

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: \*

\*

CALTRAIN COLLISION WITH \*

CONSTRUCTION EQUIPMENT NEAR \*

SAN FRANCISCO, CALIFORNIA, \* Accident No.: RRD22LR007

ON MARCH 10, 2022 \*

\*

\* \* \* \* \*

Interview of: JIM STICKEL, Conductor  
Caltrain

San Bruno, California

Saturday,  
March 12, 2022

APPEARANCES:

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I N T E R V I E W

1  
2 MR. FRIGO: Good morning. My name is Ryan Frigo. I'm an  
3 investigator with the National Transportation Safety Board. Today  
4 is March 12, 2022. We're here in San Bruno, California to speak  
5 with Mr. Jim Stickel, conductor, Caltrain conductor. This is in  
6 reference to NTSB Accident No. RRD22LR007, which is a Caltrain  
7 striking maintenance away equipment on March 10.

8 We have several folks in the room with us here today, so  
9 we'll begin by going around and introducing ourselves. Please  
10 spell your last name and identify the agency you're with. I will  
11 begin and then I'll pass off to my right.

12 Ryan Frigo, F-r-i-g-o, NTSB.

13 MR. SIMMONS: Frank Simmons, S-i-m-m-o-n-s, FRA.

14 MR. STABLER: Robert Stabler, S-t-a-b-l-e-r, CPUC.

15 MR. COSTA: Louie Costa, C-o-s-t-a, Smart TV National Safety  
16 Team.

17 MR. MAYNARD: Jim Maynard, BLAT Safety Task Force. Maynard,  
18 M-a-y-n-a-r-d.

19 MR. JENNER: Stephen Jenner, S-t-e-p-h-e-n, J-e-n-n-e-r, with  
20 the NTSB.

21 MR. STAHL: Ron Stahl, Deputy General Manager of Operations  
22 for Transit America Services, Incorporated. I'm here as an  
23 observer only.

24 MR. SMITH: Kevin Smith, S-m-i-t-h, Smart Transportation  
25 Safety Team, posting.

1 MR. STICKEL, Jim Stickel, S-t-i-c-k-e-l, conductor.

2 MR. FRIGO: And, Jim, do you wish to have a representative  
3 here with you today?

4 MR. STICKEL: I do.

5 MR. KESECKER: I'm Reggie Kesecker. I'm the local chairman  
6 for the Smart, K-e-s-e-c-k-e-r.

7 MR. FRIGO: Reggie, thank you.

8 And, Jim, are you okay if we record our conversation --

9 MR. STICKEL: I am.

10 MR. FRIGO: -- here with you today? Great. Thank you.

11 INTERVIEW OF JIM STICKEL

12 BY MR. FRIGO:

13 Q. Jim, let's just start out, can you give us a little bit of  
14 history on your railroad experience, how long you've, you know,  
15 been with Caltrain in this position, but also any prior railroad  
16 experience that you might have?

17 A. So with Caltrain I've been 29 years and change. It started  
18 with Amtrak for about 19 years, and stayed with Caltrain and then  
19 transferred over with Transit America when they won the contract  
20 and became the operator for Caltrain. And I've been with Caltrain  
21 the whole 29 years.

22 Q. Have you been a conductor the entire time?

23 A. Yes, conductor -- assistant conductor promoted to conductor,  
24 yes.

25 Q. And, I mean, how long ago was that promotion, can you

1 remember?

2 A. Yeah. We'll just go with '94.

3 Q. Okay.

4 A. When I say, you know, '90 -- until 12/1/92 was my hire date,  
5 so sometime in '94, you know, did your physical (indiscernible)  
6 and all that kind of junk, became conductor qualified.

7 Q. So you've been on this for a long time.

8 A. Yes, I have.

9 Q. Excellent. So why don't we just jump to it.

10 A. Sure.

11 Q. Let's talk about what happened on the 10th.

12 A. Sure. So the way I've done it so far is I just started the  
13 22nd Street station because that's the stop before we get to  
14 Millbrae, and we didn't make any stops in between. So at the 22nd  
15 Street station, we load some passengers and that point I call my  
16 engineer and tell them that we have the MW which the number at the  
17 time was 200. I remind them that we do that before we get to Nobo  
18 (ph.), we have to call him, and that our next stop is Millbrae  
19 because we also on a limited train we have a rule out here on  
20 Caltrain to remain the engineer of the next station stop, so I did  
21 both of those things, and I did it before we left 22nd Street  
22 because between 22nd Street and the Bayshore station we have  
23 multiple tunnels, about three after we leave 22nd Street, and the  
24 engineer will 99 times out of -- call right out of the last tunnel  
25 because you have to be able to make radio contact, and if you go

1 too far south you start hitting dead areas, what we call dead  
2 areas, you know, you can't reach, so it's generally right there.  
3 My engineer called the MW200, we got a permission to go through  
4 his limits, we crossed over at the Sierra crossing, continued  
5 south, and then at the CP Scott, control point Scott, got our  
6 permission to cross back over, and in doing so shortly after we  
7 crossed over at Scott is when we got emergency, emergency,  
8 emergency, and we had our -- that's the cliff notes version of  
9 what happened right there.

10 Q. So let's keep talking about it.

11 A. Sure.

12 Q. And then we'll kind of go back to even the start of the day.

13 A. Sure.

14 Q. Let's keep talking about the --

15 A. Sure.

16 Q. -- event. So the emergency, emergency, emergency, you're  
17 hearing that over the radio?

18 A. Yes.

19 Q. Okay. Do you -- was that coming from your engineer or do you  
20 know who was broadcasting that?

21 A. So in that -- so at the time I heard emergency, emergency,  
22 emergency before we hit anything, so I did hear it, and I heard --  
23 you can hear the train go into emergency, too. You hear the  
24 (sound), you know, the blowing of the air, and then I heard a --  
25 but it was almost like multiple voices at the time. When you

1 listen to the recording, it's, you know, it's screaming, it's  
2 multiple, it's bring everyone out here, it's, you know, oh, my --  
3 you know, and it was just a constant thing so to -- so for me with  
4 just my pack set I couldn't say who was saying what at the time.  
5 There was a lot of overlay as far as emergency, emergency,  
6 emergency, you know, and it was just, oh, my, bring everybody out,  
7 you know, and it was just a bunch of screaming in the radio, so to  
8 say who said what, I couldn't decipher that.

9 Q. That's a great answer. And do you -- you briefly mentioned  
10 the, you know, hearing the air --

11 A. Yes.

12 Q. -- from when he plugged it.

13 A. Yes.

14 Q. Do -- did that -- can you recall if you heard the air first  
15 and then you started hearing the radio communication or do you --

16 A. I heard --

17 Q. -- recall?

18 A. -- the air first, and then the radio communication, so it was  
19 the air and then the -- so one of the things that was nice --  
20 well, not nice obviously, you know, not -- but because I heard the  
21 air where I was on the train I was able to hold onto a pole,  
22 right, so I wasn't just standing out without holding anything  
23 because I heard the air, and then that's what, you know, hear the  
24 air, grab, you know, kind of deal, and then, you know, kind of  
25 figure from there because --



- 1 Q. You don't know.
- 2 A. Right, you don't know. Right.
- 3 Q. So, Jim, in -- you know, with all your experience, when you  
4 heard that air, you grabbed onto the pole.
- 5 A. Um-hum.
- 6 Q. Did you look out the window? Can you remember where you  
7 were?
- 8 A. Sure, I was in the vestibule.
- 9 Q. Okay.
- 10 A. So your colleague outside, the vestibule for Caltrain on our  
11 gallery cars is what we call where we would operate the doors in  
12 there because I guess there was some -- like between cars, some  
13 people call that a vestibule, right. I'm in a vestibule where the  
14 people would enter and, you know, hop up, so I was in that area at  
15 the time in the car behind the engine.
- 16 Q. In the center of the car --
- 17 A. In the center of the car --
- 18 Q. -- in the lead car --
- 19 A. -- in the lead car --
- 20 Q. -- behind the engine.
- 21 A. Correct.
- 22 Q. Okay.
- 23 A. So going south you could call it car one.
- 24 Q. Let's call it --
- 25 A. Right.

1 Q. -- car one.

2 A. Car one going south. I was in the vestibule there because  
3 after 22nd Street I made my way up, so that's where I was when the  
4 air blew. And so there is a window in that area --

5 Q. Um-hum.

6 A. -- so I just was holding and just looking out that side as  
7 we're going by.

8 Q. Do you -- can you recall where you were on the railroad? Do  
9 you remember seeing any landmarks outside that window that would  
10 say, hey, I am north of this station or I am --

11 A. Oh, yes. I knew I was -- we had just gone past the San Bruno  
12 station --

13 Q. Okay.

14 A. -- right, and so we're coming up to Millbrae because that's  
15 so -- the way it works is you have San Bruno, then Millbrae, so if  
16 you're just asking a general knowledge of where I am, not  
17 specifically, no, I didn't like, oh, look, there's that car right  
18 there. That's always part -- no, no, no, none of that, but just  
19 generally I knew we were coming up to Millbrae because we had gone  
20 by the San Bruno, and that's where we're -- our next stop, right,  
21 so you basically are getting ready to open the doors, and also,  
22 too, at Millbrae we were going to receive a slow order so I was up  
23 there with my paperwork because at Millbrae is when they were  
24 going to give us the slow order.

25 Q. Okay. And can you recall if you -- and, again, this is just

- 1 focused --
- 2 A. Sure, sure.
- 3 Q. -- on when you heard the air.
- 4 A. Um-hum.
- 5 Q. Do you recall if you were on a downgrade, on a curve? Can
- 6 you --
- 7 A. At --
- 8 Q. -- recall any of that?
- 9 A. At the point where we went into the -- I don't -- again, I
- 10 know that -- so, okay, just a little thing. We -- CP Scott, it
- 11 comes around a turn.
- 12 Q. Okay.
- 13 A. When you come around the turn, there's a little of an
- 14 incline, we'll say, and then after you straighten out there's a
- 15 little bit of a decline, so I do know that, but as far as where
- 16 exactly where -- I know we weren't on the incline because we had
- 17 straightened out, but I didn't know -- like I couldn't tell you
- 18 what the grade was there or any of that kind of stuff.
- 19 Q. Okay. Do you think you were on the decline maybe?
- 20 A. I would guess. If you were to ask me to guess, I would
- 21 guess --
- 22 Q. Okay.
- 23 A. -- but --
- 24 Q. That would be you guessing.
- 25 A. -- yeah, that would be me guessing, correct.

1 Q. Okay. And that's helpful, Jim. I mean, that's even helpful  
2 for us. Okay. So let's go to the event.

3 A. Sure.

4 Q. So before we get there, did you feel the momentum slowing  
5 down? Did you feel that the train was breaking?

6 A. Yes.

7 Q. You did.

8 A. Yes.

9 Q. Okay. Did it -- did you feel that it was an emergency  
10 application where, I mean, were you -- was it starting to slow  
11 down or did it -- was there some lag to it?

