

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SEPTA TRAIN CRASH
UPPER DARBY, PENNSYLVANIA
AUGUST 22, 2017

* Accident No.: DCA17FP012

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Interview of: JAMES LEWIS

SEPTA Headquarters
Philadelphia, Pennsylvania

Wednesday,
August 23, 2017

APPEARANCES:

TOMAS TORRES, Rail Accident Investigator
National Transportation Safety Board

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

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MIKE LIBERI, Chief Officer, Service Transportation
SEPTA

ERIC GOODWIN, Vice Chairman
SMART Local 1594
(On behalf of Mr. Lewis)

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I N T E R V I E W

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2 MR. TORRES: Why don't we get started here? Okay. This is
3 NTSB informal interview. My name is Tomas Torres, T-o-m-a-s,
4 T-o-r-r-e-s.

5 Today's date is August 23rd, 2017, and we are at SEPTA
6 Headquarters in Philadelphia, Pennsylvania, interviewing the
7 engineer in connection with the -- oh, operator in connection with
8 an accident that occurred at Upper Darby in August -- on August
9 22nd, 2017. The NTSB accident number is DCA17FR012.

10 The purpose of the investigation is to increase safety, not
11 to assign fault, blame, or liability. NTSB cannot offer any
12 guarantee of confidentiality or immunity from legal or certificate
13 actions.

14 A transcript or summary of the interview will go into a
15 public docket. The interviewee can have one representative of his
16 choice. Do you have somebody?

17 MR. LEWIS: My -- I have (indiscernible).

18 MR. TORRES: Okay. Do you understand that this interview is
19 being recorded?

20 MR. LEWIS: Sure, yes.

21 MR. TORRES: Please state your name and spell it?

22 MR. LEWIS: James Lewis, J-a-m-e-s, L-e-w-i-s.

23 MR. TORRES: And your representative?

24 MR. GOODWIN: Eric Goodwin, E-r-i-c, G-o-o-d-w-i-n, Vice
25 Local Chairman for SMART Local 1594.

1 MR. TORRES: Okay. You understand you can't answer for him,
2 right? I mean, it's limited in your participation --

3 MR. GOODWIN: Yes.

4 MR. TORRES: Thank you.

5 Steve?

6 DR. JENNER: I'm Stephen Jenner, S-t-e-p-h-e-n, J-e-n-n-e-r
7 with the NTSB.

8 MR. REYNOLDS: John Reynolds, J-o-h-n, R-e-y-n-o-l-d-s, with
9 SEPTA.

10 MS. ANGOTTA: Linda Angotta, L-i-n-d-a, A-n-g-o-t-t-a, SEPTA.

11 MR. HARRIS: Waverly Harris, W-a-v-e-r-l-y, H-a-r-r-i-s. I
12 am the President and Chairman of SMART Local 1594.

13 MR. CASSITY: Jared Cassity, J-a-r-e-d, C-a-s-s-i-t-y, a
14 representative for the SMART National Transportation -- or
15 National Safety Team.

16 MR. YOUNG: I'm James Young, J-a-m-e-s, Y-o-u-n-g. I am with
17 the PennDOT Rail Transit Safety Review Program, which is the state
18 safety oversight agency.

19 MS. BONINI: Hi. Beth Bonini, B-e-t-h, B-o-n-i-n-i. I'm
20 from PennDOT State Safety Oversight. I'm the manager of the
21 program.

22 MR. GOOD: George Good, G-e-o-r-g-e, G-o-o-d, Federal Transit
23 Administration.

24 MR. LIBERI: Mike Liberi, L-i-b-e-r-i, Chief Officer of
25 Service Transportation for SEPTA.

INTERVIEW OF JAMES LEWIS

1
2 BY MR. TORRES:

3 Q. Tomas Torres with the NTSB. Do you mind if I call you by
4 your first name, James?

5 A. Call me James, Jimmy, that's fine.

6 Q. Okay. Thank you. James, can you tell us the date of the
7 accident, you know, what time you went on duty, and you know --

8 A. I think my round reported at 2:22 that day; pretty sure,
9 2:22.

10 Q. You went on duty at?

11 A. 2:22 p.m.

12 Q. P.m.?

13 A. Yes.

14 Q. Okay. So you went on duty at 2:22 p.m. on August the 21st?

15 A. Yeah. Yes.

16 Q. Oh, okay. Can you tell us how your day was, you know, from
17 the time you went, reported on duty, you know, throughout the day?

18 A. How my day was at work, before work --

19 Q. Yeah.

20 A. -- or what do you mean?

21 Q. No, just at work. What did you (indiscernible) --

22 A. I got to work. It was a regular day. There was nothing out
23 of the ordinary. I got to work. Do you want to know everything I
24 did throughout the entire day?

25 Q. Yes. When you showed up to work, what do you do? What do --

1 A. So I get to the work. I report to the window. I go down. I
2 get -- I report to the window, the dispatcher. Then I go down to
3 the yard. I get a train. I take the train, I take it to 69th
4 Street, I start my day.

5 I do -- I don't exactly remember the work. I can try to
6 remember the work. Do you want me to remember the work, what I
7 did?

8 Q. Yeah, yeah. I mean, like, is there paperwork you review or,
9 you know, what -- do you get, you know, your orders?

10 A. Well, I got my -- well, when I -- okay. When I report to the
11 window, I get my weekly bulletin order, okay?

12 Q. Um-hum.

13 A. Because it's Monday. So I get my bulletin order. Then I go
14 down to the booth, and I get my assigned train from the
15 yardmaster, and I get that train, and I take it to 69th Street and
16 start my day.

17 Q. Okay. On your paperwork, what were the contents of your
18 paperwork, you know, your instructions for the day?

19 A. My instructions for the day --

20 Q. Yeah.

21 A. What -- the work I was going to do for the day?

22 Q. Yeah. I mean, like, what's in your paperwork, you know?

23 A. What I do for the day, that day -- see, I do something
24 different every day. I'll try to remember. It's like I do -- I
25 think I do two Bryn Mawrs, the Hughes Park, two Bryn Mawrs, and

1 that takes me up to 810, and then I do three Norristowns after
2 that.

3 Q. So once the yardmaster assigns you your train?

4 A. Right.

5 Q. Correct?

6 A. That's right.

7 Q. When you take charge, what do you do when you take charge of
8 the train?

9 A. I go inside, do a brake test, signal test, and -- brake test,
10 signal test, and just do a general walk-around, and try to make
11 sure everything is good to go.

12 Q. Okay. And do you know what tracks you're going to go into
13 and all that stuff? I mean --

14 A. Yeah. I'm going to go down to -- I'm going to go out to
15 track 3 when I go in the -- when I pull out of the yard and leave
16 the yard at B4-S, so they'll route me into track 3, 69th Street.

17 Q. And is there anything specific you do to the train, to the
18 controls?

19 A. I try to call the control center, and they tell me when I can
20 leave, and they give me the light to leave.

21 Q. Okay. Yeah, but what do you do? Like, do you have a cab
22 signal system?

23 A. Yes, yeah, it's a cab signal --

24 Q. And how do you prepare it? How do you get it ready?

25 A. How do I prepare my cab signal?

1 Q. Right.

2 A. You do a cab signal test. Take cab signal test, you put it
3 in B4, and then cab signal goes up, and then you do the test
4 coming down.

5 Q. What's B4?

6 A. Brake 4.

7 Q. Brake 4?

8 A. Yes.

9 Q. And then there's -- you put it in brake 4. Then what
10 happens?

11 A. Okay. So I put it in cab signal test. I put the brake on
12 brake 4, and then the lights light up 70, and then they work back,
13 you know, so you go brake 4, brake 5. You know, you just do a cab
14 signal test.

15 Q. So in the test, it'll activate the brakes at some point?

16 A. No, the cab signal test I don't think is related to the
17 brakes. I'm not sure. Is it related to the brakes, the cab
18 signal test? Is it? Because I'm using brake 4, brake 5. It's
19 the cab signal test, you know?

20 Q. Okay.

21 MR. LEWIS: Is that right?

22 UNIDENTIFIED SPEAKER: That's right.

23 MR. LEWIS: That's right, yes. Yeah.

24 BY MR. TORRES:

25 Q. Okay. That's fine. So what does the cab signal entail, you

1 know? What does that do?

2 A. Pretty much tells you what you're going to do. It dictates
3 your speed, how fast you can go. The cab signal is -- I'm sorry.
4 Are you familiar with the cab signal?

5 Q. Somewhat.

6 A. Somewhat.

7 Q. Yeah.

8 A. Okay. Okay. I'm sorry. I'm sorry. Here's the cab -- the
9 cab signal will dictate how fast you can go, okay? So the cab
10 signal will give you a code, like a 30 code. You can't go above
11 30 miles an hour. If you go above 30 miles an hour for 3 seconds,
12 it's going to shut the vehicle down, okay?

13 The cab signal dictates your speed, okay? So your -- that's
14 pretty much what a cab signal is. Do you understand that? Does
15 that make sense? Yeah.

16 Q. Oh, okay. So once you depart, I mean, you get a signal
17 indication or is it verbal?

18 A. When I depart the yard at 69th Street?

19 Q. Right.

20 A. Yeah. I get a -- are you talking about do I get signal on
21 the cab signal? I'm sorry.

22 Q. No, no, no --

23 A. Are you talking about the signal system?

24 Q. Yeah. Yeah, once your train is --

25 A. Right.

1 Q. Once it's ready, you know, how do you leave? How do you
2 depart? Or what do you do?

3 A. What I do is they have a text message in the machine, so I
4 send a text. I request permission -- I request a signal to leave
5 B4-S. Now, that's the signal they give you to leave the yard.
6 It'll be a "proceed cab divert." That's a flashing white light.
7 Okay. And sometimes they call.

8 So then they call back, and I tell them -- you know, I'm car
9 155 that day. I give them my route 100, run 820 -- 819 -- excuse
10 me -- block 4021, request permission for signal to leave B4-S and
11 routing into track 3, B berth, to do the 304 Bryn Mawr. And then
12 control center will give me permission, and they'll give me a
13 proceed cab divert, and I'll leave the yard. That's how it works.

14 Q. Okay. And that route, where does it take you? Like, how
15 many stops; you know, what station stops do you make?

16 A. No station stops. I mean, you pull out, you pull out of the
17 yard, the 6-S, and sometimes they have your lights set, and if
18 they don't have your lights set, then you wait for them to set
19 your light.

20 Q. From there, where is your destination? Do you know?

21 A. Going into the yard -- going into the transportation center,
22 my destination is B berth on 3 track. B berth would be the berth
23 closest to -- the big B berth bumper closest to the 69th Street.

24 Q. Okay. So once you depart, you know, how many trips did you
25 make back and forth?

1 A. Throughout the course of the day?

2 Q. Yeah.

3 A. Yeah, see, I don't -- you know, I'm going to try to remember,
4 but I don't -- without seeing my paddle -- I think -- 819, so
5 that's like two Bryn Mawrs, like, a Hughes Park, might be another
6 Bryn Mawr. I think it's nine total trips out of 69th Street.
7 Yeah, I think it's nine total. I think I remember -- it was nine
8 total trips out of 69th Street.

9 MR. GOODWIN: Complete route, though.

10 MR. LEWIS: Yeah, I think it's -- I think you --

11 MR. GOODWIN: Complete route --

12 MR. LEWIS: I think I leave 69th Street nine times, yeah. Is
13 that what you want to know?

14 MR. TORRES: Yeah, or your complete route, you know? I mean,
15 like --

16 MR. GOODWIN: That's if he had completed the route. We
17 didn't --

18 MR. LEWIS: Yeah.

19 BY MR. TORRES:

20 Q. Okay. You mentioned paddle. What's that paddle?

21 A. Just your work for the day.

22 Q. What was on it?

23 A. What I'm scheduled to do. What time, you know, time points,
24 what time I'm supposed to leave 69th Street, what time I'm
25 supposed to be at different stops, you know, and then what time

1 I'm supposed to return to 69th Street, and like what track I'm
2 supposed to come back on, like, track 1-2-3, you know, track 1-A,
3 1-B, 2-A, 2-B, 3-A, 3-B. Yeah, it's just a general --

4 Q. So it tells you what tracks you're going to be going into --

5 A. It kind of pretty much tells you what your day is going to --
6 what you're doing all day.

7 Q. So on that day, do you recall what tracks you were going to
8 go into?

9 A. I couldn't tell you off the top of my head. I mean,
10 throughout the whole course of the day?

11 Q. Yeah.

12 A. No, I don't know. I don't know. It's -- I don't know. I
13 don't want to give you the wrong answer. Do you understand what
14 I'm saying to you? Like, I know, you know, I know where I'm
15 supposed to be, but I use that paddle as a reference for my brain,
16 because I do something different every day. I do a different run
17 every day, you know, so --

18 Q. Okay. Is this your regular assigned train or do you work
19 extra board or --

20 A. This is what they call a jumper run. So what that means is I
21 do something different every day, but I do the same thing -- like,
22 Monday I do one run. Monday I do 819, Tuesday I do 821,
23 Wednesday I do 820, you know, so it's like -- it's just -- I just
24 do something different every day.

