or both of those trains were not  
20 supposed to be there at that time. That's all I know.

21 Q. Okay. Fair enough.

22 A. So Metro control -- I'll state that more broadly. The  
23 control system, whether it be Wayside or Metro control, needs to  
24 have more control. I don't know how else to say it, again, not  
25 knowing the particulars of what the failure was this time.

1 There's an awful lot -- you know, that's a hard answer -- a hard  
2 question to answer, because operators, we put so much trust and I  
3 -- there's no other way to say it. Blind trust in a voice on the  
4 radio. The magnet's on a, on a board. It literally is how we  
5 keep track of our system, and that's never sat well with me and a  
6 lot of other people that operate on the main line, is you're  
7 trusting your life and the -- I take my responsibility very  
8 seriously, that I have the lives of others on the train.

9 I'm not cleared to operate revenue trains, so I don't have  
10 the general public in my cars. But I'll have other technicians or  
11 supervisors. In this case, it was Siemens contract employees. I  
12 take it very seriously that I'm operating and I have to do so in a  
13 safe manner. I'm responsible for their welfare at that point.  
14 And trusting magnets on a chalkboard has never sat well with me,  
15 but we've become accustomed to it. It's the normal way of doing  
16 things here where I'm employed, and that's what I have to become  
17 accustomed to to operate on this main line, this system. It's the  
18 way it's done.

19 MR. ROSE: Thank you, Ryan.

20 MR. DARRAGH: All right, this is John Darragh.

21 MR. DARRAGH: Ryan, do you recall, when you contacted Metro  
22 control by phone, what number did you call?

23 MR. JOHNSTON: I do not recall the digits, but I know that it  
24 is correctly labeled in my phone as RT Metro Blue Line. I've  
25 called that number many times. I always get the blue line

1 controller. Again, I'd be happy to grab the cell phone and show  
2 you the exact call history, if that's what you'd like.

3 MR. DARRAGH: Can we do that?

4 MR. TORRES: Well, let's do that. Let's kind of continue.

5 MR. DARRAGH: Okay.

6 MR. TORRES: And then I'll -- towards the end, we'll  
7 (indiscernible).

8 BY MR. DARRAGH:

9 Q. When you spoke with the controller, were you told to proceed  
10 after a specific train? Were there any other instructions with  
11 regard to the information that you had on the phone versus what  
12 you got on the radio?

13 A. On the phone, I mean, it's not uncommon to hear, you know,  
14 after this train -- obviously you want to go after the inbound and  
15 the outbound have crossed. I mean, that's the goal. You want to  
16 be in between the 30-minute headways of the two revenue trains.  
17 One will be at Watt/80 taking a break, is what they do. And you  
18 have plenty of time, "plenty" meaning oftentimes way more time  
19 than you need to drive to the Grand Avenue Bridge and back.  
20 That's why this is the prescribed procedure. I'm sorry. Say your  
21 question again?

22 Q. So my question is, were you told to proceed after a specific  
23 train or train number? Did he -- did the controller give you  
24 instruction or direction about when to proceed?

25 A. No, I was given authorization time and permission to enter.

1 Q. I'm asking either on the phone -- was there any correction on  
2 the phone as compared to the radio that may have been different?

3 A. No. No, I don't, I don't recall any particulars about  
4 anything that was out of the, out of the ordinary. Even so, that  
5 would have been a very informal phone call, and the pertinent  
6 authorization would have been on the radio. At that time is when  
7 I received my authorization.

8 Q. Understood. I was just trying to clarify. During your  
9 request on the radio, and you stated you would only be using the  
10 outbound main line, stated that the box only directs you to the  
11 outbound main line. So was that understood that you are  
12 proceeding using only the outbound main line, correct?

13 A. Are you saying that you heard the recording and that is what  
14 I said or --

15 Q. No, I'm asking you, in your request on the radio, did you  
16 request to proceed only using the outbound main line?

17 A. Likely not. That would have been superfluous information, as  
18 at that particular box, there can only be one selection made. You  
19 can't get to the inbound line, as I stated earlier, from that  
20 particular location that I called from. There's not a button in  
21 that box that lines you for the inbound. It's not possible.

22 Q. Okay. I understand. I guess --

23 A. So the answer is no. We don't specify that. It's well  
24 understood.

25 Q. And you clarified you were only going to the Grand Avenue

1 Bridge.

2 A. Correct. That is, that is what gets verbalized, that to the  
3 top of the bridge and back to the yard.

4 Q. Okay. So just for clarification, there was never an  
5 understanding in your mind that you were proceeding past the Grand  
6 Avenue Bridge into single track and then would be reversing back  
7 in that?

8 A. No. That's not something that we ever do. No, that's not  
9 part of that procedure. That would, that would have been highly  
10 abnormal. No. In fact, I don't think I've ever done that. Short  
11 of going all the way to Watt/80, which is, again, not something  
12 that we normally do and not what I asked for on that night. Not  
13 what I had authorization for that night.

14 No, the understanding in this procedure, Grand Avenue Bridge  
15 and back. The Grand Avenue Bridge run -- there's not, like, a  
16 formal name for it, but it's what we get trained to do. Top of  
17 the bridge -- the reason why you go to the top of the bridge is  
18 because if you go any further you go -- you enter another block,  
19 and then you have another switch, as you referenced. And you'd  
20 need a whole other set of procedures and it would become a much  
21 larger move. And we're trying to limit the move to out and back  
22 real quick, get off the main line. That's why we do it that way.  
23 When I say "we," I mean the district. This is how we've been  
24 trained to do it.