12 A. So, well, there was -- it's kind of hard to say --

13 Q. Okay.

14 A. -- right, because, you know, shortly after, you know, and  
15 then you're going, and then you feel the (sound) when you actually  
16 make the collision, and so at the time I wasn't really paying  
17 attention to see, hey, are we really slowing down here or not, you  
18 know, but, like I said, I heard it, so I knew it was coming, and I  
19 was more bracing for what was going to happen. Right, again, a  
20 lot of times we go into emergency and we just stop, yes, we hit a  
21 car, you don't even know, right? I mean, especially on the engine  
22 side of things you don't know that you hit it. I mean, the  
23 engineer will call and do all that stuff, but it's like a Toyota  
24 Corolla lost its rear end or something like that. This was  
25 different because you hit the actual and you felt the shake, but

1 because you don't know, you grab and you're more bracing yourself  
2 for an impact that you hope doesn't come, but in this case it did.

3 Q. Were you between the -- were you -- so in the vestibule  
4 there's the steps, there's three steps, right --

5 A. To go -- well --

6 Q. -- to go up.

7 A. Right, right.

8 Q. And then there's --

9 A. So I would be --

10 Q. -- like a center pole.

11 A. Right, it's one-third. It's not --

12 Q. It's a one-third pole.

13 A. Right, right, right, right. And so that's what I was  
14 holding, and I was up on the top.

15 Q. You were up on the top.

16 A. Correct.

17 Q. Were you in between the --

18 A. The narrow part?

19 Q. Yeah.

20 A. No, I was more in the middle because that's where if you look  
21 where you would put your key in to operate the doors is in the  
22 middle. It's not on one side or the other in the gallery  
23 vestibules, so I would have been basically facing where that would  
24 have been.

25 Q. Okay. Okay. So you weren't wedged into that.

1 A. No, no, I wasn't holding. It was just a one hand kind of  
2 things, leaning this way holding on.

3 Q. Okay. Did it knock you over?

4 A. No.

5 Q. Okay. But you felt the hit.

6 A. Sure, like a shake, you know.

7 Q. Like a shake.

8 A. It was like a (sound) and you feel that, right?

9 Q. And --

10 A. That doesn't show on the radio, but --

11 Q. Did you -- after the shake --

12 A. Yes.

13 Q. -- do you remember looking into the passenger compartments?

14 A. Oh, yeah, well, first you look at is you're out the window  
15 and that's where you see the flags, right, so then immediately  
16 went to the passenger part of things.

17 Q. Can you describe what you saw when you first looked into the  
18 passenger compartments?

19 A. Well, yeah, there was -- I would say for some of the  
20 passengers it was a state of panic, right, especially being in the  
21 first car where, you know, a lot of this settled, and so there  
22 began immediate let me get out of here kind of stuff, right, in a  
23 panic way, and so that's what I saw, especially in the car that I  
24 was in is where that panic really set in immediately, yes. So,  
25 you know, there's -- people like really -- and it was like, whoa,

1 whoa, you know, I was trying to tell them, hey, relax, relax,  
2 we're walking to the back or walk into the back, walk into the  
3 back. I didn't want anybody running because the gallery's set --  
4 you don't have like this big let's all run and you can get your  
5 arms because it's a narrower type of aisle way for you to go down,  
6 so running doesn't do you any good. You're going to either trip,  
7 you're going to hit your arm or your head on something as you're  
8 going, so everybody, we're going to walk to the back, we're going  
9 to walk to the back, we're going. I had some people claiming  
10 that, you know, the train's on fire, and actually don't ask me why  
11 I thought this or whatever, but I kind of knew what we hit was on  
12 fire, not the train. So the flames because it was by the car, I  
13 wasn't thinking so much as it's up in the engine, but it's what --  
14 you know, and I didn't know it was a car, but whatever we hit was  
15 what was on fire, so let's go back, let's go back, let's go back,  
16 and so for the first couple of cars we got everybody started to go  
17 -- they started, you know, not panicking as much, but they were  
18 walking quickly we'll say. They were walking quickly as they were  
19 going towards the back.

20 Q. So in that first car, you're in the center.

21 A. Um-hum.

22 Q. Were there people sitting in the -- let's call it the lead  
23 end.

24 A. Both sides. There were people on --

25 Q. On both sides.

- 1 A. -- both sides, correct.
- 2 Q. Were they on both levels?
- 3 A. So that I don't recall both levels. I remember them coming  
4 out and then going, so both levels I wouldn't be able to say.
- 5 Q. Okay. So let's focus -- let's go to the people that were on  
6 the lead end --
- 7 A. Sure.
- 8 Q. -- of that first car.
- 9 A. Um-hum.
- 10 Q. Do you recall any -- do you recall was everybody standing?  
11 Were they ambulatory or --
- 12 A. No. Everyone was sitting. There was no --
- 13 Q. Everyone was sitting.
- 14 A. There was no one sitting when this happened and -- I mean,  
15 excuse me, there was no one standing when this happened --
- 16 Q. Yes.
- 17 A. -- where I was. Everyone was seated.
- 18 Q. Okay. And everybody was able to get up on their own.
- 19 A. Correct. Was -- for the whole train. No one needed extra  
20 assistance in getting off the train.
- 21 Q. Okay. Okay. So you're getting people from that first --  
22 from that lead area.
- 23 A. Correct.
- 24 Q. You're getting them to go towards the rear of the train.
- 25 A. Correct.



- 1 Q. And are you then the last person?
- 2 A. Yes. So they all go, I just take a peek. I don't actually  
3 walk in. I take a peek and everybody's clear. And, again, in the  
4 first car I was explaining outside a little bit, one of the good  
5 things that happened for us in this is that our passengers I use  
6 the word lazy, okay. So in San Francisco we're facing south, we  
7 have the engine on the south end of the platform, right? When you  
8 load the train, the rear of the train is where they get on first.  
9 They don't walk all the way down, so the amount of people there,  
10 it wasn't this -- like had it been in the reverse section you have  
11 more people. On that end of the train it's a lot fewer just  
12 because of the way that the setup is for us them to load. So I  
13 had -- I already had most of my passengers in the rear two cars,  
14 some in the third, and then as you get up closer to the engine  
15 fewer passengers.
- 16 Q. Okay. And when you do your glance to clear that first  
17 section, are there -- do you see flames?
- 18 A. Oh, yeah. Oh, there's flames --
- 19 Q. Okay.
- 20 A. -- sure. Yeah, absolutely.
- 21 Q. Are the flames on the exterior of the car? Are they on the  
22 interior of the --
- 23 A. Exterior of the car.
- 24 Q. Okay.
- 25 A. The exterior. There wasn't anything on the interior. It was

1 all exterior where you could see it, you know, going up where the  
2 window level was.

3 Q. Do you remember seeing anything within the interior of that  
4 car that did not look normal at that point?

5 A. No.

6 Q. Okay. So --

7 A. Nothing abnormal at that point.

8 Q. At that point. No deformity, nothing.

9 A. Not that I -- not that I recognized.

10 Q. Not that you recognized.

11 A. Correct.

12 Q. Okay. And then so you interrupt me if I don't have the  
13 sequence right.

14 A. Sure.

15 Q. The people get out of that section, that lead section.

16 A. Yes.

17 Q. You take a glance --

18 A. And at the time just so we're -- there was only maybe three  
19 in that half.

20 Q. Okay.

21 A. Maybe three in that half. Like I said, the other side I  
22 would -- this is just a guesstimate, a total of maybe on the high  
23 end of seven people in that car not including me.

24 Q. Okay.

25 A. On the high end would be seven, so it wasn't like, oh, wow,

1 you know, we had like 5, 8 to 10 people in there. There were  
2 maybe 3 on that end because that's the furthest end north -- or,  
3 excuse me, south I should say, and then there was the others who  
4 were already on the opposite side on the south end of that car.

5 Q. Okay. So then you -- after you glance, you start, you turn  
6 towards the rear of the train.

7 A. Yes.

8 Q. At any point were you able to open up your side doors in that  
9 vestibule to --

10 A. In the first car?

11 Q. In the first car.

12 A. Absolutely not.

13 Q. And why is that?

14 A. Well, there's fire all over the place.

15 Q. Okay.

16 A. Yeah. That would not have been bright.

17 Q. Let's go to the question about the fire. Is the fire only on  
18 the exterior or do you see it on the interior?

19 A. It's only on the exterior.

20 Q. Okay.

21 A. At that point.

22 Q. At that point.

23 A. At that point when we were going out the first time, only on  
24 the exterior.

25 Q. Okay. So then you go into the --

- 1 A. Next car, the next car back.
- 2 Q. The next car back --
- 3 A. Correct.
- 4 Q. -- and tell me --
- 5 A. Same deal.
- 6 Q. -- what you see.
- 7 A. Same deal. It's, everyone, we're going to the back.
- 8 Everyone, we're walking through to the back. Everyone, we're
- 9 going to the back, and so I would -- and, again, some had already
- 10 done that, so how many were in the car at the initial I have no
- 11 idea, but they had already started to do that, and, again we
- 12 started to, let's go, we're going to the back, we're going to the
- 13 back.
- 14 Q. Are you in radio communication with your assistant conductor?
- 15 A. At that point I was not, so I didn't call him to say, hey,
- 16 we're coming. I was more let's get these people out and then
- 17 we'll worry about communication with my assistant conductor. We
- 18 get to the -- so after we do the same thing in the next car we get
- 19 back, we get to the third car and that's where I had my first
- 20 pause was there was someone who was trying to open -- or who did
- 21 open a window on the lower level. They opened a window and there
- 22 was a lady when I walked in who was trying to -- and I stopped
- 23 her, said what are you doing, let's go, we're going this way,
- 24 right? You know, we're going this way, so she stopped. I don't
- 25 know if someone had gone previous to her. I couldn't see. I

1 didn't know, but I was what are you doing, we're going this way,  
2 and then she was like, and then came back and then went down.

3 Q. Started going the way --

4 A. She started going the way I --

5 Q. -- towards the rear.

6 A. Correct, towards the rear.

7 Q. Okay.

8 A. Towards the rear, and so then she went -- so I did have to  
9 stop, though, to tell her, no, we're going this way, and then they  
10 started going to the back.

11 Q. And then let's just go back to the second car a second.

12 A. Sure.

13 Q. Because I didn't ask -- I don't think I asked the question.  
14 I might have, but did you see fire when you were in the second  
15 car?

16 A. At that point I wasn't paying attention.

17 Q. Okay.

18 A. So in the first car, 1000 percent guaranteed, the second car  
19 I was more paying attention to getting people out. I wasn't  
20 looking side-to-side --

21 Q. Okay.

22 A. -- to see what was happening outside. It was more we're  
23 going to the back.

24

25 Q. And let's ask the same question about the second car. Is

- 1 there anything within the interior --
- 2 A. No.
- 3 Q. -- of that second car that --
- 4 A. I'm sorry I answered --
- 5 Q. -- did not appear --
- 6 A. -- early, but no. Correct, no. Not on the second car.
- 7 Q. Everything looked normal.
- 8 A. Everything looked normal.
- 9 Q. Okay. Then you get into the third car, you have the
- 10 interaction with the passenger who pulled the strip.
- 11 A. No, I don't know that.
- 12 Q. You don't know.
- 13 A. She was in the process of wanting to go out. I don't know if
- 14 someone went first.
- 15 Q. The window was open.
- 16 A. The window was already open, so she may have been like I'm
- 17 going to be number two or three out. I don't --
- 18 Q. Don't know.
- 19 A. -- know, but the window was already -- I didn't see her do --
- 20 pull the rubber and then pull it. I did not see it. It was
- 21 already out.
- 22 Q. The window's out.
- 23 A. Correct.
- 24 Q. And she's at the window.
- 25 A. She's -- good, yeah, like I'm going to be next.