25 Q. So you're like a relief --

1 A. No, it's an assigned run. It's a run that's made up of, you
2 know, you know, people have days off and whatnot, so --

3 Q. Okay.

4 A. Like, every Monday I do 819, you know what I'm saying? Like,
5 it's not like I do something different every day. Every Monday I
6 do 819. Every Tuesday I do 821. Every Wednesday I do 820.

7 That's what I'm saying. You got that? You know what I'm saying?

8 Q. So you're on a different train -- different route?

9 A. Yeah, different route, yeah.

10 MR. GOODWIN: Not a different route. It's the same route.

11 It's just different time schedules.

12 MR. LEWIS: Yeah, different run.

13 MR. GOODWIN: Different time schedules.

14 BY MR. TORRES:

15 Q. Okay. So during the course of the day, was -- did you hear
16 anything over the radio or anything -- any unusual conditions?

17 A. No.

18 Q. Did you experience anything with a track?

19 A. Throughout the whole course of the day?

20 Q. Yeah.

21 A. Well, you know, on that last trip, I did, sure.

22 Q. Do they run double track or single track?

23 A. We doing -- they were doing work, so they were doing single
24 track. Starting at 8:00, they run single track from 8:00 until
25 the end of service.

1 Q. So 8:00 in the morning?

2 A. No, 8:00 at night, p.m., I'm sorry.

3 Q. So they do the work at night?

4 A. Well, they do work during the day, too, but I don't work
5 during the day, so I'm not real familiar with that.

6 Q. But they work from 8 p.m. all the way through till the time
7 you get off?

8 A. Yeah, but they're not actually doing track work. I think
9 they're moving a bridge, so you know --

10 Q. Oh, I see.

11 A. They're not working on the track. They're working on the
12 bridge at College Avenue. They're taking them down.

13 Q. Okay. As you're going to -- going throughout your day, can
14 you explain to us, you know, to the time of the incident, you
15 know, how are you coming into the station, and stuff?

16 A. I don't understand the -- all night long?

17 Q. No, no, to the moment of the accident.

18 A. You want me to explain what happened at the accident?

19 Q. Yeah, yeah, as you were approaching, you know?

20 A. You want to know what happened on that last trip in? Is that
21 what you're asking me about?

22 Q. Yes, exactly.

23 A. The actual reason why you're here, not any other part of the
24 day, right?

25 Q. Well, I mean, all -- yeah, I mean, if there's anything else,

1 yeah, in between there, you can let us know.

2 A. Okay. I leave Parkview. This is my last trip inbound. I
3 leave Parkview Station. That's the last stop before 69th Street.
4 Okay. And I'm coming down. And I get 30 -- you know, your code
5 drops coming in 69th Street, so, you know, when I brake the
6 vehicle, the vehicle doesn't feel like it slows down. It actually
7 feels like it takes off a little bit, you know what I mean?

8 So brake 7, you know, I'm trying brake the vehicle. I'm
9 trying to stop the vehicle. It doesn't feel like it's slowing
10 down, you know? I mean, I was just trying to stop the vehicle. I
11 was just braking as, you know, I was going to brake 7, back to
12 coast, back to brake 7, you know, up to brake 5, just trying to
13 brake it. I mean, it just wasn't stopping.

14 And we were, you know, we just weren't slowing down. And
15 then, you know, I had to make a decision to dump the vehicle, so I
16 dumped the vehicle, you know, and that was it. Once I dump the
17 vehicle, I can't -- there's nothing I can -- you know? What I
18 mean by dump the vehicle is hit the emergency brake, you know?

19 Q. Um-hum.

20 A. Because when you hit the emergency brake, you don't -- that's
21 it. You just got to wait for the -- hopefully, the train will
22 stop.

23 Q. Okay. What kind of signal indications did you have?

24 A. Well, I mean, there's only one signal I get. Well, my head,
25 you know, my signals were fine coming in, you know? 2-S, 4-S, you

1 know, probably had proceed cab, and then, you know, as you're
2 coming through, 6-S was obviously red, and I saw that. But you
3 know, I couldn't stop, you know? Within a matter of, you know, I
4 wanted to stop at 6-S, you know, but I couldn't stop.

5 Q. Right. So the -- your signal was a proceed cab?

6 A. Yeah, I don't -- I'm --

7 Q. Oh.

8 A. I'm trying to brake the vehicle. If I'm being completely
9 honest with you, I'm really sorry for running the signals, you
10 know, I feel bad about doing that, but I was just trying to stop
11 the vehicle, you know what I mean? Yeah. So if that was a
12 proceed cab, it was a proceed cab. If it was a red, then it was,
13 you know --

14 Q. So S-4 was a proceed cab or --

15 A. I don't remember.

16 Q. You don't -- how many signals you got going into the station?

17 A. I guess from where the whole incident started, it would be 2-
18 S, 4-S, 6-S. Is that right? Does that sound right? It would be
19 2-S, 4-S, 6-S, so there's three.

20 Q. So it's three?

21 A. Yeah.

22 Q. And do you recall signal indications?

23 A. Yeah, I would have had a proceed cab at 2-S because my code
24 that I had, you know, my code is a 30 code, you know, so I would
25 have had a, you know --

1 Q. And what's a proceed cab? Can you explain that to us?

2 A. Sure. It's proceed cab. It's a white light, you know, it's
3 a white -- it means go. It's not blinking. It's a solid white
4 light.

5 Q. Oh, okay, yeah. So the lens is white?

6 A. Yes.

7 Q. And then 4-S would be what?

8 A. I mean, that was, that was -- I would think that that was
9 white, too, proceed cab. I'm sorry. Proceed cab is a white
10 light. It's a white solid light, yeah.

11 Q. Okay. And the next one, do you recall -- 6-S was -- do you
12 recall?

13 A. Yeah, it was red, you know, it was red, because with all --
14 everything going on in my brain, and I'm stressed, I'm freaking
15 out, I look at that light, and I said, oh, boy, I'm going to get a
16 signal violation. And it's not funny, but it was crazy that I
17 would think about that, you know, not being able to stop the
18 vehicle.

19 Q. So what was your train speed, do you know, as you're
20 approaching?

21 A. It's funny, because when I looked down, well, my train speed,
22 when I'm approaching 69th Street, right before impact, is that
23 when you're talking about?

24 Q. Yes.

25 A. I don't know how fast I was going, but I can remember at one

1 point, and I'm looking, and the speedometer was going back and
2 forth, you know what I mean? Like, it wasn't, like, really
3 registering, you know? So I don't -- when I made impact, I don't
4 know how fast I was going.

5 Q. When you were approaching, were you in throttle or -- I mean,
6 how do you approach the station?

7 A. When I --

8 Q. As you're approaching 2-S, 4-S, 6-S, you know, how were you
9 handling the train?

10 A. I'm trying to -- by the -- even by the time I'm approaching
11 2-S, I'm trying to brake.

12 Q. So you're already braking?

13 A. I'm braking, yes, yeah.

14 Q. And how far is 2-S to the station?

15 MR. LEWIS: Do you know how far?

16 UNIDENTIFIED SPEAKER: Just your --

17 MR. LEWIS: Oh, I'm sorry. I don't --

18 BY MR. TORRES:

19 Q. Just estimate.

20 A. I don't know.

21 Q. It doesn't have to be, like, accurate, you know?

22 A. I don't know.

23 MR. LEWIS: Is it a mile? No? No? I don't know. It's a
24 tough one. Wait, hold on. Do you have -- oh, you don't have --
25 can I see this?

1 UNIDENTIFIED SPEAKER: Yeah.

2 MR. LEWIS: No, that's not going to do you no good.

3 MR. GOODWIN: It's (indiscernible) back here.

4 MR. LEWIS: Yeah.

5 MR. GOODWIN: But that's not even --

6 MR. LEWIS: It's like --

7 UNIDENTIFIED SPEAKER: (Indiscernible) out now.

8 MR. LEWIS: That's pretty much the same thing.

9 MR. GOODWIN: Yeah, they don't have 2-S on it. 2-S
10 (indiscernible) before that --

11 MR. LEWIS: No.

12 BY MR. TORRES:

13 Q. Can you describe to us that terrain as you're, you know,
14 approaching 2-S, 4-S, 6-S into the station?

15 A. You're coming down a little bit, yeah, you're going down a
16 little bit.

17 Q. Grade?

18 A. Yeah. It levels off. It levels off, you know, but you kind
19 of come down.

20 Q. So are you braking because you're preparing to stop or you're
21 maintaining speed?

22 A. I'm braking. I'm trying to stop, yeah.

23 Q. How do you usually approach that area, you know, on a
24 different day? How do you come into that station?

25 A. 69th Street station?

1 Q. Yes.

2 A. You stop at 6-S and get your signal, and then you go into
3 69th Street. Is that what you're asking me?

4 MR. GOODWIN: You might want to go prior to that a little
5 bit.

6 MR. LEWIS: Yeah, how do I what?

7 UNIDENTIFIED SPEAKER: I think he means the interlock, James.

8 BY MR. TORRES:

9 Q. Yeah, how do you approach? What's your approach as you're
10 coming into the station, you know, on a regular day?

11 A. Slow, you know. Like I said, the cab signal dictates all
12 your speeds, you know? They're going to tell me how fast I'm
13 going to go. So I'm going to slow down to those speeds.

14 Q. Okay. On the day of the accident, did you get a stop and
15 proceed or anything like that?

16 A. No, I just -- my code dropped to 30 like it would always drop
17 to 30.

18 Q. Okay. But once you got past the signal there or --

19 A. At 2-S?

20 Q. On or near 6-S, did you get a stop/proceed?

21 A. For 6-S? Is that what you're talking about?

22 Q. Yeah, yeah.

23 A. I don't know, yeah, I don't know. I'm not --

24 Q. No, I'm asking did you --

25 A. Yeah, the vehicle -- by the time I get to 6-S, the vehicle

1 is, like, dumped, I believe --

2 Q. Yeah.

3 A. -- you know, like, so it's like --

4 Q. So you didn't -- you were not in a situation where you had to
5 apply a stop and proceed?

6 A. No, not at 6-S.

7 Q. Oh, okay. And if you did, how would stop and proceed apply
8 or, you know, how does it work?

9 A. Stop and proceed is you get a no code which means all your
10 lights go out, okay? So you get a no code. And then you hit
11 stop/proceed, and then it takes you up to -- then the cab signal
12 comes up to 15 miles an hour. That's stop/proceed.

13 Q. And do you get instructions from the controller or --

14 A. Sure.

15 Q. And then what kind of instructions would those be?

16 A. Well, you can get -- like if you get a no code, you're
17 supposed to call control center and say I got a no code.
18 Sometimes they might tell you to do a ground inspection, you know
19 what I mean? That particular -- yeah, I mean, if you get a no
20 code, you're supposed to call control center, say I got a no code,
21 and they might tell you to do a ground inspection or whatever,
22 so --

23 MR. GOODWIN: I think he's speaking specifically
24 (indiscernible).

25 MR. LEWIS: Is that (indiscernible) --

1 BY MR. TORRES:

2 Q. Yeah, did you get any -- well, that, too. I mean, so you
3 didn't get one there at --

4 A. Coming into 6-S?

5 Q. Yeah.

6 A. I don't know.

7 Q. Or there or afterwards? You don't recall?

8 A. Did I get a no code coming into 6-S?

9 Q. Yeah.

10 A. I had a red light at 6-S, so, you know -- did I get a no code
11 at 6 --

12 Q. Yeah.

13 A. Did I get a no code? Is that what you're asking?

14 Q. Yeah, yeah, there or afterwards, after you went beyond the
15 signal?

16 A. I don't know.

17 Q. You don't recall?

18 A. I don't recall, yeah.

19 Q. Okay.

20 A. I mean --

21 Q. No, if you don't recall, that's --

22 A. Yeah, I mean, I don't want to speculate.

23 Q. Yeah.

24 A. I mean, I know -- I don't know what I can say. I don't know
25 what I can -- you know what I mean? Like, I don't want to -- did

1 I get a no code? I don't know.

2 Q. That's fine.

3 A. Yeah, yeah, yeah.

4 Q. If you don't recall, that's okay.

5 A. I mean -- yeah.

6 MR. TORRES: Steve?

7 BY DR. JENNER:

8 Q. Okay. Steve Jenner. Thanks for your description so far.

9 You okay for more questions? You want to break?

10 A. No, no, let's go, Steve.

11 Q. Okay. Great.

12 A. Yeah.

13 Q. I'll apologize in advance for asking some similar questions,
14 but again, some of this is new to me, this, for instance, what you
15 discussed earlier, so I just need some clarification.