25 MR. DARRAGH: Okay. That's all my questions. Thank you.

1 MR. NIZ: So --

2 MR. TORRES: Identify yourself.

3 MR. NIZ: My name is Ralph. I am the president/business  
4 agent of ATU 256. I represent the operators, okay?

5 BY MR. NIZ:

6 Q. These questions I'm going to ask you are for clarification  
7 purposes only, okay? Because I want you to understand, safety has  
8 always been paramount with us, okay? So a couple of times, you  
9 stated on the switch, okay, that you'd been informed that it was  
10 broken, malfunctioning, leaving the yard, okay? Where you'd get a  
11 white cross or whatever, right? To your understanding, have you  
12 ever been told that that was repaired from the last time you went  
13 into training?

14 A. Yeah, that's what I was told when I was in training --

15 Q. That it was repaired?

16 A. -- is that it had a history of malfunctioning, in fact,  
17 relatively recently, and that it had been repaired several times  
18 over the last however long. Maintenance records, I'm sure, will  
19 show that -- that was something that our rulebook instructor  
20 specifically told us as an FYI side note. It's not written in the  
21 rulebook. This is just extra --

22 Q. No, no. I understand. Yeah.

23 A. -- local information that you might need to know. If you  
24 ever pull up to that switch and don't get an aspect, is what he  
25 said, call Metro again and tell them, hey, I've been sitting here;



1 I have a blank aspect, or I have a white cross but no red over  
2 yellow, or I have a white cross but no green.

3 Q. And they authorize you to proceed or whatever.

4 A. Well, that's up to Metro. They would do --

5 Q. No, that's what I'm saying.

6 A. I have never found --

7 Q. They authorize you.

8 A. I have never found myself in that situation. I've  
9 actually -- I don't believe I've ever seen that myself. I've  
10 always received the proper aspect at that location.

11 Q. So your training. When you -- you've been here 5 years,  
12 okay?

13 A. In October, yes.

14 Q. Okay, so you've been here 5 years. So you went through  
15 training with regular operators, the rulebook training.

16 A. The classroom setting, you're speaking of?

17 Q. Yeah, the classroom. Yeah.

18 A. Yeah, we went through -- the first time I went through, there  
19 was, I believe, one or two operators in there. The second time I  
20 had my refresher, I believe it was -- wayside employee was in  
21 there. There was one or two operators, and I think there was  
22 another maintenance employee as well.

23 Q. So in your almost -- your 5 years here, how many times have  
24 you been through refresher training?

25 A. I believe I've been to rulebook -- I don't recall if it's two

1 or three times. I'm sure there's records that will show. I know  
2 I've been at least twice.

3 Q. Okay. Now what about stick time, okay? Who certified you to  
4 go on the main line?

5 A. The trainer.

6 Q. The trainer. Okay.

7 A. Yeah.

8 Q. And how much stick time have you had? Actual line time. You  
9 know, line time.

10 A. More than most. There's quite a few maintenance employees  
11 that don't get out there very often at all. I'm oftentimes called  
12 upon to recover vehicles. I've recovered vehicles from 13th  
13 Street multiple times. I've recovered vehicles from Sac Valley,  
14 Sunrise. I've been out to Watt/80. I stopped counting how many  
15 times I've been out there.

16 Q. Okay. So you do have plenty of stick time.

17 A. I believe I do. The district believes I do, and I do as  
18 well.

19 Q. Well, I won't comment on that, but as long as you're  
20 satisfied with your stick time, that's separate issue, okay?

21 A. I'm main line certified, if that's what you're asking.

22 Q. Yes, yes, that's what I'm asking, okay? And do you -- are  
23 you aware -- because you -- would you say that -- you know, you  
24 call up on your cell phone. Are you aware who -- when you call  
25 dispatch, is it a recorded line?

1 A. Can you say the question again?

2 Q. Okay. So when you say that you called up to see if you're  
3 able to go out that day for any maintenance on any train, any car,  
4 you call up. Is it a recorded line?

5 A. Are you referring to the radio or the telephone?

6 Q. The cell -- no, no. The radio I know is recorded. The cell  
7 phone.

8 A. My understanding is that the landlines are not recorded.

9 Q. They're not recorded. Okay. Okay, yes, that's -- that was  
10 my point, okay? So the other point is that night, you received  
11 authorization from, you received authorization from Metro control  
12 to proceed. To, you know, go on main line.

13 A. To enter the main line at --

14 Q. Yeah. Yes. Okay.

15 A. -- that location at that time, yes. Correct.

16 Q. Yes. Okay, now do you -- are you aware that -- and it's to  
17 my understanding that maintenance and radio control operate on two  
18 different channels? Are you aware of anything like that?

19 A. No, when you're on the main line, you're on Channel 1 on the  
20 blue line, Channel 2 on the gold line --

21 Q. Okay, so there -- you're not, you're not aware that you're on  
22 a separate channel from regular operators while you're on that  
23 line, on the main line?

24 A. That's not a correct statement, sir.

25 Q. No, no. I'm just asking you. I'm not saying -- I'm asking,

1 do -- are you aware if that -- does that happen? Let me rephrase.  
2 That there's two separate channels.

3 A. There's only one channel for main line operation.

4 Q. Okay, so --

5 A. For the blue line, there's Channel 1, LRT 1. And for the  
6 gold line, there's LRT 2.

7 Q. Okay. So when you left and went on the main line, did you  
8 hear radio control issue an advisory that you were on that line?  
9 It's not -- just for clarification purposes.

10 A. The first thing that comes to mind, sir, is that advisories  
11 are often issued many minutes later, and that is not necessary for  
12 us to proceed. We get our authorization and we proceed.