- 1 Q. Okay.
- 2 A. It was almost as if -- I don't believe she's the one who did  
3 it. I believe she was going to be next to go.
- 4 Q. Next.
- 5 A. Correct.
- 6 Q. And you direct her to go towards --
- 7 A. To come back into the --
- 8 Q. -- rear with everybody --
- 9 A. Yeah.
- 10 Q. -- else.
- 11 A. So if you can imagine -- let's say this is one seat, this is  
12 the other seat, she's here, so it's like I'm standing back and  
13 almost like now you're coming with me this way, right, you're not  
14 going -- we're going to go this way.
- 15 Q. And then what do you do? You keep going through that --
- 16 A. And then we keep going --
- 17 Q. -- third car.
- 18 A. -- yes, because we want everybody -- we want everyone to the  
19 back and then we're going to assess and -- when we get there, so  
20 in the fourth car now --= now that was a little different only in  
21 that someone had already pulled the emergency and opened the doors  
22 to let themselves out. They didn't go through the window, they  
23 opened the emergency door.
- 24 Q. And when you say emergency door, you're talking about the  
25 vestibule --

- 1 A. The vestibule --
- 2 Q. -- door.
- 3 A. -- door, correct.
- 4 Q. That is the normal door that is used for servicing stations.
- 5 A. That is correct.
- 6 Q. Okay.
- 7 A. So -- and there's a -- it says in emergency lift handle,  
8 pulls the air out, and so that door was half open.
- 9 Q. Okay.
- 10 A. And so there were passengers -- because by the time I get  
11 back there it had been, you know -- this wasn't like boom, boom,  
12 boom, we're all going, that had been and some passengers had  
13 already gone out that way.
- 14 Q. Okay. Did you see them on the right of way, the passengers?
- 15 A. So not on the right of way, they were actually pretty good.  
16 In this area here we have a -- back when Bart was doing their  
17 whole thing, there was an old -- there was a temporary station  
18 there, so there was kind of like a concrete type of -- they were  
19 on that.
- 20 Q. Okay.
- 21 A. And then --
- 22 Q. Almost like a platform.
- 23 A. Correct. They were on that and, of course --
- 24 Q. I think I saw that.
- 25 A. Right.



1 Q. Okay.

2 A. So they're on that with phones out, and when I got to the  
3 second car, I kept having people go -- I didn't even let them out  
4 there. I wanted them to go to the back and not get off there. I  
5 don't know why I didn't think that that would -- I just wanted  
6 them to keep going to the back. There were people out there going  
7 get off now, the train's on fire, you know, they're yelling at  
8 your while you're doing, but I'm still showing them to the rear of  
9 the train for -- don't know why, just let's keep -- we're all  
10 going to go back here. And I knew my assistant conductor was back  
11 there, and so after I get car four, those who were left, we go to  
12 the back and I get back there, my assistant conductor had that  
13 last car, and he had everyone with him.

14 Q. In the last car.

15 A. In the last car, correct. Because that's where he was when  
16 this happened, and he had them all there, and then it was at that  
17 point where I looked over, we had the people out there, and that's  
18 when we decided we're going to get everyone over here. We're  
19 going to get them off the train and we're going to start to usher  
20 them out of there only because I don't know, are we going to have  
21 something blow up there? Is, you know, what's going to happen on  
22 the other end? We've got fire, we've got this stuff, let's get --  
23 start walking them, you know, that's my intent is to start walking  
24 them away from the train.

25 Q. And where -- okay, so you've got -- let me see if I've got

- 1 this right. You've got people in the fifth car --
- 2 A. Correct.
- 3 Q. -- which is the rear car --
- 4 A. Which is the last car.
- 5 Q. -- with the assistant conductor.
- 6 A. Correct.
- 7 Q. You've got a group of people that self-evacuated out of the
- 8 fourth car --
- 9 A. Correct.
- 10 Q. -- who are on -- they're on the abandoned platform --
- 11 A. Yes.
- 12 Q. -- and then you -- do you gather those people? What happens
- 13 to the people that are on the abandoned platform?
- 14 A. Oh, well, it's -- so basically if you can imagine the length
- 15 of a car --
- 16 Q. Um-hum.
- 17 A. -- because that's really -- I mean, they didn't like just
- 18 stay here.
- 19 Q. 90 feet?
- 20 A. Right. They didn't just stand by that car, they were also
- 21 starting to go -- like no one wanted to go up north, right -- or
- 22 south in this case. They were starting --
- 23 Q. They were migrating --
- 24 A. Correct.
- 25 Q. -- in the northern direction.

1 A. Right, and they're yelling at me and my assistant conductor  
2 the train's on fire, the train is on fire, the train is on fire,  
3 you know, get out, get out, the train is on fire. Like yelling it  
4 to me like, hey --

5 Q. Because you're on the car still.

6 A. Because we're still on the car, correct.

7 Q. Okay. You're on the fifth car.

8 A. Correct.

9 Q. Okay. And then what do you do?

10 A. So I have my assistant conductor, we take those people off,  
11 and this is where -- why I don't know, I had to have a little some  
12 something with some people, not -- nothing really --

13 Q. Sure.

14 A. -- but more of a disappointed type of attitude with a couple  
15 of people because they wanted to take their bikes, right, and I'm  
16 like really? I mean, you're -- you want your bike, and, you know,  
17 as we're getting them off, right, we have the doors open, they're  
18 getting -- and so we -- after we did that, and then I just told my  
19 assistant conductor, Mr. Elich, Dylan, I said stay with them, I'll  
20 be right back because again you think you've got everybody, but do  
21 you have everybody, so I told him stay with them, and then I went  
22 through one more time.

23 Q. Where were they when you did that?

24 A. On the -- we'll call it temporary platform.

25 Q. On the far northern --

1 A. The far northern part of the temporary platform with my  
2 assistant conductor.

3 Q. Okay.

4 A. So it wasn't like I left them by themselves. He was with  
5 them, and then I went -- I just went through myself.

6 Q. So you went back through.

7 A. Yes.

8 Q. And did you find anybody?

9 A. No.

10 Q. How far up did you go?

11 A. All the way.

12 Q. And what'd you see in that first car when you got there?

13 A. It was hot. So -- but I -- but this time I did go all the  
14 way through to the end, so I didn't just stop in the vestibule  
15 this time, I went all the way, and I looked, looked and then after  
16 I got back to the vestibule part, we moved a little faster than,  
17 you know, than I would have been comfortable telling the  
18 passengers to do. I moved a little faster, but it was just me  
19 going back.

20 Q. Yeah. All right. So let's -- when you got into that lead  
21 part --

22 A. Um-hum.

23 Q. -- flames are still on the exterior.

24 A. Yes.

25 Q. What about the interior?

1 A. No. If there were flames on the interior, that would have  
2 been shady. I would have -- I might have yelled first. I did  
3 yell when I got to the vestibule for that head in. Anyone in here  
4 as I was walking through, so it was like anyone in here, anyone in  
5 here as I'm walking through, and I'm looking, looking, looking,  
6 and then it's I'm out.

7 Q. All right. Jim, let me ask you this -- I'm going to ask you  
8 these again.

9 A. Sure.

10 Q. Because it's -- so you're in there a second time, time has  
11 elapsed, and let's just talk about the first car.

12 A. Sure.

13 Q. In the interior, does anything look not normal to you?

14 A. Well, it's a little smokier.

15 Q. Okay.

16 A. I -- so it's not like this clear like we're sitting in this  
17 room now. It's a little darker --

18 Q. Yeah.

19 A. -- it's a little smokier. When I went back and got out you  
20 had a little taste of something that wasn't, you know, like a  
21 regular filtered air, so, yes, definitely different than the first  
22 time I was in there. Like I said, it was a little more dark and  
23 that kind of a thing.

24 Q. Could you see anything deformed or melting?

25 A. I didn't really try to look.

1 Q. Okay.

2 A. I was looking more for people, not for, you know, is this  
3 seat going to need to be replaced.

4 Q. Did you notice the reflective emergency exit signage? Do you  
5 remember seeing any of that?

6 A. No, I don't -- but again it was daytime so it wasn't like we  
7 were in a tunnel or it was dark, so -- and, again wasn't really  
8 trying to pay --

9 Q. You weren't looking --

10 A. -- attention, and I'm -- just because I've worked there  
11 forever, I'm familiar with the equipment, so it wasn't something  
12 that I would need to navigate a gallery vestibule -- I mean of the  
13 gallery car. I can, you know -- I wouldn't be like, okay, where's  
14 the line, I can't see or any of that.

15 Q. And it's not something you're probably looking for --

16 A. No, it was not.

17 Q. -- because it -- and, again, I'm just trying to ask these  
18 just to see if there's something that, you know, some of these  
19 items that are mandated to be there if you just recall seeing them  
20 just so we know --

21 A. Right.

22 Q. -- if they were there.

23 A. Right. Yes.

24 Q. Okay. So nothing -- you're still seeing the flames on the  
25 exterior.

- 1 A. Yes.
- 2 Q. No flames on the interior.
- 3 A. Not at that point either.
- 4 Q. Smoke.
- 5 A. Yes.
- 6 Q. Smoke.
- 7 A. There was some smoke.
- 8 Q. Okay.
- 9 A. You could -- yes. Not to the point where you couldn't see.
- 10 So from the vestibule, I could see the door on the other end.
- 11 Q. Okay.
- 12 A. Right? So like if, let's say this is the vestibule and that
- 13 wall is the door to the end door --
- 14 Q. Um-hum.
- 15 A. -- on the other side is the engine, I could see that.
- 16 Q. You could see that.
- 17 A. I could see that, yeah. I wasn't in there blind.
- 18 Q. Do you remember seeing the engine instead of seeing daylight?
- 19 Right? Because there was no engine that --
- 20 A. Oh, we had --
- 21 Q. -- would --
- 22 A. Oh, yeah, yeah, yeah, exactly. No, there was an engine
- 23 there. You could see straight down --
- 24 Q. Okay.
- 25 A. -- the whole deal, so when I was in there, had it been more

1 smoky where I couldn't see, may I don't go in -- I mean, excuse  
2 me, maybe when I go in, you know, I'm holding my breath a little  
3 bit or something. I didn't have to do that, walk through and  
4 there was -- but I could see. So it wasn't like I was -- and it  
5 wasn't like (cough, cough), you know going in and that type of a  
6 thing, like in a burning house or something.

7 Q. You took a calculated risk.

8 A. Yes.

9 Q. Okay. So then you're going back.

10 A. After going through there and I'm going back. In the first  
11 car I did it -- even though on the second half I knew there really  
12 wasn't anyone there, I still said anyone, anyone as I walked out,  
13 and then as I got to the second car, I kind of knew I was good and  
14 then I just kind kept going.

