



Attachment

Transcript of Truck Driver Interview

Williamsburg, VA

HWY23MH004

(46 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FATAL TWO-VEHICLE CRASH IN YORK
COUNTY NEAR NEWPORT NEWS, VIRGINIA
ON DECEMBER 19, 2022

Accident No.: HWY23MH004

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Interview of: DANIEL L. CRAMER, Truck Driver
Triton Logistics

Cropwell, Alabama

Friday,
May 12, 2023

APPEARANCES:

SHAWN CURRIE, Senior Highway Accident Investigator
National Transportation Safety Board

DENNIS COLLINS, Senior Accident Investigator
National Transportation Safety Board

SHAWN VOYLES, Esq.
McKenry Dancigers Dawson, P.C.
On behalf of Daniel L. Cramer

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I N T E R V I E W

1
2 MR. CURRIE: Okay, my name is Shawn, S-h-a-w-n, Currie,
3 C-u-r-r-i-e, I'm an investigator with the National Transportation
4 Safety Board. I'm here talking to Mr. Daniel Cramer and we are at
5 4310 Martin Street South in Cropwell, Alabama, is that correct?

6 MR. CRAMER: Yes.

7 MR. CURRIE: And we're talking about a crash that happened
8 -- hold on just a second, someone's giving me feedback from their
9 phone. Can you guys mute if you don't have anything? Thanks.
10 We're talking about Case HWY23MH004, which happened in
11 Williamsburg, Virginia on I-64 on December 16th at about 1:48 a.m.
12 Eastern Time. Can you say and spell your name, sir?

13 MR. CRAMER: Daniel Lee Cramer, D-a-n-i-e-l L-e-e
14 C-r-a-m-e-r.

15 MR. CURRIE: And also on the phone is Mr. Cramer's attorney,
16 Mr. Voyles. Could you please say and spell your name?

17 MR. VOYLES: I'm Shawn Voyles, S-h-a-w-n, Voyles, V-as in
18 Victor-o-y-l-e-s and to confirm, I represent Mr. Cramer only with
19 regards to the civil actions that are currently pending in
20 Portsmouth Circuit Court and future suits that will be filed
21 arising from the accident. I do not represent Mr. Cramer with
22 regards to any criminal or administrative or regulatory matters.

23 MR. CURRIE: Okay. Thank you for the clarification,
24 Mr. Voyles.

25 Dennis.

1 MR. COLLINS: Dennis Collins, D-e-n-n-i-s C-o-l-l-i-n --
2 (Audio malfunction.)

3 MR. CURRIE: Okay. Dennis, you cut out at the end, is
4 Collins C-o-double l-i-n-s?

5 MR. COLLINS: Yes, I'm sorry, that's correct.

6 MR. CURRIE: Okay, thank you.

7 All right, like I said, Mr. Cramer, I'm an investigator with
8 the National Transportation Safety Board and you've probably never
9 dealt with us before, not too many people have. It's our job to
10 -- we're an independent board that reports to Congress, we don't
11 report to the secretary of whatever or any of that. Our job is
12 not to -- we're not a regulatory agency or criminal agency, we're
13 an investigatory agency, we're interested in safety.

14 Our job is to look at crashes, select highway crashes, which
15 there's a lot across America, they select certain ones that we
16 look at to see if there's any changes we could suggest or problems
17 that we can identify to prevent this type of crash from happening
18 again. The only way you can get in trouble with me is if you
19 don't tell me the truth. If you make something up, that's bad,
20 so --

21 MR. CRAMER: I understand.

22 MR. CURRIE: So if you know something or you don't know
23 something, just tell me you don't know if you don't have an answer
24 to my question, don't try to make me happy, just -- does that make
25 sense?

1 MR. CRAMER: Okay.

2 INTERVIEW OF DANIEL L. CRAMER

3 BY MR. CURRIE:

4 Q. So why don't you tell me, from what you remember, I realize
5 it's been a few months, but tell me about that day, to start, if
6 you don't mind, just tell me the story and then I'll ask some
7 questions.