13 Q. Okay. Well, I'm getting -- what the point --

14 A. I'm not involved in advisories.

15 Q. No, I --

16 A. Maintenance personnel does not respond to advisories. And  
17 even when we're identified as an extra train in a different  
18 situation than we're discussing today, if I were recovering a  
19 train, a maintenance train, that was disabled from somewhere else  
20 in the system and I was identified as train number -- oftentimes,  
21 it'll be extra train, whichever train you're following. So you'd  
22 be -- if you're behind extra -- if you're behind Train 8, you'd be  
23 Extra 8. I'm identified as a train on the system. The advisory  
24 goes out as you described. Everybody on the main line has to  
25 answer that they have heard that advisory. My point is,

1 maintenance personnel do not answer that advisory. So we have  
2 nothing to do with advisories.

3 Q. And I understand that, okay? What I'm getting to is that, if  
4 another train is out there, an extra train like you were out there  
5 that night, you are told to proceed, okay, by radio control.  
6 After that, an advisory should have went out to notify the other  
7 operators that there was an extra train on the track. Did you  
8 hear that at any time, that advisory?

9 A. I do not recall one way or the other.

10 Q. Okay. All right. That's what I want to clarify. You see  
11 what I'm saying? Yeah.

12 A. Sorry, I thought you were, I thought you were asking more.

13 Q. No, no, no, no. Because that's --

14 A. I do not recall an advisory one way or the other.

15 Q. Okay. That should have been a standard practice, okay?  
16 That's -- okay. So --

17 MR. NIZ: Okay, that's all I have. Thank you very much.

18 MR. TORRES: Steve?

19 DR. JENNER: I do have a series of questions in different  
20 directions. Do we want to take a break and --

21 MR. JOHNSTON: I do, yes.

22 DR. JENNER: Okay, let's do that.

23 MR. JOHNSTON: Would you like me to grab the phone while I'm  
24 out right now?

25 DR. JENNER: That would be great. Yes, thank you.

1 (Off the record)

2 (On the record)

3 MR. TORRES: We're back from break. Tomas Torres with the  
4 NTSB. I just got one more question, I guess a clarification.

5 BY MR. TORRES:

6 Q. How many signals did you encounter? You encountered one  
7 before you left right in the yard to the main track. You said you  
8 pushed a button --

9 A. Again, I'm not intimately familiar with the main line like  
10 maybe a Wayside employee would be. But I know there's one at the  
11 switch, you know, to exit the yard and enter the main line where  
12 you make the call from. I know that there's one at -- I believe  
13 there's one at the Marconi, just outbound of the Marconi station.  
14 And there's also one which we -- in this procedure, this run, we  
15 are not to overrun this next, you know, block signal, which is  
16 beyond the top of the Grand Avenue Bridge.

17 Q. So you have to stay between the signals.

18 A. Between that signal, yeah. Well, there's one at Marconi that  
19 we pass.

20 Q. Oh, you pass that one.

21 A. We do pass that one.

22 Q. And then when you come back?

23 A. Yes.

24 Q. And then when you come back, does it give you an indication  
25 too?

1 A. Not when you're --

2 Q. Not on reverse?

3 A. Not on our reverse run.

4 Q. So they're directional? Outbound you're only, you're only  
5 going to see the signal itself going out?

6 A. I would default to my training that says, when you have  
7 authorization to go out and back and you're in control of that  
8 block -- I don't believe they point the wrong direction, no.  
9 There's the -- there will be a --

10 Q. No, no. I'm saying you don't -- there's no, there's no back  
11 to it, right?

12 A. I didn't get that far, actually, to answer your question. I  
13 didn't make it that far back inbound anyways.

14 Q. Okay, so --

15 A. I don't recall because I didn't go there that night. You're  
16 asking me to remember over a week ago from the previous time I  
17 made that run. I don't recall.

18 Q. I was trying to understand the signal system.

19 A. Yeah, I --

20 Q. I mean, does that convey color from both sides, you know,  
21 (indiscernible)? Or is it just --

22 A. I do not recall.

23 Q. -- outbound/inbound?

24 A. I do not recall. I know there is training regarding dwarf  
25 signals that are a different type, different configuration, and

1 those were orientated for reverse running. And if instructed to  
2 reverse run and follow a dwarf signal, that is what you would do.  
3 But that is not part of this procedure.

4 Q. Okay. So you mentioned block. So what makes it a block?  
5 You know, what limits make it a block?

6 A. As far as where these blocks end --

7 Q. Right.

8 A. -- and begin?

9 Q. Yeah, right.

10 A. I have no idea. That's in the hands of Metro.

11 Q. So he just told you you can proceed from the yard to --

12 A. Correct, to the Grand Avenue Bridge.

13 Q. And that would be your --

14 A. And back to the yard.

15 Q. And that's a block.

16 A. And I was secure within that area.

17 Q. Okay. So he establishes the block, the limits.

18 A. Correct.

19 Q. Okay. So it's --

20 A. Well, I asked for the top of the Grand Avenue Bridge and back  
21 to the yard, not because I'm intimately familiar with our  
22 signaling system. Because that's what I was trained to do. That  
23 is the specific location I was told to do this type of training  
24 and had done so previously.

25 Q. So when you ask for those limits that he is -- the



1 operator --

2 A. The controller.

3 Q. The controller is the one that establishes the block, the  
4 limit.

5 A. Correct. He's the one who authorizes it. Correct.

6 MR. TORRES: Sounds good. That's all I have for my  
7 questions.

8 DR. JENNER: Okay, this is Steve Jenner.

9 BY DR. JENNER:

10 Q. I'm going to bounce around like before. In general, how  
11 common is it for you to take a train out on the main line? Is  
12 that something you do every day or once a week?