15 Q. Okay. And you didn't come across anybody --

16 A. No.

17 Q. -- on that --

18 A. On that second sweep --

19 Q. -- second round.

20 A. -- no, no.

21 Q. Okay.

22 A. We had gotten everyone off the first time around.

23 Q. Okay. Do you remember the -- throughout this entire process,  
24 do you remember your radio working?

25 A. It was working, yes.



1 Q. Were you trying to communicate out?

2 A. So I communicated with my assistant conductor, but no one  
3 else. So I wasn't trying to -- because the -- I don't know how I  
4 want to say it. The -- when I got out the first time, I could see  
5 the -- so I go back. When I come back the next time there -- I --  
6 oh, shoot, this is a good question. I'm not sure if I did try to  
7 call my engineer, but I don't believe I did. I -- in my thing, he  
8 got out. That's what I'm hoping is he just got out. There's no  
9 way to contact him. My assistant conductor I actually visually  
10 saw. We talked, and so after that it was -- now he's with the  
11 passengers and I have them walking back after my second sweep. I  
12 get off and I look back and I have no way I can get up to the  
13 engineer if he was in any kind of -- there's flames on the sides.  
14 This would be me going outside through flames which is a little  
15 different than going inside, so that wasn't -- so that became my  
16 new -- once the passengers were taken care of, so we had some walk  
17 down to this ball field which is -- there's --

18 Q. It's San Bruno.

19 A. San Bruno, San Bruno, yeah. There's a park there, and then  
20 some went over to the -- what do you call that, where you would --

21 Q. Temporary

22 A. The temporary -- where they leave their materials.

23 Q. Like a yard.

24 A. Like a yard, yeah, I guess you could --

25 Q. Maintenance --

1 A. Like maintenance.

2 Q. Maintenance.

3 A. Yes. So we had some over there, and that's where my AC was  
4 with them over there.

5 Q. Okay.

6 A. We had -- the police were on scene by then, so he was with  
7 one police officer and a group of passengers. I talked to the  
8 police officer and said, hey, I've got people over there, but they  
9 had a motorcycle cop that had just come up, and he said he was in  
10 contact with them, so there was a police officer over with the  
11 other passengers at the ball field, so that's when I left the  
12 scene -- not the scene, but I left where we were and walked up  
13 around the fence to go around to see if I could find the engineer  
14 because people were saying on the radio we can't get a hold of --  
15 we don't know where he is, and so that's when I went around, and  
16 then I believe we were also -- I was using the Nextel.

17 Q. Okay.

18 A. The hand held Nextel thing, and -- but they're like we can't  
19 get a hold of him, no one can hear him, and so that's when I  
20 walked out the fence area and walked up the street to go around to  
21 see if I could find him. Because no one for us had seen or heard  
22 from him.

23 Q. All right. But your -- so you're hearing incoming  
24 communication on your radio.

25 A. Yes.

1 Q. You're having point to point is working between you and the  
2 assistant conductor.

3 A. Yes.

4 Q. Okay. And you're not calling the engineer because his radio  
5 is where?

6 A. Oh, it's on the engine.

7 Q. It's on the engine.

8 A. Right, right.

9 Q. Exactly

10 A. And also, too, before I leave and get a chance to, I was more  
11 -- my focus was getting the passengers out and getting them away,  
12 so that first --

13 Q. Understandable.

14 A. Yeah.

15 Q. So you leave there right of way --

16 A. Yes.

17 Q. -- and you're on the street --

18 A. But I didn't leave the passengers unattended.

19 Q. Right.

20 A. So I did that first.

21 Q. Absolutely.

22 A. I made sure that they were attended with.

23 Q. Understood.

24 A. There was a cop over there with them, and then my AC and the  
25 cop were --

- 1 Q. And your AC is there. Understood.
- 2 A. Correct, correct.
- 3 Q. So you leave the passengers with other officials.
- 4 A. Yes.
- 5 Q. You leave the right of way.
- 6 A. Yes.
- 7 Q. You're on the street.
- 8 A. Yes.
- 9 Q. And you're walking south --
- 10 A. South towards the engine.
- 11 Q. -- towards the engine on the street --
- 12 A. Yes.
- 13 Q. -- because you're avoiding the fire.
- 14 A. Correct.
- 15 Q. And then what happened?
- 16 A. Then when I got up there there was -- you know, there's a --
- 17 and I'm looking over to my left where the engine was, and then
- 18 they had already -- San Bruno police and fire had already started
- 19 to come in, and what happened was I walked up and then on -- I
- 20 don't remember the name of the side street, a San Bruno police car
- 21 pulled up and my engineer was in the back seat.
- 22 Q. Okay.
- 23 A. So that's how I visually and first saw Will was -- he was in
- 24 the back seat of a San Bruno police car, and then that's when I'm,
- 25 hey, I got him, he's alive.

- 1 Q. He's okay.
- 2 A. Yeah, he's -- I mean, okay, but --
- 3 Q. Right.
- 4 A. -- you know --
- 5 Q. You're confirming --
- 6 A. I'm confirming that he's alive and he's with the -- and he's
- 7 -- so got him, he's not stuck in there or anything like that, so
- 8 that's when I confirmed that. I just saw him, you know, gave him
- 9 a little, you know, nod kind of thing. I didn't talk -- I didn't
- 10 go up and talk to him or anything. He was in the -- so I knew he
- 11 was as good as you're going to be --
- 12 Q. Um-hum.
- 13 A. -- and then I went back to where the passengers and the other
- 14 officer were, back on the -- I had to walk back down the street
- 15 back to where they were.
- 16 Q. Okay. And then what happens next?
- 17 A. So now we're just in the process of the fire department,
- 18 they're putting out the fire.
- 19 Q. Um-hum.
- 20 A. They're doing -- everyone is coming on scene, asking when can
- 21 I get my stuff, right, you know?
- 22 Q. Right.
- 23 A. You know, so now you're dealing more with the after -- when
- 24 can I get my things, where -- how do I get to work, you know, are
- 25 they going to bring a bus, what are we doing, you know, so we were

1 dealing with a lot of that now.

2 Q. All right. So let me ask this question --

3 A. Can I go back on the train and get my stuff? They actually  
4 asked that, too.

5 Q. I'm sure they did. Do you -- I mean, what were the injuries  
6 you were looking at with your passengers?

7 A. So that was the thing, is they all got off on their own.  
8 There was nothing to me that was -- there was one that maybe had  
9 like a little thing over his eye, right, that I could see. The  
10 EMTs or police or whatever took a couple of people away, but my  
11 understanding is they were just complaining about they hit their  
12 head.

13 Q. Okay.

14 A. Right, and then, okay, when you hit the thing and even I felt  
15 the shake, right, so if you're sitting in an enclosed case, and  
16 you might have hit your head or stood up when you were getting  
17 out, correct, so those were the only injuries that I had heard  
18 were being claimed at the time which was more of a I hit my head  
19 kind of thing.

20 Q. You didn't see anything more severe than that.

21 A. Nothing.

22 Q. From what you saw.

23 A. From all the passengers I saw, nothing more severe than that.

24 Q. Do you remember seeing any of the -- any railroad workers out  
25 there, any, you know --

1 A. So, well, okay. I know some of our guys that work on the  
2 track, but there's a lot of contractors, so I don't know them like  
3 on a personal level, but there were contractors out there, so I do  
4 remember seeing contractors out there.

5 Q. But do you remember -- where did you see them?

6 A. In that yard area, the -- we'll call it the yard, right?

7 Q. San Bruno maintenance?

8 A. Yeah, where they keep the -- so that's where I remember  
9 seeing them, and this was all after I'm taking the passengers  
10 back, right, not in the accident scene at all, just when I take  
11 them back, there are guys in there.

12 Q. Anything notable about that group of guys --

13 A. No, just --

14 Q. -- that you can recall?

15 A. -- that they're, you know, wearing -- they were dressed as if  
16 they worked maintenance.

17 Q. Okay. But you couldn't tell if they were the contractors  
18 or --

19 A. No, no.

20 Q. Okay.

21 A. They dress fairly similar, and some of them I think -- again,  
22 this is speculation that they even drive trucks that might say  
23 Caltrain on it, some of them maybe. I don't know.

24 Q. Okay. And that's okay, Jim. Do you get transported to the  
25 hospital?

1 A. No.

2 Q. Okay. Do you get transported to a facility for post-accident  
3 testing?

4 A. Yes.

5 Q. Okay. So you were tested.

6 A. Yes.

7 Q. Okay.

8 A. Blood and urine, both.

9 Q. And your cell phone, your personal cell phone --

10 A. In my --

11 Q. -- at the time of the accident.

12 A. In my car.

13 Q. In your car.

14 A. Yes. I don't even bring it.

15 Q. Any alcohol or drug use?

16 A. No.

17 Q. Okay, Jim.

18 MR. FRIGO: So here's what I think we should do as a group.  
19 Let's ask some follow up questions about the event, okay, and then  
20 after we talk about the event let's go -- let's ask Jim some  
21 questions about the start of that day because that's the one part  
22 we're kind of missing. We're missing, you know, the on duty --

23 MR. STICKEL: Sure.

24 MR. FRIGO: -- but let's finish up with the event and then  
25 we'll do a second round and end.



1 MR. STICKEL: Okay.

2 UNIDENTIFIED SPEAKER: If we could have just like a quick  
3 break for -- let me get a hold of the guy outside there and make  
4 sure that he knows where he's at, your 12:00.

5 UNIDENTIFIED SPEAKER: Are you referring to Dylan?

6 UNIDENTIFIED SPEAKER: Yes.

7 UNIDENTIFIED SPEAKER: I spoke to him.

8 UNIDENTIFIED SPEAKER: So he's here, he knows where to go?

9 UNIDENTIFIED SPEAKER: Yes.

10 UNIDENTIFIED SPEAKER: Okay.

11 UNIDENTIFIED SPEAKER: I had left him a message. I just  
12 wasn't sure.

13 UNIDENTIFIED SPEAKER: He's in the lobby and I told him just  
14 get some water, soda, and we'll get to him shortly.

15 MR. FRIGO: Okay. Are we okay to keep going?

16 UNIDENTIFIED SPEAKER: Yeah, fine.

17 MR. FRIGO: Okay. So I don't have any further questions on  
18 the event.

19 BY MR. SIMMONS:

20 Q. Jim, thank you. Thank you for coming in and taking the time  
21 to answer these questions and all in this stressful time because I  
22 know, and working for the SP and then the UP and then Locomotive  
23 Engineer Conductor Switchmen, and then road foreman, and all that  
24 other good stuff, so --

25 MR. FRIGO: Say who you are.

1 BY MR. SIMMONS:

2 Q. Frank Simmons, Federal Railroad Administration. But thanks  
3 again, Jim.

4 A. Sure.

5 Q. And I know from riding with the passenger trains and  
6 evaluating you guys and all that, you mainly do most of your job  
7 by radio. I mean --

8 A. Actually most of my job's interaction with the passengers.

9 Q. Right, I mean --

10 A. Right.

11 Q. -- for the most part for the --

12 A. Railroad work.

13 Q. -- railroad work --

14 A. Yes.

15 Q. -- is done by the radio.

16 A. Yes.

17 Q. And then -- because you're receiving all of your signals --

18 A. Um-hum.

19 Q. -- because you can't confirm the clear signal or --

20 A. Not going south you cannot, correct.

21 Q. You can't.

22 A. Correct.

23 Q. Right, right. So basically what I'm saying is you listen a  
24 lot on the radio.

25 A. Yes.

1 Q. You -- do you remember the very last thing you heard on the  
2 radio?

3 A. Well --

4 Q. Before the incident.

5 A. Oh, oh, oh.

6 Q. Everything was going good.

7 A. So, well, you mean like when we hit the --

8 Q. Do you remember the form, do you remember saying high ball,  
9 the roll by? Do you remember --

10 A. Oh, well, I remember -- I do remember this. I remember when  
11 we got our signal to cross over at Scott, I remember specifically  
12 my engineer said Scott, and the reason I remember, and this is a  
13 selfish reason, the reason I remember is because we've been, you  
14 know, going up and back with the construction, and whenever we  
15 cross over to track one, you don't know where you're going back.  
16 There have been a lot of times recently where we actually crossed  
17 back over at Truesdale (ph.) which is after Millbrae, so if I hear  
18 Scott or center, I smile a little bit because if we have to go to  
19 Truesdale, we pull in on the opposite side at Millbrae and then  
20 it's the -- and there's always somebody on the wrong side, and so  
21 I hear Scott or center like, nice, you know. It's a selfish  
22 reason.