16 What was the weather like throughout the day for you?

17 A. Throughout the day?

18 Q. Um-hum.

19 A. I think it was nice in the daytime, and then it probably got
20 overcast, maybe some showers later on.

21 Q. About what time was it for that?

22 A. What, the showers?

23 Q. Yeah.

24 A. After dark. I don't know --

25 Q. Approximate time?

1 A. I, you know, 9, 10, you know, maybe -- you know, it really
2 wasn't raining, you know what I mean, like, it wasn't -- maybe a
3 little shower and then it goes -- a little drizzle and it goes
4 away.

5 Q. Okay. Did you get any periods of time after 9:00 where you
6 felt your wheels slipping?

7 A. Yeah.

8 Q. Okay. Tell me about those times and how often and where and
9 when?

10 A. Specifically, I don't know, you know, you just feel the train
11 slip a little bit, you know? One in particular was Gulph Mills.
12 I slipped past Gulph Mills on the last trip. I called control
13 center. I asked for permission to go back and, you know, they
14 said okay. It wasn't a consistently -- it wasn't slippery
15 consistently throughout the night, you know what I mean? It
16 wasn't. So, you know, when it was slippery, you kind of just take
17 it easy, and then when it's not slippery, you know, you're fine.

18 Q. What do you do in cases where it's slippery? Do you change
19 your operations, how you operate the vehicle?

20 A. I always try to drop sand and, you know, you want to drive a
21 little slower, and then you want to drop sand and, you know, give
22 yourself more time to stop, and stuff like that, I guess.

23 Q. Did you do it in this case?

24 A. At Gulph Mills?

25 Q. Yes.

1 A. At Gulph Mills?

2 Q. Um-hum.

3 A. No, I didn't know it was slippery at Gulph -- like, I didn't
4 know it was going to be -- like, I didn't know, you know what I
5 mean? And then when I started slipping, I slipped further than I
6 thought I would.

7 Q. So you approached the Gulph Mills station as you normally
8 would, and then --

9 A. Well, yeah, I mean, but there's a restricted speed there
10 because there's ongoing work on the tracks, so, you know, like, 30
11 miles an hour, you know, you're coming down about 30 miles an
12 hour.

13 Q. So you came down about 30 miles per hour then?

14 A. Yeah, probably something like that.

15 Q. Okay. And that speed during normal dry conditions is
16 adequate for you to stop at the platform safely?

17 A. Even if it's raining, it's adequate, you know, even if you
18 got rain, it's fine, you know?

19 Q. But on this occasion, there --

20 A. Oh, this occasion --

21 Q. Right.

22 A. This particular instance --

23 Q. Yes.

24 A. Yeah, apparently, it wasn't enough because I, you know, I
25 went past.

1 Q. How far past (indiscernible) --

2 A. A little bit. Like, I had to change ends and go back, you
3 know? It wasn't -- I don't think it was a whole car length, you
4 know, but it was maybe close.

5 Q. Okay. So during that process, you call the dispatcher, you
6 tell them the situation, and you have to get permission to, in a
7 sense, back the train up to the station?

8 A. I call control center.

9 Q. I'm sorry, the control center --

10 A. And then I physically change ends and drive back.

11 Q. Okay. Did that go as planned?

12 A. It was great. It went great. Went back and picked people
13 up, everybody up, and then we left.

14 Q. Okay. Is that -- how common of occurrence is it to go past
15 the station for whatever reason?

16 A. In August, it's not common at all. Usually you get what you
17 call slippery rail season, you know, and I believe that starts,
18 like, September, October maybe through November a little bit, and
19 that's basically when the leaves are coming down and lying on the
20 tracks, and they'll get oil. But in August, you don't really --
21 you know, like, it was -- but I guess the, you know -- yeah, yeah,
22 I mean, I didn't -- leading up to that night, like, I can't
23 remember slipping. You know, I can't remember the last time I
24 slipped, you know what I mean, like, or any time, you know, I
25 couldn't -- you know, I slipped past a stop --

1 Q. Did this incident, the Gulph Mill incident, when did that
2 occur that evening? Was that during your last run?

3 A. Yes.

4 Q. Okay. All right.

5 A. Yeah, I think so. Yeah, yeah.

6 Q. So after that station, how was train operations in terms of
7 handling and slipping? Any other slippage that you sensed?

8 A. Yeah, I mean, it would -- you would slip a little bit. And
9 then I thought it -- I think it might have -- I don't remember.
10 Once you get a nice, hard rain, then you're good to go, you know
11 what I mean, and I think it rained a little bit, and the problem
12 seemed to go away.

13 Q. So --

14 A. Like, if it's like drizzling, and it just seems --

15 Q. Right.

16 A. -- it slips, and then when you get a rain, a nice, hard rain,
17 it goes away.

18 Q. Right. So I think I just heard you say it slipped a little
19 bit. So there was a little more slipping going on, or were you --
20 did you not experience --

21 A. Well, it was -- yeah, as you go down the line it's getting
22 better. Yeah, it's getting better.

23 Q. Okay.

24 A. That's also a down -- that's also coming down, you know, to
25 Gulph Mills.

1 Q. Okay. I'm not really familiar with the sequence of stations,
2 so what's your next station after Gulph Mills?

3 A. Matsonford.

4 Q. Okay. How did operations go going into that station? Any
5 problems?

6 A. No, I don't think anybody got on or off, but I didn't -- you
7 know, we were fine.

8 Q. Okay. The next station after that?

9 A. County Line.

10 Q. I'm sorry?

11 A. County Line.

12 Q. County Line? Was that a normal stop?

13 A. Yeah. I don't remember -- I don't think anyone got on or off
14 there either, yeah.

15 Q. And if you'd just walk me down the rest of the line after
16 County Line?

17 A. Radnor.

18 Q. Okay. Normal there?

19 A. That was good.

20 Q. Okay.

21 A. I believe, yeah, it was good. I picked people up and dropped
22 people off there. Villanova. It's okay. I don't know who got on
23 or off at Villanova, to be honest with you. I don't remember if I
24 stopped at Villanova. I don't think I stopped at Stadium. But
25 I'm good, I'm good by then, coming down to Garrett Hill. You

1 know, Garrett Hill, everything's fine.

2 Q. Okay. So --

3 A. I'm not slipping. I'm not slipping, you know, so --

4 Q. Yeah. Okay. Is it starting to rain a little harder now?

5 A. I don't remember if it rained or it stopped raining at that
6 point, to be honest with you. You know, as far as the weather
7 goes, yeah, I don't know. Was it raining or not raining? You
8 know, there's times in the night where it's raining, times in the
9 night it wasn't raining, you know?

10 Q. Okay.

11 A. I can take you down if you want. So Garrett Hill
12 (indiscernible) Garrett Hill, and then after that it's Roberts
13 Road. You know, I don't know if anyone got off or on at Roberts
14 Road. Then after Roberts Road, I get a no code. I get a no code
15 at Roberts Road, yeah, because they're doing a red -- because
16 there's a red light at 2-S Bryn Mawr. And that's because they're
17 doing single track work -- or like I said before, they're not
18 doing single track, they're working on the bridge, so they're in
19 single track operation. So I get a no code. Then --

20 Q. And what happens at the no code? What do you have to do,
21 then, at this location?

22 A. Okay. This is just you -- this is just -- so you get a no
23 code there. And I had asked the controller, I think, Friday
24 night -- I said do I got to get permission to hit stop and proceed
25 every time I get a no code when I come in Bryn Mawr because I know

1 it's -- 2-S is red. And she said, no, you don't have to, you
2 know?

3 So I hit stop/proceed, and I pull up -- I get my no code. I
4 hit stop/proceed. I pull up the 2-S Bryn Mawr. Control center
5 gives me permission to go through the red at 2-S Bryn Mawr on the
6 (indiscernible) 205-C and proceed to 2-N Bryn Mawr, and I'll be
7 routed into the pocket at Bryn Mawr.

8 Q. And this is part of the single tracking operation?

9 A. Yes. Do you want me to continue with that trip?

10 Q. Sure.

11 A. Okay. So I'm at -- I'm routed back into the pocket at --
12 and, you know, I pick up -- they call them a starter at Bryn Mawr,
13 and he actually takes the train back into Bryn Mawr. And then I'm
14 in Bryn Mawr.

15 Q. Talk to me about the starter. What's his role here?

16 A. We're doing what they call a Z move at Bryn Mawr. Are you
17 familiar with what a Z move would be?

18 Q. I mean, I am not.

19 A. Yeah, it's --

20 Q. But you're going to tell me?

21 A. I'm going to try to explain it to you. So you're at -- so
22 what you want to do is you want to go past Bryn Mawr to come back
23 into Bryn Mawr to go back out on the track 1, the northbound
24 track. So it's a Z, you do a Z, you know what I mean?

25 Q. So you're moving forward and backing up and then forward --

1 A. Right.

2 Q. Got it.

3 A. So maybe there's a little confusion, people didn't realize if
4 we're going to go past Bryn Mawr and come back. That's actually
5 scheduled, you know --

6 Q. Okay.

7 A. So --

8 Q. And the starter's role in this?

9 A. It just maybe saves a little bit of time that he jumps on the
10 train, and while I go -- when I go past 2-N, he jumps on the train
11 and takes it back into the pocket at Bryn Mawr.

12 Q. Do you know the name of this starter?

13 A. That night, Ed Martin.

14 Q. Okay. So you executed that Z move?

15 A. Sure. And then I'm --

16 Q. And he got off the train?

17 A. He gets off. I get my signal, proceed cab divert. That's
18 when the white light blinks.

19 Q. And where are we right now? At signal 2-S?

20 A. No, no, 2-S is the red.

21 Q. Oh, oh --

22 A. Then you get 2-N. Then you're in the pocket. I'm not sure
23 what that -- it's the signal to come out of the pocket at Bryn
24 Mawr. And it's a proceed cab divert. And it puts you on track 1,
25 the northbound track, so you're going actually in the opposite

1 direction.

2 Q. All right. I'll let you continue on.

3 A. So I go down to Haverford, which is the next stop. I don't
4 think there's anybody there. Before I get there, there's an
5 approach sign, so I hit the horn for, you know, long on the horn,
6 and drop my speed to 30 miles an hour. It's an approach sign.
7 It's a yellow sign with a black A.

8 Then there's a speed limit sign up there. So I give it two
9 shorts on the horn. Resume sign. Then I -- resume sign. Then I
10 go back and I take -- I'm out of the work zone at that point.
11 Then I continue. Okay.

12 Q. All right.

13 A. Ardmore Avenue, I don't know if anybody got on or off at
14 Ardmore Avenue, Ardmore Junction, I'm not sure. I'm
15 (indiscernible). Like, you know, if there was people there, I
16 stopped, you know, and the next stop is Ardmore Junction. Then
17 the next stop is Wynnewood Road, Beechwood-Brookline, yeah.

18 Q. Okay. So everything is pretty --

19 A. And then we crossed over at -- then there's Penfield. Then
20 you cross back -- you know, the whole time you're on, you know,
21 track 1. Then, at Township Line Road, you cross over back onto
22 the regular track, yes.

23 Q. Okay. So single tracking going on here, but what you just
24 described, it sounds like things went normal after the Gulph Mills
25 station?

1 A. Yeah, everything was great.

2 Q. Okay. So let me just have you try to recap a little, or
3 refresh -- as you're approaching the three signals leading up to
4 the station, the first one is 2-S?