13 A. Lately, as in the last month, every day. Almost, nearly  
14 every day.

15 Q. And how often do you get declined on your first contact with  
16 Metro operator that -- can I take it out now? And they'll say no,  
17 it's not a good time.

18 A. Lately it hasn't happened. Previously, as in like a year ago  
19 or 2 years ago -- and again, that would have been on a dayshift  
20 when I was working on days -- you were declined more often because  
21 we're -- we, the district, Metro control, is trying to adhere to  
22 the schedule and maintain service, and maintenance becomes  
23 secondary. We're the lower priority in that instance. They want  
24 to keep the main line on time. So it happened more on dayshift.  
25 And because that was so common, like you asked, on that, on that

1 dayshift, oftentimes the main line testing was prescribed after a  
2 certain hour of the day when there was less ridership. Headways  
3 would have been different times, potentially. Less trains on the  
4 system, potentially. Whatever Metro prescribed.

5 Q. Okay. And you may have answered this before, but on a  
6 typical round trip, the moment you hit the main line, you go up,  
7 you come down and exit the main line, how long is a typical trip  
8 in terms of time?

9 A. From the 30 series to the Grand Avenue Bridge?

10 Q. And back. Round trip.

11 A. And back, round trip? I couldn't speak with any precision.  
12 I've never actually timed it. But I know we've never had this  
13 problem before.

14 Q. I'm going to try to nail down --

15 A. 15, 10, 15 minutes.

16 Q. 10, 15 minutes. Okay. So when you get approval to go  
17 between the headways, it could be -- it could end up that you're  
18 entering the main line just 1 minute after a revenue train passes,  
19 or it could be 5 minutes, or 10 minutes, or 15 minutes after the  
20 last revenue train; is that correct?

21 A. Correct, with 30-minute headways. The instruction, the  
22 formal instruction, that we received was you have to wait for the  
23 outbound car. Obviously you have to wait for the inbound car to  
24 pass as well. But the outbound car -- because that's the track  
25 that you're going to, is the outbound track -- has to depart the

1 Marconi station.

2 As I mentioned earlier, there is a block signal there. That  
3 car -- you won't get the call. You can push the button all day  
4 long. You won't get the proper aspect. As long as that car is in  
5 that station, it has to depart the station. It immediately then  
6 passes that block signal. Now you can make your call. So Metro  
7 at different times -- not what happened this time. At different  
8 times, it has happened where -- earlier you mentioned a special  
9 circumstance. This would be one such occasion. This happened to  
10 me before where Metro would say you have your authorization when  
11 the train departs Marconi. You have your authorization effective  
12 now, right now, but don't push the button until that train departs  
13 Marconi because I don't want to hear you back on the radio saying,  
14 I still have a red aspect. Of course you do. There's still a  
15 train in your block, and you can visually see him from that  
16 location.

17 So it's not a huge request. It's not unsafe, and it's -- and  
18 we get trained for that. You can see from the 30 series, you can  
19 see the Marconi station, you can see the car in the station.  
20 We're trained. We understand there's a train in that block. We  
21 have to wait till he proceeds to Watt/80. And if we follow too  
22 closely behind him, we won't be able to leave Marconi.

23 Q. Got it. And that's what happened in this case?

24 A. No, it is not.

25 Q. Oh, it is not. Okay.

1 A. That was an example of what happened to me several years ago.  
2 It is included in our training when we are trained for this  
3 procedure. It is not what happened the night in question.

4 Q. No, what I mean is that you were not too far behind the train  
5 that had departed. You were -- it was relatively --

6 A. I have no idea. I never saw it.

7 Q. You have no idea.

8 A. Never saw it. I still -- seeing as how I'm looking for  
9 answers here as much as you guys are, I have no idea if that car  
10 was still at Watt/80 as it should have been -- my understanding of  
11 the situation, it should have been still at Watt/80 -- or if it  
12 had already proceeded inbound. I don't know what Metro was doing  
13 with the cars on the main line that night, obviously.

14 Q. Okay. We had talked previously about cell phone times. Were  
15 you able to get any information for us?

16 A. Yeah, August 22, 2019 at 9:24, I dialed what I've labeled in  
17 my phone as RT Metro Blue Line. That number is [REDACTED]  
18 Spoke to the Metro controller that's operating the blue line. At  
19 least that's the assumption that we make when we call. That's the  
20 only person that's supposed to be answering that phone.

21 Q. Did you recognize the voice of the person you spoke to?

22 A. There are so many different controllers. They change shifts  
23 all the time, break times and whatnot. I don't, I don't try to  
24 recognize their voices or memorize their names or anything. And  
25 we have very little to do with each other in a social capacity.

1 They're upstairs; we're downstairs. We don't know each other.

2 Q. Okay. Did you make another call -- was that the last call  
3 you made until the, until the incident?

4 A. Correct. Until the radio call.

5 Q. Right, but -- using your cell phone.

6 A. I only made the one cell phone call. Yeah.

7 Q. You had mentioned previously the term "confirm hold." I'm  
8 not familiar with the term "confirm hold." Can you walk that  
9 through for me, please?

10 A. It's not something that we do in this part of the system, at  
11 least not on a regular procedural basis. It is, however,  
12 something that we do at different locations in the system when an  
13 employee needs to gain access to the right of way, for example, to  
14 throw a switch. The best example would be 13th Street, switch  
15 101. If you need to put a track bar on that switch and throw that  
16 switch to do the prescribed moves, there's a yard there, so we  
17 pull off the main line on -- cuts and adds at that location.