23 Q. Yeah.

24 A. So, you know, so if I know that and -- so when I -- like, oh,  
25 sweet, we're crossing over, this is good, right, you know, and so

1 it's a selfish reason which is why I remember specifically him  
2 saying Scott.

3 Q. Okay.

4 A. So he did actually say the control point we were crossing  
5 over at, so I remember that like, okay, cool, we're going to be on  
6 the right side at Millbrae and that's the only reason, like,  
7 again, it's a selfish reason, and it's mainly because pulling in  
8 we're not crossing over at Truesdale which is after Millbrae.

9 Q. Do you remember the last signal --

10 A. It was --

11 Q. -- that he actually --

12 A. -- a limited clear.

13 Q. Limited clear? Are you required to call a signal --

14 A. Yes.

15 Q. -- after the limited --

16 A. So when he --

17 Q. -- clear?

18 A. No, not on a limited clear.

19 Q. Okay. Okay. He may have touched on this already, the NTSB,  
20 when you're -- do you perform the dailies on the cars? When we go  
21 through and ride with you --

22 A. Okay.

23 Q. -- we've got a laundry list of everything we ask you.

24 A. Yes.

25 Q. You know that, right?

- 1 A. Yes, I do.
- 2 Q. Okay. I know you do.
- 3 A. I get so excited to see you guys.
- 4 Q. Yeah, oh, I bet you do because it's like, oh, my word, you  
5 know, so I'm just going to make this really short.
- 6 A. Sure.
- 7 Q. Do you remember noticing anything out of the norm there? Did  
8 you not have pry bars in certain cars? Did you not have --
- 9 A. Oh, nothing like --
- 10 Q. -- fire extinguishers in certain cars?
- 11 A. No, everything there was good. The one thing, and I believe  
12 it was that day, the fourth car back, it would be on the  
13 engineer's side what we call the ocean side. We have the bay side  
14 and the ocean side.
- 15 Q. Okay.
- 16 A. Okay.
- 17 Q. Okay.
- 18 A. There was one door that was cut out and it had a sign, so it  
19 was just one door. So half of the door would work, the other  
20 half --
- 21 Q. And the other half --
- 22 A. Correct, correct, so -- but that already had been like  
23 posted. It wasn't like I found it that way. I mean, I found it  
24 that way when we had the train, and there was a sign on --
- 25 Q. So, Jim, the --

- 1 A. -- it.
- 2 Q. -- passengers could have noticed that though, right?
- 3 A. Yes, absolutely.
- 4 Q. Because it's stated right there.
- 5 A. Exactly right. It had already been --
- 6 Q. Okay.
- 7 A. -- a thing, so that would be the only thing if you were
- 8 asking me, right.
- 9 Q. The only thing. Okay.
- 10 A. Yeah.
- 11 Q. When's the last time that you went through a passenger
- 12 emergency test?
- 13 A. Meaning like a --
- 14 Q. You go through drills like, hey, we have to evacuate all the
- 15 personnel right now. Do you ever get --
- 16 A. So in our -- what's that?
- 17 UNIDENTIFIED SPEAKER: Eprep (ph.).
- 18 MR. STICKEL: Eprep. So in training when we do our yearly I
- 19 guess you would say, we've got to go once a year, it would be --
- 20 when did I have that? That would be the last time that we did
- 21 that type of a drill.
- 22 BY MR. SIMMONS:
- 23 Q. Okay. So you get trained once a year.
- 24 A. Once a year. They kind of --
- 25 Q. Okay.

- 1 A. -- put it all together, right.
- 2 Q. Okay.
- 3 A. You know, you get your rules, you get your stuff, you know,  
4 the -- day or -- you know, a couple days of doing this is what --
- 5 Q. Right.
- 6 A. -- generally happens, right?
- 7 Q. So you weren't the one going emergency, emergency, emergency.
- 8 A. That was not me, no.
- 9 Q. Okay. And do you remember what voice or whose it was?  
10 Because I've listened to the tapes, too --
- 11 A. Yes.
- 12 Q. -- okay, and so I'm not going to speculate who I think it  
13 was. Who do you think it was?
- 14 A. I wouldn't even want to speculate. I know it was very -- it  
15 was loud and --
- 16 Q. Send everybody.
- 17 A. -- it was forceful.
- 18 Q. Send everybody.
- 19 A. Send everybody, correct. It was forceful --
- 20 Q. Okay.
- 21 A. -- and it was loud, and --
- 22 Q. So we know --
- 23 A. -- just to --
- 24 Q. -- who it was, then.
- 25 A. Okay. And also, too, just to be clear, this is my first day

1 working with Will. This is the first time I've ever worked with  
2 Will.

3 Q. That's what he said.

4 A. Yeah, so recognition of his voice versus somebody else's, I  
5 wouldn't want to speculate, right.

6 Q. Very good. Very good. So you already went over the very  
7 last transmission you remembered. Is this your regular turn? I  
8 mean, do you work this job regular on this?

9 A. Yes, yes, it's my regular shift.

10 Q. Okay.

11 A. But not every day. So we work different shifts every day,  
12 so --

13 Q. Okay.

14 A. -- this one here, this shift I get is on Thursdays. I hadn't  
15 worked this shift in a couple of weeks because the previous week I  
16 had jury duty.

17 Q. Okay.

18 A. Yeah.

19 Q. But this is your regular turn in railroad --

20 A. Correct, correct.

21 Q. In railroad terms.

22 A. That would be my regular turn, yes.

23 Q. This is your regular turn.

24 A. Yes.

25 Q. You know that basically --



- 1 A. When I come to work that day, I know that's my turn.
- 2 Q. And you've been doing this for how many years?
- 3 A. 29 and change, yes.
- 4 Q. Okay. So you basically -- you know what's going to be said  
5 on the radio at normal times, so you know what I mean?
- 6 A. Absolutely.
- 7 Q. Because I -- so you know what's normal, what's not normal.  
8 Did anything on that radio procedure prior to the incident, and  
9 I'm a locomotive engineer. I know when you put it into -- and you  
10 hear that just like you had stated --
- 11 A. Um-hum.
- 12 Q. -- (sound) you'd better grab something --
- 13 A. Yes.
- 14 Q. -- because you -- all them cars just went into UD --
- 15 A. Um-hum.
- 16 Q. -- undesired emergency. You're stopping. You're either  
17 going to hit something or you broke a part in the air hose,  
18 something happened.
- 19 A. Sure.
- 20 Q. Something happened, so you're stopping abruptly
- 21 A. Yes.
- 22 Q. And you know you're doing about 60, 70 -- whatever miles --
- 23 A. Yeah, yeah, not 70, but we were --
- 24 Q. Sure.
- 25 A. I know that.

- 1 Q. So hang on, hang on.
- 2 A. Yeah, yeah, hold on.
- 3 Q. Okay. So -- where was I going?
- 4 A. What do you mean?
- 5 Q. No, I was --
- 6 A. I was like -- were you on board? I missed it. I did miss  
7 someone.
- 8 UNIDENTIFIED SPEAKER: Was there anything abnormal?
- 9 BY MR. SIMMONS:
- 10 Q. Oh, I'm sorry.
- 11 A. Yeah.
- 12 Q. Was there anything abnormal --
- 13 MR. SIMMONS: Thank you.
- 14 MR. FRIGO: On the radio or anything prior to?
- 15 MR. STICKEL: No, nothing prior to --
- 16 BY MR. SIMMONS:
- 17 Q. No? Okay.
- 18 A. For me there was nothing abnormal.
- 19 Q. That's all I've got.
- 20 A. Yes, yes.
- 21 BY MR. STABLER:
- 22 Q. I have one quick question.
- 23 A. Sure.
- 24 Q. Robert Stabler, CPUC. I know you have a lot of trespasser  
25 strikes and --

1 A. Yes.

2 Q. -- (indiscernible). I've worked with other engineers, and do  
3 they ever say on the radio we're about to hit something or, you  
4 know, I've plugged in, I hit something, like any advanced warning?

5 A. Yes and no. I mean in all the strikes I've had some yes,  
6 some no.

7 Q. Okay.

8 A. It's -- I think a lot of it just depends on -- especially do  
9 they have time to say something.

10 Q. Right.

11 A. A majority of our hits, like a passenger, they jump last  
12 minute, right?

13 Q. Yes.

14 A. You know, if they can -- sometimes, you know, a car moves,  
15 you know. You don't know, so -- but -- so some do, some don't. I  
16 think a lot of it is just the situation.

17 Q. I understand that.

18 A. Yeah.

19 MR. STABLER: That's all I have.

20 BY MR. COSTA:

21 Q. Okay, Jim, Louie Costa with Smart TV, so just a couple of  
22 follow up questions just for the event itself, and then I'll  
23 probably have some other on that. So when you said the half door  
24 was cut out, you're talking that that door won't open, just one-  
25 half of that door does not --

- 1 A. Correct.
- 2 Q. -- open.
- 3 A. Just one half. The other half opens.
- 4 Q. Okay. And you mentioned the hand held Nextel. So is that a  
5 company supplied --
- 6 A. Yes.
- 7 Q. -- phone device?
- 8 A. It's a phone device supplied by the company, yes.
- 9 Q. Is it like a typical phone or does it have two way  
10 communication or --
- 11 A. So it would be a typical phone with the two way  
12 communication, yes.
- 13 Q. Does the assistant conductor have one as well?
- 14 A. Yes, he does.
- 15 Q. Okay.
- 16 A. Well, actually I should say I believe he does. He's new.
- 17 Q. Okay.
- 18 A. So I'm -- does he? I mean, so -- normally when I talk to  
19 him, it's --
- 20 Q. He should have it.
- 21 A. He should have it, but --
- 22 Q. And does the engineer have one?
- 23 A. No.
- 24 Q. No.
- 25 A. The engineer does not have one.