5 A. Yes.

6 Q. Okay. And again, what you recall seeing displayed on the
7 signal?

8 A. It must have been proceed cab, yeah.

9 Q. And the aspect, the color aspect you're seeing is lunar --

10 A. White.

11 Q. Is white solid?

12 A. Lunar, lunar, that's better, yeah, that's -- yup, that's
13 solid.

14 Q. So you're calling it a lunar, as well, white solid --

15 A. White, yeah, yeah, white solid.

16 Q. Yeah, okay, okay. And what does that tell you, the solid
17 white, in terms of operations, in terms of speed and what you're
18 supposed to do?

19 A. Yeah, everything is fine, yeah, go ahead.

20 Q. Right. What are you supposed to do when you see that?

21 A. When I see a white light?

22 Q. Yeah.

23 A. It's called proceed cab. You're proceeding. You're
24 proceeding down the line.

25 Q. Right, at what speed?

1 A. You know, they dictate it. They drop it down to 30, and then
2 they drop it down to 15.

3 Q. Right. Okay. So as you're passing it, it's 30, and then
4 what --

5 A. Then it'll drop to 15 when you pass through that --

6 Q. Oh, when you pass it. So you're approaching 2-S at 30?

7 A. Yeah.

8 Q. And after you pass it, then it's 15?

9 A. I don't think I was approaching 2-S at 30.

10 Q. What do you think you were approaching it at?

11 A. I don't know. It wasn't --

12 Q. More or less --

13 A. Yeah, it was -- I was trying to brake coming into 2-S. Like,
14 I'm already trying to brake at that point.

15 Q. So what speed were you traveling before you tried to brake?

16 A. At 2-S?

17 Q. Yes.

18 A. I'm just trying to slow down.

19 Q. From what speed?

20 A. The speed would have been, you know, you would have been
21 going 55, and then --

22 Q. Okay. So you're doing 55, you're approaching 2-S, and you
23 know that you --

24 A. No, no, no. I'm sorry. Excuse me. I'm going probably 55
25 when I pass Parkview. And there's an impedance on -- your code

1 drops to 30 miles, and you know, at some point between Parkview
2 and -- like, they drop your code to 30. When they drop your code
3 to 30, that's when you slow down. So, you know, you slow down
4 when your code gets dropped to 30.

5 Q. Okay. And that's still before 2-S?

6 A. Yes. That's where this happened, though. That's where I hit
7 the brake and the train didn't stop.

8 Q. So before you reached 2-S --

9 A. Yes.

10 Q. -- your trying to brake?

11 A. I wasn't going -- it wasn't like I was going 30 miles an hour
12 at 2-S.

13 Q. Right.

14 A. Do you understand? Like, I'm already trying to slow down.

15 Q. Before you get to 2-S?

16 A. Oh, for sure.

17 Q. Right.

18 A. Yeah.

19 Q. About how much before, in terms of car length or time or --
20 that you -- I'm trying to get an idea where you first applied the
21 brakes.

22 A. I applied the brakes coming down the hill. Yeah. When I was
23 coming down the hill, I applied the brakes.

24 Q. But your feeling is the train, from your earlier statement,
25 you're not feeling it slow down?

1 A. Right, right.

2 Q. Do you have -- what's your thought about why it wasn't
3 slowing down? Was it due to the slipping? Was it due to normal
4 brakes not working? What did you think was the reason?

5 A. I don't know why the brakes wouldn't work. I mean, you know,
6 they did work, you know? I can guess maybe we -- I don't -- yeah,
7 we just like -- maybe we slid, yeah.

8 Q. If you do slide, do you get any indication on your control
9 panel that you're sliding?

10 A. There's a spin slide light that comes on -- spin -- yeah,
11 there's, like, a spin slide light or a spin -- there's a light up
12 on the panel, yeah. No -- yeah, I think it (indiscernible)
13 spin --

14 Q. What can you tell me about the spin slide?

15 A. The light?

16 Q. Yeah. What does it mean?

17 A. Just I guess to let you know that you're, you know, you're
18 sliding, you know?

19 Q. Is there any reason -- does it imply any reason why you're
20 sliding?

21 A. I don't know.

22 Q. It just from your perspective, it just means that it's
23 sliding?

24 A. Yeah.

25 Q. Do you recall it coming on?

1 A. I don't recall it coming on. That's not to say it didn't
2 come on.

3 Q. Right.

4 A. I just don't recall.

5 Q. So how did you, if you can walk us through, what
6 manipulations throughout all -- braking manipulations you did
7 to -- what initially -- how did you initially try to apply your
8 brakes? What setting?

9 A. I probably initially went to brake 5, then brake 7.

10 Q. Okay. When you went to brake 7, did you feel any braking at
11 that point?

12 A. No. I -- no. Maybe not like you would have hoped, you know?
13 Maybe, you know, it just wasn't -- it wasn't slowing down.

14 Q. From the speedometer, does -- is that also indicating that
15 you're not slowing down?

16 A. Yeah, probably, yeah.

17 Q. Do you recall looking at it?

18 A. I don't -- I just know I'm not slowing down, yeah.

19 Q. Okay. So now you're trying to brake before 2-S, and now
20 you're about to pass 2-S. Are you continuing to try to brake?

21 A. Yes.

22 Q. Were you staying in 7 for a period of time?

23 A. I think -- you want to go -- I think I was coming out of 7,
24 brake 5, brake 7, brake 4, brake 7, brake coast --

25 Q. Oh, back to 5?

1 A. Brake 7, you know, you're just trying to stop, I'm just
2 trying to stop.

3 Q. But what is the purpose of going back and forth? What does
4 that do for you?

5 A. I guess so maybe it releases the brakes and they grab again;
6 hopefully, they grab on to something, you know?

7 Q. Okay.

8 A. I believe I'm trying to drop sand, you know? I believe --
9 you know, I -- because that was -- I would normally drop sand, you
10 know, because you got the sand, but I don't know.

11 Q. Is that what you've been trained to do, instructed to do in
12 such situations to manipulate the brake in such a manner, or is
13 that something that you picked up on your own?

14 A. I don't remember. I just -- that's how I do it, you know,
15 that's how we do it, you know?

16 Q. Okay. So you're going back and forth, 5, 7, 4, 5?

17 A. Yeah, yeah, yeah.

18 Q. So now you're going past 2, and you're coming up on 4-S
19 signal?

20 A. Right, right.

21 Q. Right? And again, you observed similar aspect, a solid
22 white?

23 A. I don't remember 4-S, to be honest with you.

24 Q. And at this point, you're still trying to brake?

25 A. I might -- I don't remember. At this point, I may have

1 dumped the vehicle already, you know?

2 Q. Any idea/recollection of your speed about this time?

3 A. No. We weren't -- I do remember at one point I looked at the
4 speedometer, and like I said, it was going back and forth. I don't
5 know how fast we were going.

6 Q. Back and forth like increasing/decreasing?

7 A. Yeah, like it was out of control, like it wasn't reading
8 properly. Do you understand what I mean? Like, it was just going
9 (makes whooshing sound).

10 Q. Oh, it was jumping?

11 A. Right.

12 Q. Like, from what to what?

13 A. I don't know. It was just not giving me a proper reading,
14 you know what I mean?

15 Q. Okay. And not proper -- enough for you say this is not
16 right?

17 A. Yeah, we just weren't stopping, yeah, yeah, yeah.

18 Q. So now you're past 4-S?

19 A. Yeah, and that's --

20 Q. And now you're approaching 6-S, and you observed -- earlier
21 you said red?

22 A. Yeah.

23 Q. Now, if things were operating normal, what would be your
24 procedure?

25 A. If things were operating normal, I would, you know, I would

1 come down to that light, and either it would be red or they would
2 have the track assigned for me, and I would go into the track.

3 Q. But it was red on this case, if you recall, so if you had --
4 if you were able to slow the way you wanted to, would you have
5 stopped there?

6 A. Absolutely, yeah, yeah.

7 Q. Yeah. Right. And then what would you have done?

8 A. I would have waited for my track to come up.

9 Q. How long does that usually take?

10 A. For the most part, what you do is you have a track selected
11 on the train, 1, 2, 3, and you select your track. So as you're
12 coming down, you know, you're going slow coming through, and they
13 have your track selected, and they will give you -- you know,
14 that's all. That light should be set, and you should be routed
15 into a track. This wasn't a typical situation, though, obviously,
16 you know what I mean?

17 So usually -- you know, but when -- regular operation is you
18 come down, you select -- your track is selected, because you
19 already know from your paddle where you're going. So, you know,
20 you select your track. So as you're coming down, once you go
21 underneath of the bridge, once you come under here, you know,
22 it'll read what your track selection is, and then it'll give you
23 the light (indiscernible) track.

24 Q. And under what occasions would you call the controller?

25 A. If you have a two-car train, you got to call control for a

1 track.

2 Q. Are there other reasons you call a controller beside a two-
3 car train?

4 A. If they give you the wrong track. You call them if they give
5 you the wrong track, though.

6 Q. If they give you -- based on the paddle information?

7 A. Right.

8 Q. All right. Do you recall what track you were -- your paddle
9 had you going into that night?

10 A. It was probably supposed to be 2 -- I think I'm 2 track 1-9,
11 you know, but these things change when -- I was 2 track 1-9.

12 Q. Okay. So now you're going past 6-S and you're still trying
13 to brake?

14 A. Yeah, yeah. That's it for me. Like, that's -- I'm in
15 complete panic mode. I don't know -- you know, at that point, I
16 don't -- I'm fuzzy. After that, I'm fuzzy. Man, I said -- I
17 hollered out "brace" three times. I hit the horn, you know.
18 Yeah, we didn't -- that was scary, man. That was scary.

19 Q. I imagine. I think you had stated earlier that you remember
20 putting the train into emergency at some point?

21 A. At some point, yes.

22 Q. Yeah. Was that a little past 6-S? Do you recall that?

23 A. No. That would have been before 6-S. That was probably I
24 put the car in emergency brake between 2-S and 6-S, but you know,
25 probably the employee platform around there, or something, but I'm

1 not -- I don't remember.

2 Q. The employee platform is a little closer to 4-S, is that
3 right?

4 A. Yeah. It's like, I guess, maybe a little bit between 4-S and
5 2-S.

6 Q. Right. Now, operationally speaking, as we're talking in --
7 more in a calm situation, is there anything else you can do after
8 you put a train into emergency to try to stop the train?

9 A. No. That's it, right? Once you go to emergency brake --

10 Q. From your understanding --

11 A. Because all the air is dumped out at that -- you know what I
12 mean? Like, all the air is dumped. Once you do that, that's --

13 Q. Right. And that will automatically drop sand? You don't
14 have to do any other --

15 A. Yeah, I believe it will. You know, I think any kind of
16 safety mechanism, it's an emergency brake, so I'm guessing that
17 any kind of safety mechanism that's on that vehicle is going to be
18 applied if you hit the emergency brake, whether we drop sand or
19 anything, you know?

20 Q. Right. So placing the train in emergency, once you do that,
21 there's no other --

22 A. I don't know what I can do after that.

23 Q. Right. That's -- as far as you know, there's nothing else
24 you can do after that?

25 A. Right.

1 Q. Okay. Do you recall making any announcements to passengers
2 about the situation?

3 A. I said, "Brace."

4 Q. You did?

5 A. Yeah, I said, "Brace." This was happening so fast, do you
6 understand? Like, it feels like it takes -- this is happening so
7 fast, and like -- and I can't believe we're not stopping, you
8 know? And I'm like it'll stop. And we're not stopping. And it's
9 not stopping, man. So, like, I'm like, all right. And then when
10 I realized we're not stopping, I said, "Brace." I yelled,
11 "Brace," three times, you know?

12 Q. At what point did you yell, "Brace"?

13 A. I don't -- I remember I yelled -- I said, "Brace." I'm
14 hitting the horn yelling, "Brace."

15 Q. When did you hit the horn?

16 A. Coming in to 69th Street. Probably -- I don't remember. I
17 don't remember specifically, but I hit the horn, and I'm -- and I
18 yelled, "Brace."