8 A. You know, I made a statement to the state police at the
9 night, you know, I started my shift, I went and got diesel and I
10 think it was about a half an hour after I bought diesel that the
11 crash occurred. I just -- I never -- I saw that the bus, I say
12 micro-seconds, it was probably, you know, more than -- more than
13 that, but -- but, you know, not enough to really react. I did hit
14 my brakes prior to impact, but not enough to change the outcome,
15 for certain.

16 Q. Okay. Well, let's back it up even further. Where did you
17 start your trip, where did that load, where did it start?

18 A. Now you're asking -- Kansas City, I think, if I remember
19 correctly.

20 Q. Okay, so Missouri?

21 A. I think so. Don't hold me to that, but it was a beer load,
22 if I -- yeah, it was a beer load and I think that's where it was.

23 Q. And do you remember where you were taking it?

24 A. I was just going to drop it in our drop yard. We have a drop
25 yard in Chesapeake, Virginia.

1 Q. Okay. All right. By yourself that trip?

2 A. Yes.

3 Q. Okay. And were you ever a team driver?

4 A. No.

5 Q. Okay. So we'll go back to that in a minute, but -- so how
6 long have you had a CDL?

7 A. Sixteen years.

8 Q. Okay. Do you remember when and where you got it? You can
9 ballpark it.

10 A. Michigan, 2006.

11 Q. Okay. Did you do OJT or did you go to driving school?

12 A. My driving school lasted 1 week, which 1 day was cancelled
13 because the truck didn't run.

14 Q. Okay.

15 A. I started Monday, I got my license on Friday, Wednesday was
16 an off day.

17 Q. Okay. But you got your CDL?

18 A. But I got my CDL, correct.

19 Q. In the state of Michigan?

20 A. Correct.

21 Q. Okay. And looking back, I've looked at a few of your
22 applications, so I was able to track back. You worked for quite a
23 few different trucking companies.

24 A. Correct.

25 Q. You've worked for Triton for how long at the point, at the

1 point of the accident?

2 A. You know, I think -- well, I worked for them twice.

3 Q. Okay.

4 A. So there was an initial start date and then -- I think I
5 actually have that here.

6 Q. You can ballpark it for me, I don't need to have the exact
7 dates.

8 A. It's approximately a year and a half, I think.

9 Q. Oh, okay.

10 A. If you include the first start date up until --

11 Q. So your first date, I think, was 2020, does that sound right?

12 A. Probably.

13 Q. Okay. And you worked for them for how long at that point?

14 A. Eight months, maybe.

15 Q. Okay. And why did you leave?

16 A. I don't know, I guess conflicts, I guess. I was hired in,
17 you know, and basically assured a certain number of miles and a
18 certain, like that, and I just wasn't receiving them.

19 Q. Okay.

20 A. And so I went to Floyd, where they offered me, you know, what
21 they initially said would be a better, you know, financial
22 situation, but it turned out that it wasn't and so I went back.

23 Q. Okay. Did you have to go through another application process
24 when you came back or --

25 A. I don't think so, I think --

1 Q. About how long were you gone from them?

2 A. Not very long.

3 Q. Okay.

4 A. I'm going to say a month or two.

5 Q. Did you go through orientation again or --

6 A. I don't think so.

7 Q. Okay. Obviously, in this crash, there's been some issues
8 with the log, the electronic log-in device.

9 A. Correct.

10 Q. Can you explain how they explained the logging device to you
11 and --

12 A. Well, the initial ad that I responded to, you know, when I
13 initially leased on, was "single drivers, drive team miles." That
14 was the -- you know, as I was doing a job search, that ad came up
15 on Google. And so when I called them, I said well, how do you
16 guys do that and they said that they have a program there that
17 allows single drivers -- in fact, they advertise it right now, I
18 mean, if you go to their -- if you go to their website right now,
19 they're saying that single drivers can drive five to six thousand
20 miles a week right now, it's not anything that they're ashamed of
21 or embarrassed about. They talked to me about it over the phone.