- 1 Q. Just the conductor.
- 2 A. Just the conductor, and, again the only reason is because  
3 he's newer.
- 4 Q. Right.
- 5 A. I didn't know, you know, does he have one or not because when  
6 I talk to him generally speaking with my assistant conductor, it's  
7 radio or face-to-face.
- 8 Q. Right, right. Now do you use the Nextel in that capacity for  
9 -- does -- what do you normally use that for?
- 10 A. Passenger counts. So like at the end of a trip, let's say we  
11 get to Tamian (ph.), we're swapping ends, I'll take my Nextel out  
12 while we're -- like while the engineer's changing ends, and I'll  
13 call the -- it's actually called passenger counts --
- 14 Q. Okay.
- 15 A. -- and just give them the counts from that trip.
- 16 Q. Okay.
- 17 A. So that trip, say, oh, I had 58 on here, I had this here --
- 18 Q. Okay.
- 19 A. -- and generally that -- and then at the end of the trip the  
20 last train you would give them your counts before you go home.
- 21 Q. Okay. Because I think I remember you saying that you had  
22 either called on the radio or called on your Nextel. I was just  
23 wondering if you had used that to try to communicate with someone  
24 during the incident.
- 25 A. Well, during the incident -- so during the incident, I -- the

1 only time that the Nextel came for me during the incident, while  
2 it was going on, I didn't answer it until it was after the fact.

3 Q. So someone was calling you.

4 A. So they were calling me, correct. I wasn't using that at  
5 all. That's, you know, no, no, no, it was they --

6 Q. You had more --

7 A. Exactly right. I mean, I didn't even -- really wasn't even  
8 -- I was just more let's get people out of here. It was after the  
9 fact and the first time I believe that I answered the Nextel at  
10 all was to tell the MTO that I found the engineer.

11 Q. Okay.

12 A. Right.

13 Q. Okay.

14 MR. STAHL: Ron Stahl, real quick, Ron Stahl for the record.  
15 I just want to interject on that, and correct me if I'm wrong, I  
16 just want to clarify something. So there is some sounds like  
17 confusion over Nextel versus cell phone. Our company has always  
18 utilized a Nextel device for two-way communication, and the a  
19 couple years back we converted to iPhones and it has an app on the  
20 iPhone that allows the two-way communication, so it's actually an  
21 iPhone with --

22 MR. STICKEL: That is absolutely correct, yes.

23 MR. STAHL: -- communication, so I just wanted to give that  
24 clarification.

25 MR. STICKEL: Yes, yes.

1 MR. FRIGO: Thank you.

2 BY MR. COSTA:

3 Q. And then you mentioned when you were asked about being able  
4 to see the last signal, you mentioned, you said not going  
5 southbound you can't see it, so you --

6 A. Correct, because the engine blocks any type of view that we  
7 would have from the body of the train.

8 Q. Okay. Okay. So if you're in the last car, if you're in the  
9 cab car then you can still see out and see signals going the other  
10 direction.

11 A. Correct.

12 Q. Okay.

13 A. Yeah.

14 Q. I just wanted to clarify. I was just wondering, so --

15 A. Yeah.

16 Q. And then just real quickly, lastly, you know, I just want to  
17 commend you. I mean, I think your actions were heroic. I mean,  
18 I'm awed by your professionalism and your care for your passengers  
19 over your own safety. I mean, you know, human nature, you see  
20 fire, you run, but, no, you took care of your passengers first. I  
21 think what you did was heroic, so --

22 A. I appreciate that. Thank you.

23 Q. Thank you very much.

24 A. Appreciate that.

25 BY MR. MAYNARD:

- 1 Q. Jim Maynard, BLAT. Just a couple quick questions for you.
- 2 A. Sure.
- 3 Q. First things first. Do you usually monitor the form B's that
- 4 he's getting to make sure the clearance is through?
- 5 A. Absolutely, yes.
- 6 Q. Okay.
- 7 A. Yes.
- 8 Q. Okay.
- 9 A. I'm required to, so --
- 10 Q. Okay. So that was --
- 11 A. -- absolutely. Yes, yes, yes. I'm --
- 12 Q. -- my question.
- 13 A. -- required to, yes. I do that.
- 14 Q. Okay. And then if you could limited clear, do you know what
- 15 the definitely or close to --
- 16 A. Well, yeah, well, so you're going to cross over.
- 17 Q. Right.
- 18 A. It's 50 miles an hour.
- 19 Q. Okay. Okay.
- 20 A. If that's what you were looking for.
- 21 Q. Yeah, I was making sure --
- 22 A. Yeah, yeah, yeah, yeah.
- 23 Q. -- it was --
- 24 A. Okay. Got you.
- 25 Q. And another quick question. Do you have access to the speed



- 1 at all --
- 2 A. No, not in the body --
- 3 Q. -- back there?
- 4 A. -- of the train, no.
- 5 Q. Not in the body of the train.
- 6 A. We have 1985 technology on that, so there's --
- 7 Q. Yeah.
- 8 A. -- no --
- 9 Q. Right, right. And then there's no other form of  
10 communication for the engineer to you except the head and radio,  
11 correct?
- 12 A. That is correct.
- 13 Q. Okay. And also -- I also would like to commend you on  
14 everything you did, getting the passengers out. I mean, that's  
15 above and beyond. Most people wouldn't do that these days, and  
16 just to show the railroaders out there do care, I greatly  
17 appreciate that.
- 18 A. No, I appreciate that, too. Thank you.
- 19 Q. And I'm sure the passengers do whether they gripe about it or  
20 not.
- 21 A. Not when the guy didn't get his bike. The guy didn't get his  
22 bike. He wasn't too happy with me at that time.
- 23 Q. Right. So, thank you. Thank you for everything.
- 24 A. Sure, sure.
- 25 MR. MAYNARD: That's all I got.

1 BY MR. JENNER:

2 Q. Steve Jenner with the Safety Board. Thanks for your  
3 testimony so far?

4 A. Sure.

5 Q. I appreciate that. Just a couple of questions. You heard  
6 emergency you said three times.

7 A. Oh, it might have been more than that.

8 Q. Okay.

9 A. Right, right, right. I mean, if you listen to the thing,  
10 they were emergency, and it was constant, it was constant. It  
11 was, you know, well, I don't mean constant as in forever, but it  
12 was a long time of emergency, emergency, emergency. I mean, it  
13 was more than just the three.

14 Q. Did I hear you say you heard emergency the first time before  
15 impact?

16 A. Oh, yeah, before impact.

17 Q. Okay.

18 A. They were already on before -- okay, let me clarify that,  
19 before I felt the shake.

20 Q. Okay.

21 A. Okay. So, you know, if there was say something like let's  
22 say that this is big, and this is little, we may have hit here,  
23 and then I felt the shake here, but I heard the emergency before I  
24 felt my shake.

25 Q. About how far before?

1 A. It was all pretty quick. It was all pretty quick.

2 Q. A second or two.

3 A. Yeah. I would -- it would just be a guess if I said a second  
4 or two, but I did hear before the shake I remember hearing it,  
5 yes.

6 Q. Got it. I didn't hear you say you called 911. Did you --

7 A. I don't have a way to call 911.

8 Q. Okay.

9 A. Yes, I called the -- so when that kind of stuff happens --  
10 well, after then it's, you know, on scene, police is who I deal  
11 with, and then we have the MTO, the operator. They actually -- I  
12 can Nextel them if I need to contact them.

13 Q. Right. Can you explain why you don't have capability to call  
14 911?

15 A. Well, we're not -- I don't have a cell phone.

16 Q. Okay.

17 A. I don't -- we're not allowed to have our personal devices,  
18 and maybe on the phone that I have I can probably maybe do it, but  
19 I don't -- it's just that it's been drilled into us no cell phone,  
20 no cell phone, no cell phone, so I only -- we have the app for the  
21 Nextel and that's generally what I do. I mean, I get a lot of  
22 spam calls. I just leave them go, you know, that kind of a thing,  
23 but --

24 Q. Right.

25 A. So if -- I'm assuming because I get these spam calls that I

1 probably could use a 911, but it never entered my mind that that's  
2 what the phone would be for.

3 Q. Do you know what time the first 911 call --

4 A. No, I don't.

5 Q. -- was made?

6 A. No. No idea when anybody would have called anything.

7 Q. Okay. So the assistant conductor, you don't know if he did  
8 or not make the call himself?

9 A. Oh, I -- no, not at all.

10 Q. Okay. When the fire department, police department arrived,  
11 what sort of interaction did you have with them?

12 A. So the initial interaction was me letting them know --  
13 because I had moved passengers already, and letting them know that  
14 the -- on the street the one officer, hey, I've got -- on the  
15 other side, too, and then you could look over and you see the --  
16 and so I did ask -- I actually asked them can you contact him,  
17 like in other words the other officer, and he says yes, we have  
18 radio contact, so that's why I felt okay to bounce and go up to  
19 the -- or walk up to the -- to see if the engineer was okay  
20 because I knew that if something were going on, one officer could  
21 talk to the next, and so the passengers were taken care of. So  
22 that was my main interaction with them until later in the scene  
23 when they were taking statements and things like that, right.

24 Q. Okay. Did you get a chance to observe some of the emergency  
25 response in terms of did some of the people, emergency responders,

1 go back in the train? Did some of them attend to passengers from  
2 a medical perspective?

3 A. Yes. The -- they had a triage center set up and how many  
4 went over there, I, you know, you hear the news reports, 13.  
5 Well, I know they're not all passengers, but, you know, they -- so  
6 there were some that were -- they had ambulances there and there  
7 was, you know, a few that were there getting checked out or  
8 whatever. As far as going back on the train, yes, you had the  
9 fire department, but it was after fire was out and stuff like  
10 that.

11 Q. And the fire went out how?

12 A. Oh, they used their hoses and foam and all the fun stuff that  
13 they use, yes.

14 Q. Did you ever observe it like get out of control, the fire?  
15 Did you think it was under control?

16 A. Well, when the -- it was out of control until the fire  
17 department got there. When they got there, they took care of  
18 things. Well, actually pretty well.

19 Q. Fairly quickly?

20 A. Fairly quickly, yes, you know, considering -- knowing what I  
21 know now, I would say it was fairly quickly because when you have  
22 an engine and three vehicles, they did a really good job.

23 Q. Having gone through this now, have you been through anything  
24 like this before?

25 A. I mean, I've hit stuff, right. I've had a -- there was one

1 -- but it wasn't -- it didn't involve people on the tracks. We  
2 had a -- what is that, Condon and Sons (ph.), 25th Avenue?

3 Q. The --

4 A. Yeah, there's a lumber yard next to the tracks and I had come  
5 around and they had left their trailer with some lumber on it.

6 UNIDENTIFIED SPEAKER: When he says he, it's the train.

7 UNIDENTIFIED SPEAKER: The train that came around, yeah.

8 Thank you.

9 MR. STICKEL: We had come around and we hit that, and that  
10 was a -- you know, that was the only other time I ever felt in all  
11 the other things -- like we've hit cars, people, that type of  
12 stuff or trespassers, and you don't really feel that on board the  
13 train, but that was the only other time I actually felt the shake,  
14 so it was similar to when we hit that.