19 Q. Do you think it was after 6-S that you hit the horn?

20 A. Might have been around 6-S, maybe something like that.

21 Q. You hit it several times or one --

22 A. I believe so, but I'm not -- we're getting to a point
23 where -- we're getting to a point in the operation where I'm kind
24 of -- I'm not even -- a little fuzzy because it was a lot going on
25 and it was very stressful, yeah, yeah, so --

1 Q. Okay. I appreciate that.

2 A. Yeah.

3 Q. I understand you were injured as a result of the accident?

4 A. Yeah, I was. I don't know how fast we were going, but I
5 hit -- you know, we were moving at a certain speed, and all of a
6 sudden that speed stopped, and we hit another train, so --

7 Q. Right.

8 A. I went into the dash a little bit. They said I knocked out,
9 but I don't think I did, you know, but you know --

10 Q. Right. Did you remain seated or did you try to brace
11 yourself? Did you get up from your chair?

12 A. I don't remember. I don't remember. At that point, I don't
13 remember.

14 Q. Okay.

15 A. Yeah.

16 Q. What injuries did you sustain?

17 A. I'm just really sore, you know, just really sore, you know,
18 so that's all.

19 Q. Okay. I appreciate that. We'll go around for additional
20 questions. Do you -- and we're going to go around twice, and the
21 second time I'm going to ask you a little about your training and
22 experience and things like that.

23 A. Okay.

24 Q. Do you want a break or do you want to keep on going?

25 A. At some point, I'd like to drink some water, yeah. Do you

1 have water? I mean, I don't have to take a break if you can get
2 me a glass of water.

3 Q. We can get you a glass of water.

4 A. All right. Let's go ahead. We're fine.

5 MR. LEWIS: Want to take a break?

6 MR. GOODWIN: You all right?

7 MR. LEWIS: Yeah.

8 MR. GOODWIN: (Indiscernible).

9 UNIDENTIFIED SPEAKER: (Indiscernible).

10 MR. LEWIS: (indiscernible) yeah.

11 UNIDENTIFIED SPEAKER: Well, I'll wait till --

12 MR. LEWIS: I can wait.

13 UNIDENTIFIED SPEAKER: He's part of the investigation --

14 MR. LEWIS: Oh, he's got to be here? Oh --

15 UNIDENTIFIED SPEAKER: -- team, so I want to wait till he
16 comes back before I ask any questions.

17 MR. LEWIS: Okay.

18 MR. GOODWIN: Yeah, I'll take a break for a second. We're
19 just going to step out for a second.

20 UNIDENTIFIED SPEAKER: Okay. I can put it on pause.

21 (Off the record.)

22 (On the record.)

23 MR. TORRES: Okay. We're back on the record here.

24 BY MR. REYNOLDS:

25 Q. James, I just have a few questions to ask you. Your jumper

1 run, you've been working that since the picking started?

2 A. No. I had picked a bus run originally, and what had happened
3 was these jumper -- after the sign-up, after the sign-up, there
4 was so many open runs that they made another jumper. So the
5 person that originally picked that jumper picked another jumper,
6 so the one was never -- it was open for a month. And after 30
7 days, I bid on it.

8 Q. All right. So when did you go from bus to high-speed
9 (indiscernible)? Do you remember?

10 A. If I could look at a calendar, I could probably tell you. It
11 was probably, like, the first week of August maybe, maybe, like,
12 the first week of August. I'm sorry.

13 Q. Okay. And have you picked on the Norristown line before?

14 A. Yes, numerous occasions.

15 Q. Did you have the same car all night, 155?

16 A. I believe I did, yeah. I keep the same block. I don't think
17 I had to change cars. Sometimes we change with the single track.

18 Q. Right.

19 A. But I think I kept the one all night.

20 Q. Did you do the brake test on -- and the cab signal test --

21 A. Yes.

22 Q. -- on 155 car?

23 A. Yes, yeah.

24 Q. Okay. I have -- the question about -- on Friday, when you
25 got your no code, you called control center, and at that time, you

1 asked them do I need to do this every time?

2 A. Yeah, yeah, I think it was Friday.

3 Q. Friday or earlier that night?

4 A. No, it was Friday. I think it was because I just wanted a
5 clarification because about a month ago maybe, they were dropping
6 codes, making sure operators were going 69th Street. Maybe people
7 weren't aware that if you get a no code, you have to call 69th
8 Street.

9 So, you know, when this -- no, it wasn't Friday because I'm
10 off on Friday. It was probably last Wednesday. I'm sorry. I
11 said Friday. I wasn't -- I didn't work on Friday. It was
12 probably the previous Wednesday. And the service was a little
13 backed up. So when I get the no code, I called, and I said do I
14 got to -- do I have to call every time I get a no code when I'm
15 coming into a work zone or we know -- because we know what this
16 is, why I'm getting a no code. And the dispatcher said -- or the
17 control center said I didn't have to.

18 Q. Okay.

19 A. And not in this instance because it's, like, scheduled work,
20 and everybody knows why I'm getting it, because I'm getting the
21 red.

22 Q. Okay. Did you get -- as you're coming down the hill after
23 Parkview, and you may have said, did you pick up passengers at
24 Parkview?

25 A. I don't believe so.

1 Q. When you're coming down and you're in track speed, do you
2 remember going into over-speed?

3 A. I think you go into over-speed because the speed drops, you
4 know? It'll -- you know, you'll be in over-speed because it drops
5 from 55 to 30.

6 Q. When you're coming down and you realize you're not slowing
7 down -- I know we kind of went over it before -- exactly how did
8 the car feel?

9 A. You know what's weird? Like, you can hit the brake, and it
10 feels like you actually jump forward a little bit. Do you know
11 what I mean? And like I think -- you kind of get a feeling that
12 there's going to be a -- but that's -- you can do that, you know?
13 Like, you can slide. But it just wasn't.

14 Q. When you said you looked down and the --

15 A. Yeah.

16 Q. Was going all over the place?

17 A. Yeah.

18 Q. Was that similar to when you do the brake signal test, where
19 it's moving?

20 A. No. Yeah. And I -- no, it's kind of just going back and
21 forth like just not giving me a reading, I guess, you know? It
22 was odd.

23 Q. Nothing at this point.

24 A. Thanks, John.

25 MR. LEWIS: Mike?

1 UNIDENTIFIED SPEAKER: Well, we kind of jointed our questions
2 together so --

3 BY MR. CASSITY:

4 Q. Jared Cassity from SMART. I'm going to start back at the
5 beginning, if you will, of the night. When you go to your car,
6 you said you had done a test. Was there any exceptions to the
7 brake test or the walk-around or anything you found that was out
8 of the ordinary or an exception to the rule?

9 A. No. Everything was fine.

10 Q. When you go to your car or your train and -- when you go to
11 the first -- to the train, the first of the night, when those cars
12 go from an operator to an operator, do you receive any kind of
13 record of how the car handled the shift before or anything from
14 mechanical maybe perhaps that would give you any indication that
15 there could be a problem with the car?

16 A. I mean, if there's a problem, there would be a VCR filled
17 out, and the problem would be corrected before I got it, you know
18 what I mean?

19 Q. Okay. So there's a book or some kind of indication --

20 A. No, no, no. There's a VCR, a vehicle condition report, that
21 you would fill out at the end of the night. And if there was an
22 issue, then I'm sure that issue would be addressed before I get
23 the vehicle.

24 Q. Now, going back to coming into the 69th Street area and the
25 way you typically run a car, do you kind of have, like, visual

1 cues when you're coming into a location where you typically start
2 to brake, or does that change, or do you think there's some
3 regularity to it and kind of get into a rhythm and so you're going
4 by visual cues as to when to stop?

5 A. Well, at night time it's a little different because it's
6 dark, you know, but you know, you know when -- you know, you get
7 an idea of when you're going to. But it's basically the cab
8 signal will drop. That's how you know. That's how you know to
9 stop.

10 Q. So as soon as the cab signal drops, typically, for you, you
11 take some kind of --

12 A. Yeah.

13 Q. -- throttle or braking action?

14 A. Well, you have to because it's -- there's -- you know, if you
15 don't brake, the train will shut down.

16 Q. Did the brakes on the cars, does the air brake serve any
17 purpose other than the emergency brake? Do you use it for
18 anything other than emergency, the actual air brake itself?

19 A. There's seven braking points, you know? It goes from brake 1
20 to brake 7. As far as a separate air brake? Is that what you're
21 saying?

22 Q. So is it all air brakes or do you use power brakes in the
23 car?

24 A. I think it's dynamic braking, right?

25 Q. Okay. Right, yeah.

1 A. Right, yeah.

2 Q. So you're using dynamic brakes?

3 A. Right.

4 Q. Do you ever actually adjust the -- do you make any air
5 reductions to slow the car with air or is this just specifically
6 for emergency for you all?

7 A. There are seven braking points. I use those seven braking
8 points. And that's basically it. I don't calibrate -- like, I
9 don't adjust how much air goes into a brake.

10 Q. Okay. Do you think that you were going any faster than usual
11 that night?

12 A. No, that was regular operations. I mean, everything was --

13 Q. When you put the train into emergency, do you recall if you
14 put it into emergency or if you dumped it because it wasn't
15 stopping or if it was because you saw red? Do you recall what
16 gave you the inclination to put it into emergency?

17 A. I don't think it was because I saw red. I think it was
18 because I wasn't slowing down, you know what I mean?

19 Q. Yeah, I do.

20 A. I was -- none of this is funny, but what I'm saying is when I
21 saw that red, I thought to myself -- I was like -- it's like -- I
22 was like I'm going to get a signal violation. Not that it's
23 funny. I was like, that's a weird thing to think about, you know
24 what I mean? Like, the red wasn't my motivation to hit the
25 emergency brake.

1 Q. Okay. So it was the way the car handled is what --

2 A. Yeah, if I would have got that red, that's fine. As long as
3 we would have stopped, I don't care. Like, I just want it to
4 stop.

5 Q. And referring to your training and the way that you're
6 instructed on how to operate, do you -- did you get a lot of
7 specific instruction on how to handle slippery rail or when the
8 wheels are slipping?

9 A. Our training department does a good of training all the new
10 people, you know? Like, I think they do a great job in training
11 us. And you know, but it's like anything else. You have to learn
12 this stuff on the job, you know what I mean, how to react to
13 certain situations, I guess.

14 Q. Okay. I don't have anything else for right now. Thank you.

15 BY MS. BONINI:

16 Q. Hi, James, Beth Bonini from PennDOT.

17 A. Yeah.

18 Q. Question. So it sounded like you were going 55 and you were
19 trying to get to 30 and then to 15. And it sounds like you were
20 having some trouble doing that. When the control panel said 30
21 miles an hour, and if you weren't getting to that 30 miles an hour
22 from that 55, is there any alert or anything that's flashing or
23 sounding that would notify you that you're going over that 30-
24 mile-an-hour speed?

25 A. Sure. Well, what happens is the system has an override, you

1 know, I believe, so, like, if you don't get -- so if you don't --
2 so, like, if they say -- if the cab signal comes up to 30, right,
3 okay, you have 3 seconds to get the thing into -- if you're not in
4 brake 5 within 3 seconds, the train will shut down automatically,
5 okay? So -- but as far as getting -- like, I'm braking to get
6 down to that speed, you know what I mean, so --

7 Q. So you went to brake from brake 7 to brake 5 to get to that
8 30?

9 A. I thought -- yeah, probably, probably went -- yeah. I was
10 braking the vehicle, yeah. Definitely start at brake down to
11 brake 7, yeah.

12 Q. And but did you feel the vehicle -- you said that if you do
13 that and if you don't do it within the 3 seconds, then the vehicle
14 will automatically --

15 A. Right. There are systems, there are safety systems put in
16 place to whereas, yeah, it'll shut down itself.

17 Q. Okay. And that is based on the 3-second going into that
18 braking system?

19 A. I don't know if it's 3-seconds exactly, but, yeah, it's
20 something like that, you know? You get a little bit of -- you
21 know, because, you know, you're like, you know, you're slowing
22 down, so they give you time to brake, you know what I mean, so you
23 just got time to get braking.

24 Q. And is it -- so if you're going -- if your vehicle is over
25 that speed limit, it will automatically stop?

1 A. No, not if you're over it, but if you're not braking, it'll
2 stop.

3 Q. Okay.

4 A. Right.

5 Q. Thank you. So were you running on schedule that day?

6 A. Nobody -- we were a little behind. We were a little behind
7 because they were doing single track operation. The schedule is a
8 little off because, you know, they're doing work. They're taking
9 a bridge down at College Avenue. I don't know if you're familiar
10 with it. But since they're taking that bridge down, they close a
11 track so that they can take it down.