18 Part of the required safety procedures is, after you've  
19 obtained your authorization for the moves, you additionally must  
20 ask Metro for a confirmed hold. Metro will then identify the  
21 trains that are pertinent to that location based on their  
22 schedule. Again, this is Metro stuff. I'm not speaking -- as  
23 much as I know. I don't really know what they do there. Will  
24 call those trains, ask them where they are. If they're in between  
25 stations, they'll ask them to hold at the next station. If he's

1 already stopped at a station, he'll ask him to hold at that  
2 station that he's at. The operator that he's contacted will then  
3 repeat back, I'm on a confirmed hold, or whatever it is they say.  
4 I don't particularly listen to that. I listen for Metro to come  
5 back and tell me that I have authorization for the confirmed hold.

6 Q. So after Metro dispatcher makes his announcement to other  
7 trains -- from what you just said, stay at the station or stop at  
8 the next station -- then he gets back and contacts you to confirm?

9 A. Correct. And I wouldn't describe it as an announcement.  
10 He's giving them an order. Well, first he's asking them if they  
11 can. Obviously if they're in between stations, they can't, and  
12 there might be some radio time where you have to sit and wait  
13 until the train pulls into the next station. And he says, okay  
14 now, Metro, I'm at this station and I'm confirmed holding. And  
15 then Metro would come back to me like you said, yes. At that  
16 point, he would come back on the radio and tell me that he has  
17 confirmed -- "he" being Metro -- has confirmed that the trains are  
18 holding at a station or location other than the one I'm at. And  
19 then I will be given track access.

20 Q. Okay. So if that were in effect at this location and the  
21 revenue train would not have departed the station until you had  
22 exited the main line?

23 A. Possibly. I don't know what happened on the 22nd --

24 Q. No. I'm saying, if a confirmed hold were in effect -- you're  
25 telling me that, in this part of the track, there is no confirmed

1 hold. I'm just trying to get a hypothetical.

2 A. I would -- yeah, just speaking hypotheticals, I would, I  
3 would add to the announcement, right? What was it?

4 MR. NIZ: Advisory.

5 MR. JOHNSTON: An advisory. That is currently what would  
6 prevent a train from -- you would notify everyone in the system  
7 that this is going to happen. There's an extra train, there's a  
8 training, whatever. If you want to take it a step further beyond  
9 our current advisory, you could do a confirmed hold. I think, as  
10 I recall, there's been some times where I've gone out there where  
11 it is simply understood or assumed, if you will, that one of the  
12 cars is at Watt/80 and they're on break. They're not even in the  
13 cab. It's like a layover for them, break time, whatever before  
14 they return. So that's what provides us the extra time.

15 I do not recall ever hearing a Metro controller ask if you  
16 were going to stay at Watt/80 long enough for the maintenance  
17 consist, or an advisory may or may not have happened on other  
18 occasions. I can't speak to that, but we have several different  
19 ways, and they all come down to magnets on a chalkboard. So  
20 you've got your human element, you've got this verbal -- confirmed  
21 hold is only as good as the people that are saying where they are  
22 in the system, and it's all verbal. So that can fail just as  
23 easily as a magnet falling off a chalkboard, just as easily as --  
24 human error, right? And there's a multitude of different ways.  
25 And machines fail too.

1           So I don't know what the answer is. I wish I had an easy  
2 answer for you, but again, I'm not -- ask me how to fix a train  
3 and I'll get more detailed. I'm not intimately familiar with the  
4 switching system, the Wayside part of it. That's a different job  
5 description. And operations as well. That would be a Metro  
6 control question. I just do what they tell me to do --

7           DR. JENNER: Got it.

8           MR. JOHNSTON: -- within their system that they have devised.  
9 "They" being the district and/or Metro control.

10          BY DR. JENNER:

11 Q. As promised, I'm going to change directions on you. And it's  
12 part of the standard protocol. I'm going to ask about your  
13 overall medical fitness and 72-hour work/rest history leading up  
14 to when you went on duty on Thursday. So if I recall, Tuesday and  
15 Wednesday are your days off?

16 A. Correct.

17 Q. Okay. And if you can walk me through, starting with Tuesday  
18 morning, your activities. When you woke up and what you did and  
19 when you went to bed, when you fell asleep. And we'll just start  
20 with Tuesday morning.

21 A. Don't recall exactly when I went to bed or went to sleep that  
22 I can tell you. I'm married. I don't smoke or drink, and I  
23 wasn't out partying or anything like that.

24 Q. Okay. We'll just start with Tuesday morning. You woke up at  
25 some point.



1 A. Oh, geez. I'm not going to recall exactly what I did on that  
2 day. I believe I stayed home. If I did go out, it would have  
3 just been a routine day for me. There was nothing special that  
4 happened, seeing as I can't remember what I did on my weekend.  
5 It's not like I went anywhere or did anything.

6 Q. Okay. In general, what time would you have gone to bed  
7 Tuesday night?

8 A. Being that I work a nightshift, I typically try to spend some  
9 time with my wife in the evening when she gets home from work.  
10 She doesn't last much past 10 o'clock. She tries to on my days  
11 off, but -- might be out in the garage for a few hours after that,  
12 but I typically go to bed earlier on my days off than I do on my  
13 workdays.

14 Q. Okay, about what time?

15 A. Eleven? Midnight? If I had to guess.

16 Q. All right. So now you're sleeping, and you wake up  
17 Wednesday. So what time, do you think?

18 A. Well, I -- she calls it -- my wife calls it sleeping in,  
19 because she's already up and gone to work, and I have --  
20 constantly have to remind her it's not sleeping in; this is a  
21 normal shift for me. I'm getting my hours of sleep when I'm  
22 supposed to get them, and -- I don't recall when I, when I would  
23 have woken up. Before noon.