15 UNIDENTIFIED SPEAKER: They hit a truckload of lumber, loaded  
16 lumber.

17 MR. STICKEL: Loaded lumber, right.

18 BY MR. JENNER:

19 Q. If you had time to reflect on that day, do you think there's  
20 any type of procedures or tools or equipment that could have  
21 helped you with the evacuation process or the --

22 A. Oh, the evacuation process?

23 Q. Any part of the --

24 A. Not -- you know, not really because you're -- I mean, I know  
25 we're only "50 miles long." I know we go to Gilroy, but we'll

1 just say round numbers, and there's such a difference, and we're  
2 so -- what's the word I want to use, urban right now. We used to  
3 be more open than we are now. I don't think there's any one  
4 specific thing that you can say, oh, this is going to work here,  
5 and -- I mean, I don't -- as far as what we have on board right  
6 now, I think that what they provide is adequate for most of what  
7 you're going to encounter on countering strikes.

8 Q. All right. Do the train cars have emergency lighting?

9 A. They have the -- I know it's lit up strips. They do have a  
10 kind of emergency lighting I would say because when we've lost  
11 battery power, you know, you've got -- or, excuse me, head in  
12 power, you know, lights do light up and stuff, and, you know, if  
13 you have a car that doesn't have its lights on, and you go through  
14 the tunnels, oh, it sure brights up, you know, brightens up pretty  
15 good.

16 Q. Do you happen to know if emergency lighting was on or --

17 A. No, I wasn't paying attention to any of that. I don't think  
18 we had to go to emergency lighting, but I don't want to -- I'd be  
19 guessing.

20 Q. Got it. That's all the questions I have. Thank you.

21 A. Sure.

22 MR. FRIGO: How you doing, okay?

23 MR. STICKEL: Fine.

24 MR. FRIGO: All right.

25 BY MR. FRIGO:

- 1 Q. We've got to cover the morning.
- 2 A. Sure.
- 3 Q. So when were you on duty?
- 4 A. 4:54 a.m.
- 5 Q. And where at?
- 6 A. In San Francisco at the register room is what we call it.
- 7 Q. Okay.
- 8 A. It's like there's a room in there that we use to -- where
- 9 everybody goes in.
- 10 Q. And this is your -- this is regular shift for you.
- 11 A. Yes.
- 12 Q. So you're not getting a call.
- 13 A. No.
- 14 Q. Regular shift. What time did you leave your house?
- 15 A. I have no idea. It's -- I remember being there earlier than
- 16 normal only because I knew my regular engineer wasn't going to be
- 17 there --
- 18 Q. Okay.
- 19 A. -- so -- because he had mentioned that he was probably -- I
- 20 think he had a vacation day.
- 21 Q. Yes.
- 22 A. My regular engineer did, so I knew in advance before I came
- 23 to work that I was going to have someone new, didn't know who, so
- 24 I -- when that happens, and I have an advanced warning, I'll get
- 25 there a little earlier.



1 Q. So what -- I mean, how far do you live from there? Like how  
2 long's it usually take --

3 A. Oh, so like --

4 Q. -- you to get --

5 A. -- no traffic it could be 20 to 25 minutes. With traffic it  
6 could be who knows.

7 Q. So maybe you leave the house around 4:00?

8 A. Oh, yeah, yeah, yeah, for 4:54 I'd leave probably about 4:00  
9 to 4:10.

10 Q. Okay.

11 A. Um-hum.

12 Q. All right. And you get there, and what do you do?

13 A. So normally what we do is because of PTC with my regular  
14 engineer we'll go out and get our train ready so he has time for  
15 PTC to get together and stuff like that. This case here, I don't  
16 -- the first time I worked with Will, so we just met up in the  
17 register room.

18 Q. Okay.

19 A. Right. We just met there, so we met there, went over our  
20 orders and, you know, all that kind of stuff is what we did when  
21 we were in there.

22 Q. Everything normal with Will?

23 A. Everything with Will was fine. Everything was, yeah, yeah.

24 Q. Nothing out of the ordinary.

25 A. Nothing out of the ordinary, no.

1 Q. Okay. So you guys get your paperwork together, you talk.  
2 A. Yes.  
3 Q. You talk about the paperwork.  
4 A. Yes. What we have that day, you know.  
5 Q. And go out to the train?  
6 A. Yes.  
7 Q. Then what do you do?  
8 A. We do -- well, we get the train ready. You check the doors,  
9 you do your air tests, you know, all those kinds of things, so we  
10 get our train ready. And I do -- this is with my AC. I told him  
11 that -- so at that time our train leaves at 5:39. There's a train  
12 that leaves at 5:30, so we just talk about when we're going to  
13 load the passengers because we have to talk because there are some  
14 days where the 5:30 and the 5:39 are basically sharing the same  
15 platform, so I let him know we're going to keep the doors closed  
16 until the 5:30 clears the platform and then we'll load our train,  
17 so -- because we do have something where they want us to load  
18 passengers 20 minutes before, but if we're sharing the platform,  
19 sorry, boss, I'll wait until the 5:30 pulls and goes before I load  
20 ours, and again, also to the other reason I do it, and this is --  
21 I know that sounds like it's really safe, but the other reason,  
22 too, is they'll walk on the same platform and they'll get on the  
23 wrong one, and then I've got to deal with them, and it's just like  
24 -- this way their doors are open, they, you know, you can't get on  
25 the wrong one.

- 1 Q. Don't get on the wrong train.
- 2 A. Oh, yeah, they absolutely will, so this way we'll open our  
3 doors after the 5:30 clears, then we'll open our doors and then  
4 we'll load. And so that was one of the things that was different  
5 than normal for -- to talk about in the morning.
- 6 Q. So you do your 5:39 departure.
- 7 A. Correct.
- 8 Q. Everything's good?
- 9 A. Everything's great.
- 10 Q. Return.
- 11 A. Return. Everything -- and we actually went through the  
12 flagman on the way back --
- 13 Q. Okay.
- 14 A. -- but we never had to cross over. It was just a straight  
15 shot.
- 16 Q. Straight shot.
- 17 A. Yes.
- 18 Q. And --
- 19 A. No issues.
- 20 Q. -- no radio communications? Everything --
- 21 A. Everything was good.
- 22 Q. -- was normal?
- 23 A. Yes, normal.
- 24 Q. And then leading up to the accident --
- 25 A. Um-hum.

1 Q. -- so your return is southbound.

2 A. Yes.

3 Q. Everything was --

4 A. Everything was normal. Yeah. We even did a second briefing  
5 in the city where we talked for a quick brief minute just about me  
6 telling him I'm going to tell you at 22nd Street.

7 Q. And that's Will.

8 A. That's Will. I'm sorry, yes.

9 Q. Yes.

10 A. Me telling Will I'm going to let you know at 22nd because we  
11 don't stop until Millbrae, so I'm going to tell you that because  
12 if I try to tell him right outside of the tunnel, I'm stepping on  
13 him --

14 Q. Um-hum.

15 A. -- right? So I know that's technically like the Bayshore  
16 station is -- if we stop at Bayshore, I would remind him there,  
17 we'd be offline, but we job brief to say, hey, when you come out  
18 of the tunnels, that's when you're going to be calling, so I'm  
19 going to remind you at 22nd Street that we have 200, and we have  
20 Millbrae as our next stop so that when he comes out of the tunnel  
21 he can just get on the radio and contact because if you don't,  
22 then you get into dead space and then we end up having to stop and  
23 try to get hold of MW200.

24 Q. Jim, thank you.

25 A. Sure.

1 MR. FRIGO: Sir?

2 MR. SIMMONS: I don't have any further questions. I just  
3 want to put you at ease a little bit because you did a fantastic  
4 job, Jim.

5 MR. STICKEL: I appreciate it.

6 MR. SIMMONS: And you are not on trial here. I wanted to let  
7 you know you -- what our process here is, Jim, is we're trying to  
8 make sure this never happens again.

9 MR. STICKEL: I appreciate that.

10 MR. SIMMONS: With that said, no, we really are --

11 MR. STICKEL: Yeah.

12 MR. SIMMONS: -- and by you, you know, I was like -- I could  
13 see the desire right there by you, you know, saying I got to take  
14 care of these passengers because I don't know if the rest of them  
15 do, but my job is to ride with you guys, and my job is to -- and  
16 part of your job is to take care of the passengers.

17 MR. STICKEL: It's a big part, yeah.

18 MR. SIMMONS: It's a big, big part because he was like, well,  
19 you know, not a lot of people would have done that, but it's your  
20 job, too, you know, and you did it, and I want to thank you for  
21 that. You did an excellent job.

22 MR. STICKEL: I appreciate it. Thank you.

23 MR. SIMMONS: Thank you. And that's all I've got. Thank  
24 you.

25 MR. STICKEL: Appreciate it.

1 BY MR. STABLER:

2 Q. Just a quick question. Do you remember how many passengers  
3 you had that day?

4 A. So it was approximately 75.

5 Q. 75?

6 A. And the way I got that number just so you guys don't think  
7 I'm making stuff up, I have a CTR report and I don't remember what  
8 my count was out of San Francisco. It was in the 50s, somewhere  
9 there, but we did stop and pick up people at 22nd Street, so even  
10 if it was, you know, 12 people or so, now we're close to 75.

11 MR. SIMMONS: Well, they have to go around and check.

12 MR. STICKEL: Yeah.

13 MR. SIMMONS: How many percent of --

14 MR. STICKEL: So that's where I get the number from. I  
15 wasn't just throwing, making something up.

16 MR. STABLER:

17 Q. And after you heard the air --

18 A. Yes.

19 Q. -- and you, you know, knew what was coming because --

20 A. Yes.

21 Q. -- when --

22 A. We didn't know what was coming, but, yeah.

23 Q. Well, you knew the train was going to stop --

24 A. Yes.

25 Q. -- at that point because when the emergency --

- 1 A. Correct.
- 2 Q. Did you hear anything? Did you hear an impact?
- 3 A. Well, you hear like a -- it's a --
- 4 Q. Not the air, but --
- 5 A. No, no, no.
- 6 Q. -- striking the equipment.
- 7 A. Yeah, you hear it. It almost sounds like a rumble, right. I
- 8 don't know how you would describe a rumble (sound), you know.
- 9 Right, right, as we're speaking.
- 10 Q. Only like this, right?
- 11 A. Yeah, but with the shaking and a rumble, you know. It wasn't
- 12 like (sound), it wasn't that, it was a (sound), you know, because
- 13 I guess, you know, you're pushing and dragging stuff, too, into --
- 14 Q. Was the final stop, was that a jolting stop or was it kind
- 15 of --
- 16 A. A little bit. I mean, yeah, a little bit, yeah, yeah. It
- 17 was a little bit. For me for what I knew at the time, yeah, it
- 18 was a, you know, (sound) when you kind of do that, right?
- 19 Q. Okay.
- 20 A. Kind of if you have bad brakes and you're (sound) kind of
- 21 deal, right.
- 22 Q. Okay. That's all.
- 23 A. Sure.
- 24 Q. Appreciate it.
- 25 BY MR. MAYNARD:

1 Q. Jim Maynard, BLAT. Just one more quick question kind of  
2 feeding off of a few things is, is there anything that you could  
3 think of that would make your job -- that would have made this  
4 easier for you, like being able to use that Nextel to dial 911 or  
5 something to that effect? Is there anything --

6 A. So --

7 Q. -- you can think of or --

8 A. So having the ability to call 911 I wouldn't say is like a  
9 game, you know, no, we don't want, but in that moment I, to be  
10 honest, maybe I'd call after the fact.