12 Q. Do they modify the schedule when it's the single track
13 operations for a significant amount of time?

14 A. No. We do our best to try to maintain the schedule the best
15 as we can, you know what I mean? Like, you know, it's something
16 that -- I don't know. That's not -- I just -- no, the schedule
17 wasn't modified, but we were running a little late.

18 Q. Is it typical to ask the controller when you're doing that no
19 code if you could -- if you don't have to call them anymore, or is
20 that -- that would normally be in a notice or (indiscernible)?

21 You said that's --

22 A. No, I just did it because it's a work zone. Like, you talk
23 about schedule, right? So you never sacrifice safety for
24 schedule, but at the same time, you want to be as efficient as
25 possible. We're trying to be efficient, you know? We try to get

1 these people, you know, trying to get people to where they want to
2 go.

3 So if I know why I got a no code and control center knows why
4 I got a no code, because there's a red light and I'm going into a
5 work zone, then I think we could probably skip that, you know what
6 I mean? And I can -- when I get my no code, I can hit
7 stop/proceed, hit RTT, so by the time they call me back, they can
8 give me permission to go through the red light at -- you know, I
9 think it's more about efficiency, you know? I think we're trying
10 to do as best as we can.

11 Q. Right.

12 A. It wasn't like -- you know, for that instance and what you're
13 talking about, it's not like there's something out there that I --
14 you know, it's not like I'm like, damn, why did I get a no code,
15 that was weird. It's like I know I got a no code because there's
16 a red around the corner, you know what I mean?

17 Q. Right, right. But they don't list that particular procedure,
18 not calling the controller, in a rule or a notice or a bulletin?

19 A. Yeah, I guess they wouldn't.

20 Q. And when you were talking about the starter who helped with
21 the Z move, how long was that person on the train to do -- you
22 said someone hopped in and did that reverse move --

23 A. Yeah.

24 Q. -- for you?

25 A. I mean, it's not long. Like, I pick him up at Bryn Mawr. I

1 drive the train past, or you know, I go past 2-N. Then he brings
2 the train into the pocket of Bryn Mawr.

3 Q. And where was he dropped off?

4 A. In the pocket when we went back in. I dropped him back off.

5 Q. So he got back off on the platform?

6 A. So he can go -- he can -- yeah, then he does it for the next
7 train --

8 Q. He didn't stay?

9 A. No.

10 Q. Okay. And how far away is that station?

11 A. Bryn Mawr?

12 Q. Yeah.

13 A. From where?

14 Q. From --

15 A. 69th Street?

16 Q. Yeah. It's --

17 A. Oh, yeah, probably, like, halfway, you know? Yeah.

18 Q. I don't have anything else during this round.

19 A. Okay.

20 Q. Thank you.

21 BY MR. GOOD:

22 Q. George Good, FTA.

23 A. Hi, George. How you doing?

24 Q. Just how often do you recertify for an operator?

25 A. We recertify once a year, yeah, one -- yeah.

1 Q. Do you remember when was your last recertification?

2 A. I don't know. It's been within a year.

3 Q. Okay.

4 A. Yeah. No. I mean, like, I'm good, you know, like --

5 Q. Right, you're --

6 A. I'm not being a wise-guy. It's been within a year. I can't
7 remember exactly when.

8 Q. Now, as far as management or supervisors, do they actually do
9 ride checks for the operators? And when was the last time you had
10 someone do a check on you, or do you remember?

11 A. I operate like this -- a manager on the train every time.
12 You understand what I'm saying?

13 Q. Um-hum.

14 A. I think SEPTA has got people out there all the time. I think
15 SEPTA has got people out there all the time making sure that we're
16 doing what we need to be doing, and that's how I operate like --

17 Q. But they don't actually get in the cab and ride --

18 A. Oh, document it, to document like --

19 Q. Yeah.

20 A. -- how I'm operating?

21 Q. Yeah, yeah. Do they do periodic checks like that?

22 A. Nothing like they would -- you know, they'll check and make
23 sure you have all your proper paperwork, your ID, your bulletin
24 orders, your rule book, but they won't actually -- you know?

25 Q. And the other -- the only thing, just for clarification, the

1 run guide, is that the same as the paddle that you were talking
2 about? Is that the same thing?

3 A. The run guide, yeah, pretty much, yeah, yeah.

4 Q. I just didn't know. Getting the terminology. All right.
5 That's all I had. Thanks.

6 A. Thank you.

7 BY MR. TORRES:

8 Q. Okay. Tomas Torres with the NTSB. You said when you took
9 charge of the car, that'd be car 155?

10 A. Yes.

11 Q. You said you conducted a brake test?

12 A. Yes.

13 Q. Can you explain what that consists of?

14 A. I do a cab signal test, the cab signal. Then I do a brake
15 test, the brake test. I just -- I dump the air out emergency
16 brake, recharge it. I dump air out the emergency brake, recharge
17 it, make sure it all recharges properly, you know? Then I move
18 forward and stop, make sure it stops.

19 Q. Okay. Is that like you're just looking at the gauges or you
20 get out and walk, do --

21 A. No, just the gauges, yeah.

22 Q. Okay. Did you hear that night -- did you hear anything over
23 the radio in the reports, you know, of track conditions?

24 A. No.

25 Q. Not at all?

1 A. No.

2 Q. As you were coming into 69th Street, you said you -- before
3 you applied the emergency brakes, did you hear anything, I mean,
4 anything unusual on your equipment?

5 A. I don't remember. All I remember is that bell, man. I can
6 hear it in my sleep, that bell, beep, beep, beep, you know? I
7 mean, I'm talk -- it got stressful, man, really fast, you know
8 what I'm saying? Like, it was like, oh, we're not stopping to
9 holy cannoli we're not -- you know what I mean? Like, it got bad,
10 you know? So do I hear things? Man, I just hear, like, crashing
11 into that train, man. Then like --

12 Q. We'll take a break.

13 (Off the record.)

14 (On the record.)

15 MR. TORRES: Okay. We're back on the record. Tomas Torres.

16 BY MR. TORRES:

17 Q. So let's get back to as you were approaching the station
18 there, you said you sounded the horn?

19 A. Yes.

20 Q. And do you remember more or less where? You know --

21 A. I don't know. I don't know, coming over the bridge probably
22 at some point when I realized -- you know, that's tough to like --
23 you know, you think we're going to stop, we're going to stop,
24 we're going to stop, and then like holy moly, you know?

25 Q. And you sounded the horn for what reason?

1 A. To let people know. Why not, you know, in case there was
2 anybody near the track to get away, because I don't know, I don't
3 know how that -- I don't know how that train is going to react
4 when I make contact with it, you know? I don't know how.

5 Q. And where is that bridge? You know, how far back from the
6 station?

7 A. (Indiscernible).

8 Q. So it's fairly close?

9 A. Yeah.

10 Q. So you're talking --

11 A. This is 6-S right here. You see this? See this signal 6,
12 this is where we're talking about. 6-S. That's 6-S right there.

13 Q. So right here?

14 A. Yeah. I mean, I'm not going to say for sure that's where I
15 blew it, but maybe around there. It could have been over here --

16 Q. But on or near --

17 A. Yeah.

18 Q. On or near 6-S --

19 A. Yeah.

20 Q. Okay. So was this going to be your last station stop?

21 A. Yeah, this was the last trip.

22 Q. And that's where you get relieved and go home or --

23 A. Well, what I would do is I would stop, let the people off,
24 and then I would change ends and go back to the yard at 69th
25 Street.

1 Q. Okay.

2 A. And turn the car in for the night.

3 Q. Then you would go empty or you would go back with passengers?

4 A. Say that again?

5 Q. When you turned back --

6 A. No, better not have any passengers. They're going to be
7 sleeping on the train that night.

8 Q. Yeah.

9 A. No, I go back to the yard. It's empty. And I, you know,
10 when I go from one end to the other, I walk through the train and
11 make sure everybody is off.

12 Q. Okay.

13 A. Okay? Yeah. And then what happens is I'll hit the yard
14 button, and control center will route me into the yard at 69th
15 Street.

16 Q. Okay. I think this question was already asked of you, but
17 when is the last time a supervisor gave you an evaluation, do you
18 know, on board?

19 A. I'm not sure.

20 Q. No?

21 A. Yeah.

22 Q. Do you get efficiency tested, you know, like stopping for red
23 signals and rules compliance?

24 A. I think probably if you don't stop for a red signal, you're
25 going to get a, you know, you'll get a signal violation, so I

1 don't think they commend you for doing what you're supposed to --
2 you know, you're supposed to stop at a red signal, you know what I
3 mean? You mean like an obstacle course? Or like a refresher? I
4 think there's a reclassification once a year if that's what you're
5 talking about --

6 Q. Yeah, an operational test? Do they (indiscernible)?

7 A. Yeah, we do a signal test and everything, sure. That's part
8 of the reclass. The reclass is you do a signal test. We got one
9 of the instructors, you know? The instructors are great, and they
10 give you a signal test. And you go, you do a trip on the trolley
11 and do a trip on the Norristown line. And you just -- anything
12 that might have changed over the course of the year, we go over
13 and we cover, you know?

14 Q. Oh, okay.

15 A. Yeah.

16 Q. Yeah, but while you're on a train, I mean, do they ever
17 change the conditions for you and test you, see how you're going
18 to react?

19 A. I don't think that -- are you talking about --

20 Q. A test out on the field?

21 A. With passengers? Are you talking about having passengers
22 and, like, being tested --

23 Q. Yeah, I mean -- yeah.

24 A. Or being evaluated while you're riding, just, like, riding
25 around doing -- like, you know what we have? We have a mentor

1 program. I'm sorry. Yes. We have a peer mentor program. And
2 what happens is one of our guys, he'll ride out with you and just
3 observe you -- your -- or girls -- excuse me -- one of our
4 employees will -- I'm sorry.

5 One of our people will ride out with you and they'll just
6 evaluate how you operate the vehicle, you know? And that's
7 everything. I mean, that's customer service. That's operation of
8 the vehicle. Just make sure that, you know, you're doing what you
9 need to be doing and you're representing SEPTA how you're supposed
10 to be doing it, you know what I mean? And that's another
11 operator, so that's good.

12 Q. Okay. Thank you. Another question is when did you hire out?
13 What's your employment history?

14 A. I think it was 3 -- I think it was March of 2011. And I
15 think it's March 8th.

16 Q. Did you use your cell phone on duty?

17 A. Did I use my cell phone while I'm on duty? Yeah, I'm going
18 to be honest with you. When I went past Gulph Mills, I hit RTT.
19 Now, the control center is not calling me back. So I get up out
20 of the seat. I turned my phone -- then I turned my phone on and I
21 called them, you know, because I got to get permission to go back,
22 and I can't wait all night for them to call me back on the RTT, on
23 the request-to-talk.

24 So I stand up out of my seat. I get away from the seat, and
25 I call downtown to control center. I say may I please have

1 permission to go back to Gulph Mills. I passed it. And they say
2 yup.

3 Q. Is that a personal phone or a company phone?

4 A. It's a personal phone. The company phone is the train phone.
5 It's like the radio that we have right here, you know, but you
6 know --

7 Q. Okay. Is there anything you would like to add?

8 A. In as far as?

9 Q. Anything. Any comments? Any personal comments? Is there
10 anything that you think would change, you know, to make it safer?

11 A. I don't know. Like, you know, like, that was crazy, man, you
12 know, it was a crazy situation. So, like, I don't know.

13 I would tell you that the trolley, right, the trolley has --
14 and I'm not smart enough to figure any of this stuff out. That's
15 why I'm a driver, you know what I'm saying? Like, so -- but I
16 know that the trolley has what they call a track brake. That's
17 like a magnet that'll drop down on the track, you know?

18 And in this particular instance, I had -- I wasn't stopping,
19 you know? So -- and there was nothing stopping it, so I thought,
20 like, maybe, maybe if they had a track brake, you know, like a
21 weight, like a magnet that would drop right onto the track, you
22 know? And it's like -- maybe like they do on the trolley. And
23 you don't want to use it for, you know, regular operation, just in
24 an emergency situation like this. Anything you can do to stop the
25 train, you know what I mean? So that's all.

1 Q. Good.

2 MR. TORRES: Steve?

3 BY DR. JENNER:

4 Q. Steven Jenner. I want to talk to you a few different areas.
5 One, I would like a little more detail about your -- what you
6 hired on and the positions that you worked.