24 Q. Before noon. Okay. And what kind of day was your Wednesday,  
25 which was still an off day for you?

1 A. I don't remember what I did. I can tell you I didn't do any  
2 laundry, didn't go grocery shopping.

3 Q. Okay. Okay. So now it's Wednesday night, and you're going  
4 to go to work Thursday. So what time would you go to bed  
5 Wednesday night?

6 A. Again, it's -- oh, geez. What time did I go to bed? Around  
7 midnight? I mean, it's not uncommon for me in my normal shift to  
8 lay down, and last time I look at the clock might be 1 in the  
9 morning on a workday. But again, on weekends I try to go to bed  
10 earlier, and that's just the way it is. I mean --

11 Q. What you're calling weekends are your days off.

12 A. Tuesday and Wednesday. Yeah. Those are my weekends.

13 Q. Right. So all right. So now it's Thursday. It's a workday  
14 for you. When do you depart for work?

15 A. I have an alarm on my phone that's for 2:20. If I leave the  
16 house at 2:20, I won't be late for work. Typically in the car  
17 when it goes off. Drive to work.

18 Q. All right. About a 30-minute commute?

19 A. Yeah. Anywhere from 20 to 30, depending on the day.

20 Q. And you're on duty at 3 p.m.

21 A. Correct.

22 Q. Okay. Great. Thank you. Now the medical-type questions.  
23 Before the accident, how was your overall health?

24 A. Great.

25 Q. Okay. Have you ever been -- how is the quality of your

1 sleep?

2 A. Good. Paid way too much for my mattress.

3 Q. And that's helpful?

4 A. Yeah. You get what you pay for, I think.

5 Q. Okay. Okay. Have you ever been diagnosed with any type of  
6 sleep disorder, obstructive sleep disorder --

7 A. No.

8 Q. -- or insomnia?

9 A. No.

10 Q. Anything like that? Do you have any acute conditions? A  
11 cold, allergy?

12 A. No.

13 Q. Anything like that? Okay. How about more chronic -- high  
14 blood pressure, ever fainting spells? Anything like that?

15 A. No.

16 Q. Do you take medications for anything?

17 A. No.

18 Q. Any non-prescription medications in the last week?

19 A. No.

20 Q. So no non-prescriptions and no prescriptions.

21 A. Not in the last week, no.

22 Q. Okay. I don't see you wearing glasses. Are you wearing  
23 contacts?

24 A. No, I don't, I don't have a need, a need for glasses or  
25 contacts, no.

1 Q. How good is your vision? What type of vision do you have?  
2 Your last vision test.

3 A. Great. I don't need glasses.

4 Q. Okay. No glasses required.

5 A. No, yeah. Good.

6 Q. Were you wearing -- well it was, it was nighttime when the  
7 incident happened. So do you wear any type of protective goggles  
8 or anything when you operate?

9 A. No. I have a pair of sunglasses I keep in my safety vest if  
10 the sun becomes an issue, but I don't think I would have been  
11 wearing those at that time.

12 Q. Okay. I don't see any hearing aids. How is your hearing?

13 A. Great.

14 Q. Okay. Okay, I think you offered up you are -- no alcohol  
15 leading up to the day before --

16 A. It's been many years now.

17 Q. Okay. So it sounds like you're -- you didn't have any  
18 medical concerns or medications, things like that. I don't -- and  
19 I'll change real quick. Just, the weather at the time of the  
20 incident. Can you discuss that? Was there any fog issues, any  
21 rain?

22 A. No. It was clear. I believe it was over 100 degrees that  
23 day. There was no fog, no rain, no wind, no -- the only  
24 atmospheric condition of -- would have -- line of sight was clear  
25 forever. It was hot.

1 Q. Yeah. How is the operating compartment environment in terms  
2 of temperature and comfort level?

3 A. In that car, I don't recall it being an issue at all. Yeah.  
4 It happens. A maintenance person might be called upon to drive a  
5 car that was hot. They oftentimes sit in a storage -- you know, a  
6 tail track or whatever, and yeah, they're going to get hot. But  
7 you don't drive it if it's too hot to drive. You turn on the air  
8 conditioner and wait. That was not the case this evening. No, it  
9 had cooled off considerably by the time we were out there.  
10 Earlier in the day, it was 100 degrees. No chance of rain or fog  
11 or anything like that. Heat was not an issue for me.

12 Q. Right. Okay. Thank you for all that. About the time we  
13 were talking about the confirmed holds, you had offered up there's  
14 some systemic issues that you have concerns about. Is that  
15 anything you can discuss in terms of safety of operations?

16 A. I would prefer to not speak on behalf of the district. I can  
17 only say what I've heard since the day I was trained, and that's  
18 that this is an older system. It has new lines and old lines that  
19 are integrated together. We do not have GPS on our cars. We do  
20 not have any type of a tracking system on our cars period, other  
21 than verbal over the radio. So I mean, that is the system. I  
22 guess that's what I was speaking to. I mean, there may be other  
23 nuances to the way Regional Transit operates their rails, but that  
24 is the system, is Train Number 7, where are you right now?

25 It doesn't happen very often, but if a Metro controller loses

1 track of a train or the schedule -- you know, say the train falls  
2 behind. It happens rarely where a Metro controller would say,  
3 Train Number So-and-So, where are you? And that would be no  
4 different than a controller calling in and saying, Metro, can I  
5 get a time check? I'd like to reset my time on my personal watch  
6 to the exact time. It's the same idea. Metro just wants to  
7 confirm exactly where that car is.

8       Aside from that, the cars, the operators, the trains would  
9 call in what station they were departing if they were late.  
10 That's the system. I'm this many minutes late or down departing  
11 this station. That is our system. And I have nothing to do with  
12 that. I don't operate revenue service, but you know, magnets on a  
13 chalkboard, it's not, it's not a joke. That's actually how we do  
14 it.