11 Q. Right.

12 A. But it would be -- someone else is already -- I mean, the  
13 cops were already there -- I mean, I don't know -- if it was --  
14 put it this way, if it was just a fatality of a trespasser maybe  
15 that would be more, but --

16 Q. Okay.

17 A. -- in this incident, in this instance here I don't think the  
18 ability to call 911 would have been useful for me.

19 Q. Right, right. Okay. So nothing in general that would --

20 A. No, no. Like I said, for maybe something smaller, right, you  
21 know, you could be out in the middle of somewhere and oh, you  
22 know, hey, we just struck, we're here, and I can give them direct,  
23 like I'm at 15.3 right here, you know, send, you know, kind of  
24 deal versus doing the -- calling them and going back and forth.

25 Q. Right.



1 A. Maybe, but I wouldn't say, you know, I really wish I had  
2 that. That's not the case at all.

3 Q. Okay. And thank you again.

4 A. Sure.

5 Q. We do appreciate that.

6 BY MR. JENNER:

7 Q. Just a couple questions.

8 A. Sure.

9 Q. Steve Jenner. Did you work the day before?

10 A. Yes.

11 Q. Okay. What hours were you on duty?

12 A. So the day before was earlier. Got to work at 4 -- I got to  
13 work actually at 4:20 versus the time that I left.

14 Q. In the morning.

15 A. In the morning, yeah, so it was an a.m. shift that morning.

16 Q. Um-hum.

17 A. So it was just a regular -- it was what we would call a  
18 single, so -- and I believe I want to say like 4:00 to 10:00 type  
19 of thing, so if you were to take the total hours, it would be like  
20 4:00 to 10:00 type of a shift the day before, yes.

21 Q. Sure. 10:00 a.m.

22 A. 10:00 a.m., yes.

23 Q. Sure.

24 A. Yes.

25 Q. Okay. Just how'd you feel the day, March 10? Did you feel

1 good when you went on duty?

2 A. On duty? Yeah.

3 Q. Um-hum.

4 A. Yeah.

5 Q. Yeah, everything was --

6 A. Oh, no, everything was --

7 Q. -- normal for --

8 A. -- normal other --

9 Q. -- you? Nothing --

10 A. Other than I knew I had a long day in front of me.

11 Q. Right.

12 A. You know, other than that, you know, oh, man, I got to do  
13 that, but, no, everything was fine.

14 Q. I just want to make sure it was a normal day.

15 A. Normal day, yeah. Nothing out of the ordinary here. Yes.

16 Q. That's all I got.

17 A. Sure.

18 Q. Thank you very much.

19 MR. STAHL: Jim -- Ron Stahl for the record here, but I don't  
20 have any questions once again, but I just want to echo some of the  
21 positive comments from my perspective is you went above and beyond  
22 that day from our (indiscernible). You took a calculated risk by  
23 going back into the cars again, but you know the importance of the  
24 customers and humans.

25 MR. STICKEL: Yes.

1 MR. STAHL: You're known as (indiscernible) and nothing could  
2 really bring you down. You're very outgoing, but I do believe  
3 that that affected you. That's an out of the ordinary situation,  
4 and I wanted to make sure that EAP reached out to you and you  
5 utilized that. When you do come back to work, I want to make sure  
6 that we acclimate you solely if you need that. We can put a  
7 manager with you or --

8 MR. STICKEL: Oh, no, I'll be fine. And did not -- no, I got  
9 you, boss. Thank you.

10 MR. STAHL: Well, we appreciate that.

11 MR. STICKEL: Thank you. Thank you.

12 MR. KESECKER: I appreciate everybody here as to asking the  
13 questions and taking into consideration --

14 MR. FRIGO: Just your name.

15 MR. KESECKER: Oh, Reggie Kesecker, local chairman. That,  
16 you know, in talking with Jim, Jim has a lot of experience.  
17 There's the 29 years in there, and that's a great help and all.  
18 This as compared to, you know, he's working with somebody. We'll  
19 find out -- we wanted to get what actually happened. It was good  
20 questions that were asked here and all, and I do hope that you  
21 take into consideration that the expertise of our -- of the  
22 assistant conductor is more like 29 days. I mean, he is  
23 definitely a newbie out here. We would like to get, I'm sure  
24 everybody wants to get an idea of the difference between a  
25 seasoned employee and other employees that are coming out here

1 because we -- it's always a work in progress as we go through our  
2 careers, so I do want to thank all of you for the questions and  
3 taking the time to make sure that Jim felt comfortable.

4 MR. FRIGO: No, that's a good point. That's a good point. I  
5 think, you know, railroading and the medical profession actually  
6 have a lot in common because at the end of the day we're all just  
7 practicing. That's what we're doing, and I think with that we'll  
8 close this out.

9 MR. STICKEL: Although one more thing before you close out.

10 MR. FRIGO: Go ahead, Jim.

11 MR. STICKEL: So speaking to the assistant conductor, my  
12 assistant conductor actually did a very good job, a very, very  
13 good job. Like I know he's newer, but he did exactly what he was  
14 supposed to do. He came out -- he was really -- from what I  
15 needed, he was absolutely spot on for me and I asked him to do  
16 something, he did it. He was, you know, attentive to the  
17 passengers and, you know, what he did was also, you know --

18 UNIDENTIFIED SPEAKER: Right, I'm sorry, can I go back one --

19 MR. FRIGO: Yeah.

20 BY UNIDENTIFIED SPEAKER:

21 Q. One more quick, couple things.

22 A. Sure.

23 Q. Do the -- in your emergency preparedness training that you do  
24 yearly, I guess, a yearly kind of a certification type thing.

25 A. Correct.

1 Q. Okay.

2 A. It's like all encompasses.

3 Q. Just quickly, does that entail -- I mean, do they go through  
4 removing the emergency windows, do they go through that process?  
5 Do they go through all the steps that you should take in the event  
6 that there is some type of evacuation procedure? Do they have an  
7 evacuation plan? And then they instruct you on that and when was  
8 the last time that you had that?

9 A. So it was in my last training, and they do go over -- so we  
10 didn't physically go out and remove windows, right, it's pull the  
11 rubber, pull the thing, right, so we did that a long time ago when  
12 they first put in the new ones. They had some older windows that  
13 were installed especially in the gallery set that were -- they  
14 were no point, so they replaced them all, and this was a while  
15 ago. This was -- was it Amtrak days?

16 Q. Amtrak days.

17 A. This was Amtrak days. These cars were from 1985, and so they  
18 had like these little things, and they didn't come out as easy and  
19 stuff, and so they've all been replaced. And so you -- we've gone  
20 through -- like I've gone through and actually pulled it out, you  
21 feel how heavy it is and do all that.

22 Q. But as part of your training?

23 A. As part of your training, but not every year. So in other  
24 words, it's like you know you pull the thing, and pull that,  
25 because every time you do it, you've got to replace it now, and so

1 it's like -- but they do ask, hey, do you need to do it, do you --  
2 I mean, Jim Gunther (ph.) is the one who did the training, and he  
3 does a really good job, but he'll say, hey, do you need to do, do  
4 you need to pull it, do you need to feel that, and, you know,  
5 every time I've been in training, I'm like, no, I've done it  
6 before, I don't need to do it here, and then hear Ron complain  
7 about the window being out -- no, I'm just teasing, I'm teasing.  
8 I mean, but, no, so he does -- he offers us like -- so we'll go  
9 through and, you know, with our PNAs, so we go over that which are  
10 passengers who need assistance, you know, so we go over that, and  
11 those types of things. Again, being out there, do I need to  
12 actually crank the lift and do, you know, five different times,  
13 you know, that kind of -- because we do it on a daily basis, so --  
14 but he does offer if I do want to take it out.

15 Q. Right. Well, not just that, but you -- as you -- I shouldn't  
16 say herding, but --

17 A. Well, I was herding, I was herding.

18 Q. -- to the rear of the train which, you know, turns out to be  
19 the smart thing to do, is that part of the emergency preparedness  
20 training? Is that included in evacuation of passengers in the  
21 event of a situation like this or another situation?

22 A. It's -- because everything is different, right? Like if  
23 we're on the side, if we fall over on the side, I'm not having  
24 them walk through the aisle obviously. You know, we don't go over  
25 water.

1 Q. Is there some training if you go on your side, do they --

2 A. So --

3 Q. -- give you guidance and training on what to do at that point  
4 or no?

5 A. -- I'm -- you know what, I would say, Reggie --

6 MR. KESECKER: We did at Amtrak. And in Trans America we do  
7 go over drills about the safe way to exit a train, but, I mean,  
8 this was years ago and I guess time and money was a little bit of  
9 a -- was not as much of a concern, but we did -- where there was  
10 more of a hands on, like in the emergency -- when they had the  
11 police drills, when the police came out and the fire department  
12 and all. Other carriers -- no, I don't want to -- Jazzie's (ph.)  
13 doing a good job. They are --

14 MR. STICKEL: They are.

15 MR. KESECKER: -- up-to-date. They give you the ideas, but  
16 Amtrak we had regular actual -- you were involved with the police,  
17 the fire department, you were the, you know, you're the first on  
18 scene, so you go through like they had scenarios where, you know,  
19 the engine mate has a collision and two cars are on its side, what  
20 are you going to do, and they had people in there that --

21 UNIDENTIFIED SPEAKER: I'm not shedding a light on anyone in  
22 any way, I'm just trying to figure it out if the train in those  
23 situations is adequate or if it was better with, you know, prior  
24 to the --

25 MR. FRIGO: So -- and this is Ryan Frigo again, one of the

1 things we'll do, we're going to request the Eprep training and any  
2 of those drills that, you know, they have performed, so we'll be  
3 able to get a snapshot of that as well.

4 MR. STICKEL: And I will say this, Tozzie (ph.) has trained  
5 me on how to use everything, so it's not like there's stuff out  
6 there like, pull pin, you know what I mean? I mean, they've  
7 trained us on all that, so -- but what I've taken from that is,  
8 look, you know now to work everything, every situation's  
9 different, you can do whatever the situation calls for, here's the  
10 stuff, you know how to do it, you know, because sometimes you have  
11 to improvise.

12 MR. FRIGO: You can assess the situation --

13 MR. STICKEL: I can assess the situation --

14 MR. FRIGO: -- and take the appropriate --

15 MR. STICKEL: -- they gave us what we need to do, so now you  
16 at some point it has to fall on me to be able to do what the  
17 situation requires because no two situations are alike.

18 MR. FRIGO: Of course.

19 UNIDENTIFIED SPEAKER: No, I'm good. Thank you.

20 MR. FRIGO: Okay. And with that, we will -- Jim, thank you.  
21 We'll go off the record.

22 MR. STICKEL: Yes.

23 (Whereupon, the interview was concluded.)  
24  
25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

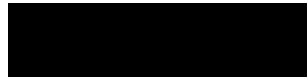
IN THE MATTER OF: CALTRAIN COLLISION WITH  
CONSTRUCTION EQUIPMENT NEAR  
SAN FRANCISCO, CALIFORNIA  
ON MARCH 10, 2022  
Interview of Jim Stickel

ACCIDENT NO.: RRD22LR007

PLACE: San Bruno, California

DATE: March 12, 2022

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.



---

Lois D. Rush  
Transcriber