7 A. Um-hum.

8 Q. So your training and experience.

9 A. Okay.

10 Q. And I want to -- we don't have a medical officer who is
11 sometimes here, so I'm just going to ask about your overall health
12 and about your work/rest routine up until you went on duty that
13 day.

14 A. Great.

15 Q. Okay. Let's get a little details about your -- what you
16 hired on, what positions you worked?

17 A. Okay. When I get hired in March, it's -- I get hired as a
18 bus driver, you know? But to get -- to work at Victory, you need
19 to be qualified on three modes. That's the bus, the trolley, and
20 the Norristown high-speed line.

21 So I get my bus instruction, and you know, you're qualified
22 on the bus, and then I become a bus operator for a while. And
23 then I train on the 100, you know, I do my --

24 Q. But when did you start that training?

25 A. I don't remember.

1 Q. Do you recall about how long --

2 A. You know what? You probably work, like, a couple months
3 maybe on the bus.

4 Q. Okay.

5 A. And then they'll bring you back in for training maybe --
6 right.

7 Q. Okay. So we're still in 2011. You did your couple months at
8 bus?

9 A. Sure, yeah.

10 Q. Okay. And so what additional training did you get there
11 after bus?

12 A. Then you go -- for me, my second mode was the Norristown
13 high-speed line, I do believe.

14 Q. Still 2011?

15 A. Probably, you know? I don't know for sure. I don't want to
16 lie to you. I don't want to give you bad information. I'll tell
17 you what. If it wasn't 2011, it was definitely 2012.

18 Q. Okay. And talk to me about that training for the high-speed?

19 A. I think it's like a 4-week course, and you're training
20 everything they need -- that you need to know, you know? They do
21 a great job. My instructor was great. He was awesome, you know?
22 And I was a great student, obviously. Who can doubt that? No,
23 I'm only kidding.

24 No, but you know, it's just they're real professional, you
25 know? They show you everything you need to know. You know, but

1 it's anything in life, you know? He could show you this and
2 everything, but you going to learn everything out on the road, you
3 know what I mean? Like, you're going to learn when you're
4 actually (indiscernible).

5 Q. So is that both classroom and on the road during that 4
6 weeks?

7 A. Yeah, yeah, yeah.

8 Q. So is 4 weeks just the classroom?

9 A. I believe it's 4 weeks. I'm almost positive it's 4 weeks.
10 It's classroom and it's -- like, you'll be in the classroom in the
11 morning and then drive the train later on. Then you'll get
12 experience driving in the morning, noon, and nighttime.

13 Q. So you take a qualification for that?

14 A. Sure.

15 Q. Take a test?

16 A. Yeah, you take a signal test (indiscernible) 100 percent.

17 Q. Okay. And so sometime in 2012 --

18 A. 2011, that was the 100 train. I'm pretty sure it was 2011 is
19 the 100 train.

20 Q. Okay. So you continue work high-speed 2011? Have you been
21 going back and forth to bus or to high-speed? What --

22 A. Yeah, I go -- yeah, we pick three times a year for
23 different -- you know, we'll pick three times a year you pick your
24 run. And you know, I'm bouncing around, you know, and then when I
25 get -- I pick on the 100 quite a bit, you know?

1 Q. Okay. The 100 is which -- what are you referring to as 100?

2 A. I'm sorry. That's the Norristown high-speed line. It's the
3 route 100. We just call it the 100, Norristown high-speed line.

4 Q. So how long have you been working, you know, consecutively on
5 the Norristown? Not a good question.

6 A. I go back -- since I'm qualified, I'll go back and forth, you
7 know? I'm --

8 Q. Back and forth between where?

9 A. Maybe I'll work the bus one sign-up, you know?

10 Q. Okay.

11 A. The trolley.

12 Q. You have a preference, bus versus high-speed?

13 A. I'm efficient in everything. Like, I don't have a
14 preference. Like, it doesn't matter to me. I'm good either way,
15 you know? I'm a professional. I come to work. I do what I got
16 to do. Sometimes it's based on hours. Maybe it's based on, you
17 know, what the run pays or something like that. Sure.

18 To be honest, you know, maybe I try to stay away from
19 Baltimore Pike, you know, during Christmas season because the mall
20 is a mess, but other than that, you know, it doesn't really
21 matter.

22 Q. Right. So in the last year about, how much have you been
23 working the high-speed?

24 A. Okay. I don't remember. Like, since this month, August,
25 okay, and then --

1 Q. So prior to August, you were working bus?

2 A. I worked the trolley last sign-up. Then I probably worked
3 the 100 before that. I'm not sure. I'm pretty regular on the
4 100, though.

5 And now it's like -- I'll tell you what we have. We have one
6 list and one mode. So what happens is if I put in for overtime
7 and I say I want rail overtime, then I'm either going to work on
8 the Norristown or I'm going to work on the trolley, you know? So
9 it's like once a week. I work overtime every, you know, once a
10 week every week. So -- and it's usually rail. So, you know, it's
11 either going to be on the Norristown or the trolley, you know?
12 I'm, you know, I work over there quite a bit, okay, so, yeah.

13 Q. Over there meaning the high-speed?

14 A. Norristown, yeah, yeah.

15 Q. Okay. All right. As promised, I'd like to get your
16 schedule. What is your normal work schedule? And I understand
17 you jump around, but normal days that you work, and do you have
18 scheduled days off?

19 A. Yeah. My days off are Thursday/Friday.

20 Q. Okay. So that means you're working Saturday through
21 Wednesday?

22 A. Yes. And Thursday is an overtime day.

23 Q. Okay. Do you have -- do your start times vary on each of
24 those days?

25 A. Kind of. That day was 2:22. You want (indiscernible) it

1 down and I'll tell you --

2 Q. What I'd like to do is start starting on Saturday.

3 A. Great.

4 Q. Whatever you can tell me. What I'm interested is when you
5 worked and when you were off-duty and activities. So if you can
6 recall Saturday, you're --

7 A. My schedule --

8 Q. You woke up Saturday morning -- or did you?

9 A. Saturday morning?

10 Q. Yeah.

11 A. I don't remember. I mean, I get up and, you know, maybe get
12 coffee with my girlfriend, hang out for a little bit. She goes to
13 work --

14 Q. What time would you wake up on -- roughly on Saturday
15 morning?

16 A. 7:30. I try not to sleep in -- 7:40, you know, 7:40 --
17 except for nights when I work really late. I go home. I go right
18 to bed, you know what I mean? Like, I'm not staying up for
19 anything. I go home and go to bed. So I try to, you know --

20 Q. Okay. So you wake up. And I'm going to -- you know, as much
21 detail as you can give would be great. So as you're waking up,
22 7:30-ish, 7:40, and what do you do?

23 A. Saturday?

24 Q. Um-hum.

25 A. I got up. I might have did my wash. I just got coffee and I

1 hung out with my girlfriend, you know, and then she went to work,
2 and I didn't have to be at work until a little.

3 Q. Do you recall what time you went on duty Saturday?

4 A. My schedule on Saturday is 12:49 to 8:00, 8:20.

5 Q. And this was the high-speed?

6 A. It's all high-speed.

7 Q. Okay. So off-duty at 8:20 p.m. And then how long does it
8 take you to get home?

9 A. When I get done work on a Saturday?

10 Q. Um-hum.

11 A. Well, when I get done work any day, I live on Market Street.
12 I live right there.

13 Q. Okay.

14 A. Yeah, it takes me 5 minutes to walk up the hill.

15 Q. Great.

16 A. Yeah. Maybe 7 minutes.

17 Q. Okay. So did you just go home right after on Saturday?

18 A. This Saturday in particular?

19 Q. Um-hum.

20 A. I actually was off this Saturday. This past Saturday I was
21 off.

22 Q. Oh, you were off all Saturday?

23 A. Oh, you're talking Saturday in general?

24 Q. No, this Saturday. I'm talking 3 days before.

25 A. This Saturday, this in particular, I was off.

1 Q. Okay.

2 A. Yeah. So you want to start at Sunday?

3 Q. Well, let's see. Saturday, off, and you just spend the day
4 at home or chores and -- what did you do Saturday?

5 A. I didn't -- I stayed home.

6 Q. Were you about to say something?

7 A. No.

8 Q. Okay. So off Saturday. Sunday, what did you do Sunday?

9 A. I woke up. I don't -- just basically get up and have
10 breakfast.

11 Q. Around 7:30, 7:40?

12 A. Yeah, maybe, like, 7:30, 7:40, something like that.

13 Q. Okay.

14 A. That's what I always set my -- 7:40, get coffee, hang out,
15 eat some breakfast, and then it's like getting up in the
16 afternoon. So later on I go for a run. I get a run. You know,
17 just do stuff around, and then get ready and go to work at 4:30.

18 Q. So you're on duty at 4:30, and you work till when?

19 A. I get done by 12:30 on Sunday night.

20 Q. Okay. So now it's very early Monday?

21 A. Yes.

22 Q. And it's just after midnight?

23 A. Right, yeah.

24 Q. So you walk home Monday, and you -- what do you do when you
25 get home?

1 A. I take my boots off, walk up the steps, take my uniform off,
2 and go to bed, brush my teeth and go to bed. I don't stay up
3 late. I go right to bed.

4 Q. And you wake up what time Monday?

5 A. Monday might have been like, closer to 8:00, but it wasn't
6 past 8:00.

7 Q. Okay. Then you have some free time in the -- after 8:00 --

8 A. In the morning?

9 Q. Yeah.

10 A. I'll go get coffee. I'll hang out with my girlfriend. We'll
11 drink coffee, and then she'll go to work. I (indiscernible) for a
12 run, you know?

13 Q. And what time did you go on duty Monday?

14 A. 2:22.

15 Q. That was your 2:22, okay. Okay. And you were scheduled to
16 work till what time? 2:22 -- if things went normal, you would
17 have gotten off-duty?

18 A. 12:00.

19 Q. Okay. Great. Thank you for that.

20 I'm going to play doctor here, and I just -- before the
21 accident, who was your overall health?

22 A. In general, I'm a healthy person. Probably got a few extra
23 pounds, but I'm working on that, you know?

24 Q. Do you have any medical, chronic medical conditions like high
25 blood pressure or --

1 A. I can get -- I don't get high blood pressure. I get -- I do
2 get gout sometimes.

3 Q. What do you do for that?

4 A. I take some medicine.

5 Q. Is that prescription?

6 A. Yeah. I don't take it all that -- it's not like something I
7 take every day. I take it when I get -- when it pops up.

8 Q. Do you know the name of the medication?

9 A. I think it's called Colcrys, but I'm not sure.

10 Q. Okay. Anything else? Medical conditions?

11 A. No.

12 Q. Have you ever experienced a black out and pass out and -- for
13 unknown reasons?

14 A. Just pass out? No. Just to pass out?

15 Q. Yeah, just black out, pass out?

16 A. No.

17 Q. That happens for various reasons, but you've never
18 experienced that?

19 A. No, I'm healthy. I don't have any issues like that.

20 Q. Okay. Any colds or allergies?

21 A. Uh-uh.

22 Q. Okay. I don't see any glasses. Do you wear contacts?

23 A. No, I don't need -- I'm 20/20, eagle eye, right?

24 Q. Is your hearing normal?

25 A. It's great.

1 Q. Okay. Let me ask you about your sleep routine. When you
2 wake up, do you sleep through the night?

3 A. Yeah, pretty much.

4 Q. Okay. Do you know -- have you ever been told if you snore?

5 A. I've been told -- I don't know -- yeah, somebody told me once
6 that I snore.

7 Q. Okay.

8 A. Yeah.

9 Q. Have you ever been diagnosed or gone through or anyone told
10 you about if you have any sleep disorders?

11 A. No. I'm not aware of any of that.

12 Q. Okay. When you went on duty on Monday, how did you feel?

13 A. Great.

14 Q. You felt -- your alertness level --

15 A. Unbelievable, yeah, it was great. I look forward to it, you
16 know what I'm saying? I like work. I'm fine. Yeah, I was wide
17 awake. I got plenty of rest. My alert level was -- you know, I
18 was alert. Stay alert, stay alive, right? I'm good.

19 Q. Okay. Do you recall your last physical exam for the company?

20 A. I don't know about for the company. I go to the doctor's
21 quite a bit. I keep myself -- I try to stay on top of everything,
22 you know? I'm 41 years old, you know, so I think -- I just try to
23 stay -- you know, maybe family history --

24 Q. Right.

25 A. -- tells me I should probably go to the doctor's as much as I

1 can just to make sure everything is cool.