15 Q. Right. Is --

16 A. You know, and then it's verbal, and it's -- I guess Metro  
17 writes it down on a piece of paper, right? I don't really know  
18 how they do it.

19 Q. Okay. Have you worked on other parts of this system that  
20 does have GPS and does have more sophisticated tracking systems?

21 A. When you say "this system," you mean --

22 Q. Well, right now, you're working in this area right here, the  
23 blue line. Are there other parts of the --

24 A. I work on the entire system, yeah. Gold line, blue line,  
25 green line. Whatever they call --

1 Q. Right. What do you consider the most modern portion of the  
2 system that has --

3 A. There isn't one. As far as I know, they're all integrated  
4 with -- they all cross each other in the downtown area. Modern as  
5 far as --

6 Q. Well, okay. If I understand --

7 A. We have, we have tracked the Wayside automated communications  
8 in some areas and we do not in others. And then we have visual  
9 block signals in those areas but not in others. And then we have  
10 aspects in the shared right-of-way in the downtown area where we  
11 share with cars that are completely different than in other parts  
12 of the system. So there's a few -- it's well understood that we  
13 get people that do not pass rulebook. You got to learn a lot of  
14 stuff and keep it all straight, and operate on the main line with  
15 the trainer and get it all right. There's a lot of things you  
16 have to memorize and learn. And some of it's newer, some of it's  
17 older, is what you're asking.

18 As far as one area versus another, I don't claim to -- that  
19 would be a good question for Wayside or an operator. When I'm out  
20 there, I'm operating in the most restricted fashion, the safest  
21 fashion that I can. Oftentimes, I am overly cautious and don't go  
22 track speed because I don't need to go fast. I'm not stopping at  
23 stations like the revenue train ahead of me. So I'm going to  
24 catch up to him eventually. Why do I need to go 55 miles an hour  
25 and keep bouncing off red aspects? I'm just following this guy

1 and he's going to stop again. So I'll just run 30, 40 miles per  
2 hour, and every light I see is green, if I'm traveling from one  
3 end of the system to the other.

4 If I find myself -- when I do go through the downtown and --  
5 I guess I'm not sure how to answer your question, because our  
6 system is integrated. Blue Line, Gold Line, both have at  
7 different points in their existence, TWC and block signals and  
8 visual aspects all -- they're all integrated.

9 Q. Got it.

10 A. There isn't one versus the other, I think is what you were  
11 asking.

12 Q. Right. Okay. Great, thanks very much.

13 DR. JENNER: Pass it on.

14 MR. ROSE: Okay, Ryan. Michael Rose, CPUC. Just have a  
15 couple more questions for you.

16 BY MR. ROSE:

17 Q. This is going to be going back to the run that you did that  
18 night and also the switches. So first off, could Metro control  
19 direct you to manually throw the switches so that way you could  
20 test on the inbound track? And if so, has that ever happened?

21 A. No, they did not. And it has not happened any -- no, that  
22 would not happen at that location unless it was expressly -- as  
23 you said, they would expressly have said that. No, they did not  
24 say that. It's not what I asked for, and it's not the  
25 authorization I received.



1 Q. Right. I'm not, I'm not questioning that night. I'm  
2 questioning have they ever done it before in the past?

3 A. Yeah. As I, as I described earlier, the brake rate testing  
4 that you would do on dayshift as part of an inspection. Different  
5 function, different time, different shift. Not what happened this  
6 time. Yes, that is the location that you would stop at. Prior to  
7 entering the main line, obviously. Don't want to do that.

8 You would then have to get your authorization to, as you  
9 describe, manually throw a different set of switches -- sorry.  
10 Excuse me. The same switch manually. Not using the route  
11 selector box, but to then go unlock it manually with your key and  
12 manually throw the switch to get onto, as you said, the inbound  
13 track. That is physically impossible to do with that route  
14 selector box. There's only one button in there.

15 Q. Okay. Then going back to that button. So after you push the  
16 button, you get through the crossovers, what happens at that  
17 point? Do you need to stop your train and go back and re-throw  
18 the switch and push a button on the other side or back into the  
19 same blocks?

20 A. No, it's all automated. It's all automated. No, not at all.

21 Q. Okay. So from what you know of that switch, that location,  
22 they throw back normal to the normal position.

23 A. My understanding is -- and this is, again, not part of my  
24 job. I'm not a Wayside employee. My understanding of our block  
25 system is that they will stay. That particular switch, that

1 particular location will stay lined for you as long as no other  
2 train enters the block -- the next block adjacent to it. Those  
3 switches will not have a reason to throw back for the main line  
4 unless a train enters the next block. Or maybe it's two blocks.  
5 Again, I'm not a Wayside guy. I don't know the details of how it  
6 works, but it is, it is not uncommon to return from your run. And  
7 obviously you have to stop before you exit, because you then have  
8 -- it didn't happen this night. I didn't get the opportunity.  
9 But you would stop at that route selector.

10         And you're looking. You're like, the switches are still  
11 lined for me; can I just leave? No. You got to stop before you  
12 cross over and exit the main line. You need permission to exit  
13 the main line. You need permission to -- you do have to use the  
14 route selector box to get the proper aspect. It happens pretty  
15 quick, because the switches are already lined. Does that, does  
16 that make sense?

17 Q.    Yes.

18 A.    Provided there's not a train in the block behind you. Ahead  
19 of you. Whichever way you want to look at it.

20 Q.    So you do need authority to come off the main line and back  
21 into the yard.

22 A.    Depends on the controller. They all do it a different way.  
23 Some of them will require that you ask for every single move along  
24 the way. Others will give you authorization for all moves  
25 necessary. And lately, what's been happening is they give you

1 authorization. That's why I ask, when I call in, to the Grand  
2 Avenue Bridge and back to the yard. Authorization, if this is the  
3 effective time, and we're off.

4 Q. Okay. So what's the, what's the written procedure? For you  
5 to do everything at once, or do everything in steps?

6 A. I'm not aware of a written procedure for this move. This is  
7 a verbal -- this is something that we were trained to do. This  
8 would be a compilation of multiple written procedures, I suppose.  
9 Entering and exiting the main line are both things that you need  
10 authorization for.

11 You know, it's not uncommon in our system -- again, example  
12 would be 13th Street. If you want to take control of Switch 101,  
13 that's a standalone request. Now they know you're there to do  
14 cuts and adds, but you only asked for control of Switch 101. You  
15 get your confirmed hold and you throw the switch. Well, can't  
16 drive backwards into the yard yet because you didn't ask for 101

17 R. 101 R includes the reverse. So if you misspeak or you're a  
18 new guy and you forget to say R, you then additionally have to ask  
19 for permission to reverse run into the yard. And if Metro didn't  
20 pick up on your grammatical error, they might come back on the  
21 radio and say, you already have authorization, man; get the train  
22 off the main line. Make your cut.

23 Other times -- so we've improved that at 13th Street. Now we  
24 have a hard and fast set, a precise way of doing it. Any employee  
25 from anywhere in the system can step into that role. And we have,

1 as you said, a written procedure of exactly how to do it.  
2 Everyone knows exactly what's expected. 101 R for the purpose of  
3 cuts and adds at 13th Street. You hear that, you know exactly  
4 what they're doing. If there's another person there with you:  
5 Metro, I'd like to include Victor whatever their number is in this  
6 authorization. They're going to be in the cab and they will be  
7 driving the train off; I'll be throwing the switches.  
8 Authorization for both of you at this time.

9 Other than those types of small changes, that 101 R procedure  
10 is pretty well outlined exactly what to do there at that location.

11 Q. Okay. So you said in your previous statement that you've  
12 made that move for just about every night for the past month or  
13 so?

14 A. Yeah, I've been assigned to the Murph Building with the  
15 Siemens employees on this, quote, "project." They keep calling it  
16 a project because they've hired outside contractors from Siemens  
17 to come and help us, like, get caught up with work orders  
18 pertaining to this particular car, because they're the ones that  
19 worked on them when they were refurbished and originally  
20 commissioned, or facility -- say your question again?

21 Q. You stated in your previous comment that you've made that  
22 move basically every night that you've worked --

23 A. Yes, I've --

24 Q. -- for the past month?

25 A. Yes, I've been assigned to the Siemens employees and/or the

1 UTDC project for several weeks now.

2 Q. Okay, so my question is --

3 A. And have done it prior to that as well, just not as often.

4 But yes, for several weeks now, almost every night.

5 Q. Okay. And the moves that you've made over the past month, in  
6 your recollection, how many times have you come back from the  
7 bridge and come to these crossovers and they're lined against you,  
8 lined for main line movement? Approximately.

9 A. I couldn't speak to that. It's not something I would have  
10 committed to memory.

11 Q. Once or twice a week? I mean, I don't want to put words in  
12 your mouth, but I mean --

13 A. I couldn't --

14 Q. -- has it, has it been lined where you got to either call or  
15 go to the box?

16 A. We always have to go to the box regardless of how the  
17 switches are lined. We always have to stop at that red aspect.  
18 We need permission not only to exit the main line; we need  
19 permission to use the route selector. Isn't just for throwing the  
20 switches. It's to turn the aspect from red to (indiscernible).

21 Q. Right. So in the past month, have you had to do that?

22 A. Yeah, we always stop there. I didn't get to that night, but  
23 -- didn't make it that far. But yes, we always stop there.

24 MR. ROSE: Okay. That's all that I have at this time. Thank  
25 you.

1 MR. DARRAGH: John Darragh, director of Regional Transit.  
2 Hi, Ryan.

3 BY MR. DARRAGH:

4 Q. Previously, you answered a question with regard to advisories  
5 being issued to the other trains. Have you also heard the term  
6 bulletin?

7 A. Bulletins, yeah. Bulletins, advisories --

8 Q. Received those. Is that --

9 A. Yeah, we -- if you're operating on the main line, yeah, you'd  
10 listen for all of those. Yeah.

11 Q. Previously, when you have been out on the main line  
12 performing any test move, have you heard the controller issue a  
13 bulletin or advisory as a result of your (indiscernible) on the  
14 main line?

15 A. Yes. Yes.

16 Q. But you did not hear it this time.

17 A. I can't say that I did not. I do not recall.

18 MR. DARRAGH: I have no other questions.

19 MR. TORRES: Okay, there's no -- this is Tomas Torres with  
20 the NTSB. No further questions. This will conclude the  
21 interview. Thank you very much.

22 MR. JOHNSTON: Thank you.

23 UNIDENTIFIED SPEAKER: Thank you.

24 (Whereupon, the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

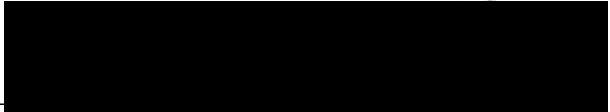
IN THE MATTER OF:            TRAIN DERAILMENT  
                                 SACRAMENTO, CALIFORNIA  
                                 AUGUST 22, 2019  
                                 Interview of Ryan Johnston

ACCIDENT NO.:                DCA19FR011

PLACE:

DATE:                          August 22, 2019

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.

  
Eileen Gonzalez  
Transcriber