2 Q. Okay. If we need to do -- for any reason our docs need to
3 talk, can I get the name of your physician?

4 A. Yeah.

5 Q. Do you know it off-hand?

6 A. Oh, you want it now?

7 Q. Yes.

8 A. Dr. Scott Kurzrock.

9 Q. Scott is his first name?

10 A. Scott.

11 Q. Okay.

12 A. Kurzrock, K-u-r-z rock, I think, K-u-r-z-r-o-c-k.

13 Q. R-o-t-k?

14 A. Z -- no, wait. What did I say?

15 Q. C-k? Rock?

16 A. It's Kurzrock, K-u-r-z-r-o-c-k.

17 Q. Got it.

18 A. If you Google that, I'm telling you, it will come up.

19 Q. Yeah.

20 A. That's -- I think that's close enough. I think that's --
21 yeah.

22 Q. Great. Okay. But as far as -- but the company, what SEPTA
23 knows about you, they don't have -- you're given no restrictions
24 in terms of you can only operate certain times of day or you have
25 to have any hearing or use glasses or you have no restrictions?

1 A. I don't need glasses.

2 Q. Right.

3 A. Is that what you're asking me?

4 Q. Or any type of restrictions for --

5 A. Yeah, I don't need glasses, and I hear great, yeah. I'm
6 healthy, you know what I'm saying? Yeah, I'm good.

7 Q. Great.

8 A. Yes. And I've been to the doctor's and I had a physical.

9 And --

10 Q. Okay. Appreciate you working with me on that.

11 A. No, hey, thanks. It's great.

12 Q. That's the questions that I have --

13 A. Is it --

14 Q. No -- I'm sorry?

15 A. Did I answer your question?

16 Q. You did.

17 A. Okay. I just want to make sure.

18 Q. No. You're doing great.

19 A. Okay. Thank you.

20 Q. Okay. Thank you.

21 BY MR. REYNOLDS:

22 Q. John Reynolds, SEPTA. Just a couple quick questions. You
23 mentioned that you took the phone out to call control center. Did
24 you put it away?

25 A. Yes.

1 Q. Okay. You said you -- as you're coming in, don't know the
2 exact location, you dumped the car?

3 A. Yes.

4 Q. What do you mean by dumped?

5 A. Emergency brake.

6 Q. So how did you go into emergency?

7 A. You got brake 1 through brake 7, and then back down here is
8 the emergency brake.

9 Q. A little bit further?

10 A. Yeah, a little bit -- brake 7 plus one is emergency brake.

11 Q. All right. And the last thing. Control center mentioned
12 that they got a PRT after the event. Do you remember hitting the
13 PRT?

14 A. PRT, oh, priority to talk --

15 Q. Priority request to talk?

16 A. I wouldn't -- I don't know. I don't --

17 Q. Okay. I'm just curious if you were going down the --

18 A. I was so -- yeah.

19 Q. -- rail and you get --

20 A. I don't think I would have thought to -- man, I don't know if
21 I'd be that smart to do that, you know, but I don't even know if I
22 should do that. But I don't know if I would have hit the PRTT,
23 and I don't remember.

24 Q. Okay.

25 A. I went forward a little bit. I don't know maybe if I hit

1 something when I --

2 Q. Yeah. It would be unusual, though, that it would hit the
3 PRT?

4 A. Yeah, that would be pretty odd, right?

5 Q. Yeah, but that's okay. I was just curious --

6 A. Like I said before, we'll get to a point -- we get to a point
7 coming in where it gets a little hazy because it's, like,
8 extraordinarily stressful, you know? And like I'm trying to
9 remember, you know, but I can't. Like, I can't remember hitting
10 the PRTT. I'm sorry.

11 Q. Okay. No.

12 A. Maybe emergency -- no, why would the -- no, never mind.
13 Yeah.

14 Q. I have nothing further.

15 BY MR. CASSITY:

16 Q. Jared Cassity with SMART. Just real quick -- and I'm going
17 to be a little repetitive. I apologize. And I don't want to
18 speak for you. You said the wheels were sliding. You felt like
19 the car was sliding when you put it into brakes, right, coming
20 into that last stretch there?

21 A. Yes. I actually --

22 Q. Daggonit. I (indiscernible) my question --

23 A. Yeah.

24 Q. I can't believe that.

25 MR. CASSITY: You all go ahead. I'm sorry. I had a good

1 question.

2 BY MR. CASSITY:

3 Q. Here we go. When you the train into braking, was that for
4 you voluntarily to control the move or was that just as a result
5 of a cab signal indication?

6 A. Why did I brake the vehicle?

7 Q. Yeah, was that something you did to control speed or was that
8 because of the cab signal indication?

9 A. Yeah, it's because it was time to slow down, yeah, and we're
10 coming downhill getting ready to go to 69th Street so --

11 Q. Okay. So did the cab signal change at all to tell you to
12 slow down or was that something you do (indiscernible) --

13 A. The cab signal probably slow -- it probably dropped to tell
14 me to slow, you know?

15 Q. Okay. But you don't recall specifically --

16 A. No, I mean I was going to have to brake anyway, you know what
17 I'm saying? Like, it's getting to that time.

18 Q. Okay. That's all. Thank you.

19 BY MS. BONINI:

20 Q. Beth Bonini from PennDOT. Is it typical for you to use a
21 personal cell phone to call the control center?

22 A. Yeah. But what happens is you got to communicate with
23 control center. So we have a radio in the car. And sometimes
24 they don't answer back, so you have to call with your cell phone
25 to get in contact with them. I'm not calling, like, I'm not

1 checking my fantasy football team, or anything like that. Like,
2 I'm not doing anything -- it's specifically to call control
3 center. It's actually one of my favorites on my phone. Like,
4 that's who I'm calling, control center. I'm not -- you know,
5 that's all it's for.

6 Q. Yeah.

7 A. It's just another means of communication to control center
8 because when you're dealing on the Norristown high-speed line,
9 there's one track here, there's one track here. You know, if
10 track A -- if train A is waiting, you know, for control center to
11 call back for 20 minutes, that's going to affect the entire line.

12 Q. Right.

13 A. You know, it's just about being more efficient and having
14 better communication with control center.

15 Q. How long do you wait between you trying the --

16 A. Specific, like, I don't know exactly, but like if -- what if
17 I just sat here for a minute, right? That feels like an eternity,
18 you know? You ever sit there, and you -- yo, man, why aren't we
19 moving, what's going on?

20 Q. Right.

21 A. You're like, well, I'm just waiting for -- you know, so --
22 and then, so you get to a point where you're like, you know, maybe
23 I should just get up and call them with my phone and --

24 Q. Did you use your phone on any other trip?

25 A. No. I'm not --

1 Q. I --

2 A. Okay. You got -- you might even have my phone record, or
3 whatever. You know, I don't operate like that, okay?

4 Q. Thank you, sir.

5 A. Um-hum.

6 BY MR. GOOD:

7 Q. George Good, FTA, just two last questions. One, as part of
8 being a qualified bus operator, do you have a CDL license and
9 maintain a CDL physical?

10 A. I go to the doctor and get a physical, sure.

11 Q. For the CDL?

12 A. Well, I get my physical, yes.

13 Q. And you have a current CDL license as part of that --

14 A. I don't -- yeah, it's current. I have a current CDL license,
15 and I go to the doctor's and get a physical.

16 Q. And the only other question I have for you is, in your
17 experience or from any other operators you've talked to, have you
18 ever heard anybody talk about any issues with the train not
19 stopping other than the slip-sliding short distances, but
20 something similar to what happened to you? Have you ever heard
21 anybody talk about that?

22 A. Man, like, that's tough. It's tough for me to say that
23 because that's hearsay, right? Like --

24 Q. No, no. I'm just saying have you ever --

25 A. I don't know.

1 Q. -- had anybody say that whether it's --

2 A. I can't really.

3 Q. Okay. So --

4 A. I mean, like, I can't really speak for anybody else even if
5 they may have told me something, you know what I'm saying? Like,
6 that's -- god bless you -- I --

7 Q. Okay. Thanks.

8 A. Do you understand what I mean?

9 Q. I understand what you're saying. I was just curious if you
10 had any -- heard anything like that happening to anybody else.
11 Whether you can confirm it or not, I was just curious if --

12 A. Yeah, I can't confirm it, so if I say it, it's hearsay, and
13 I'm believing, you know --

14 Q. Yeah. I mean, even hearsay. I just was wondering if you had
15 heard anybody having any problems like that.

16 A. Sometimes, you know? They have slippery rail season, and
17 it's like September, October, November (indiscernible), but --

18 Q. Okay. Thank you.

19 UNIDENTIFIED MALE SPEAKER: Can we (indiscernible)?

20 MR. GOOD: Yeah, sure.

21 (Off the record.)

22 (On the record.)

23 MR. TORRES: Okay. We're back on the record.

24 MR. LEWIS: I can tell you somebody told me a similar
25 incident happened to them not too long ago, but they were able to

1 stop by 6-S, you know, so I can, you know --

2 BY MR. GOOD:

3 Q. Okay. But I mean, did they say anything about how --

4 A. And it was -- there was confirmation on it, and the fact that
5 the individual went past the employee platform at a very high rate
6 of speed. And he just, you know --

7 Q. Do you remember how long ago that was that they told you?

8 A. (No audible response)

9 Q. No? Okay.

10 A. Yeah. But that's hearsay. I don't know if it happened. I'm
11 just saying maybe somebody told me that to make me feel good. You
12 know what I'm saying? Like, people talk all the time. It doesn't
13 mean that it's true.

14 Q. Okay.

15 A. But you asked me, and I'm going to tell you, okay?

16 Q. All right. Thank you.

17 BY DR. JENNER:

18 Q. I just have one question. You mentioned you normally work
19 Saturdays, but you didn't work last Saturday. Was there a
20 particular reason you were off that day?

21 A. I had a flare-up of my gout. I couldn't -- oh, man, I get
22 this gout. It's so bad. And I can't -- yeah, I can't, I can't
23 walk, you know? Like, and that's part of the reason why I picked
24 up 100 because I can't -- you know (indiscernible) your feet. And
25 you ever seen Flintstone, like you ever seen Fred Flintstone? My

1 foot looks like that. My ankle goes away. My ankle goes away,
2 and it's like (whistles) you know? So -- but if I see it coming,
3 I can take -- I can load up on the medicine, and it'll go away,
4 and I'm good to go.

5 Q. Is that what you did Saturday? You took the medication and
6 you --

7 A. Yeah, I took some medicine and -- yeah.

8 Q. How long --

9 A. And I drank, like, a ton of water and just --

10 Q. I'm sorry?

11 A. I drank a lot of water and went to bed, you know, try to take
12 the medicine, tried to get it out of my system as fast as I can,
13 because it's like a 2-day cycle trying to, you know, get --

14 Q. Right. When did you start feeling better?

15 A. Sunday afternoon, Sunday evening, yeah.

16 Q. Sunday afternoon/evening, you were back to normal?

17 A. Getting there, yeah, yeah, for sure. You know, like, I run
18 on it because I'm an idiot, you know? Like, I feel like pain, if
19 the pain hurts a little bit, like, I can -- you know what I'm
20 saying? Like --

21 Q. Right.

22 A. Pain is weakness leaving the body, people say, you know, so I
23 try to run on it, and I hope that, you know, it just starts to
24 feel better, and yeah, if it's feeling -- I was feeling good after
25 a while.

1 Q. Okay. Monday you were -- did it affect you?

2 A. I was pretty much tip-top. Yeah, I went for my run. It felt
3 good.

4 Q. Okay. Great. Thank you.

5 A. Yup.

6 MR. TORRES: Okay. Tomas Torres with NTSB. No further
7 questions, so this will conclude the interview. Thank you.

8 MR. LEWIS: Thank you, guys.

9 UNIDENTIFIED MALE SPEAKER: Thank you, James.

10 MR. LEWIS: Thank you, guys. Thank you very much.

11 (Whereupon, the interview was concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: SEPTA TRAIN CRASH
UPPER DARBY, PENNSYLVANIA
AUGUST 22, 2017
Interview of James Lewis

ACCIDENT NO.: DCA17FR012

PLACE: Philadelphia, PA

DATE: August 23, 2017

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


Transcriber