22 (Phone ringing.)

23 MR. CRAMER: Renee, is that you?

24 So they're a big company. Candidly, I've been a -- I've had
25 a CDL for a long time, but I've always -- always been an

1 owner/operator. I had bought a truck before I even had a CDL.

2 MR. CURRIE: Okay.

3 MR. CRAMER: And so, you know, I certainly would never do
4 anything like this as an owner/operator, but they seem to be, you
5 know -- and not just them, Floyd, where I worked in between, has
6 the same program and --

7 BY MR. CURRIE:

8 Q. By the same program, what do you mean?

9 A. Where single drivers drive team miles or they electronically
10 adjust your logs.

11 Q. Okay.

12 A. And it wasn't by any means the only two.

13 Q. So explain the process with your ELD, I know you have to sign
14 in or you're supposed to sign in, as a driver.

15 A. Well, you guys have my phone.

16 Q. Well, the Virginia State Police do, but yeah.

17 A. Okay. Oh, all right. Okay. Well, you know, it's not -- you
18 know, if you -- you know, you can look through or they can look
19 through my phone and see the text messages, although most -- the
20 vast majority was done just by voice, but there's still a record
21 on my text messages where I just say, you know, I need to switch
22 my logs and they say hold on for a second and they'll
23 electronically switch, you know, the logs and then, you know, I'm
24 more or less free to go.

25 Q. Okay. By "they," do you -- was it a specific person or --

1 A. Well, no, it wasn't one specific person, it was a specific
2 department. Again, if you call up to these companies around there
3 and say do you have a log consultant department and if they say
4 yes, that's the people that do this.

5 Q. Okay.

6 A. If they say yes, we have log consultants, which, you know, is
7 again, to -- and here, coming from an owner/operator perspective
8 is a bizarre thing. They are -- you know, it's a big company,
9 I've never -- I'd never really been a company driver to this,
10 prior to this, and they seem to have a carve-out where this --
11 where this was available.

12 Q. Okay. So you said it was a specific department, do you
13 know --

14 A. Just the log department.

15 Q. Okay. And do you know where they were located?

16 A. Lithuania.

17 Q. Okay, so it was --

18 A. It's offshore.

19 Q. Offshore?

20 A. Yeah.

21 Q. Okay. So they never provided you with -- well, I think it
22 was Mr. Sykes (ph.) was the --

23 A. Right, yeah.

24 Q. I'm putting it in air quotes, your "co-driver."

25 A. Exactly, correct.

1 Q. So they never gave you --

2 A. Dwayne, if I remember right.

3 Q. Right. They never gave you his log-in or a log-in for him?

4 A. Correct.

5 Q. You just called and they switched?

6 A. All right. You know, and maybe I shouldn't embellish this or
7 give you more --

8 Q. Please don't, I just -- I'm trying -- I've got the company
9 version and I'm trying to get your version, too.

10 A. Well, I've been through two specific roadside inspections --

11 Q. Um-hum.

12 A. -- you know, the weigh stations, one was a random on a
13 roadside, one was in a -- in Kentucky at a regular weigh station.
14 And I basically repeated what they told me to say.

15 Q. Which was what?

16 A. That I had just dropped off my co-driver and that, you know,
17 he's on the truck right now, but I'm driving the way I am.

18 Q. Okay.

19 A. And which is the same thing I told the state policeman that
20 night. They treat that as if it's some sort of magic wand or
21 that's the verbiage to use, that's what makes this "work" and I
22 don't know if you've been to, you know, Triton's main office, but
23 it's not -- it's not a hole in the wall, it's not a rental, you
24 know, they have a multi-million dollar shop, a multi-million
25 dollar building, millions of dollars' worth of trucks, millions of

1 dollars' worth of trailer, it's -- you know, in other words, it's
2 -- initially, I was like what, but when you go there and then you
3 realize that they've been through DOT examinations every year, you
4 know, I forget the name of that, but where you guys --

5 Q. A compliance review?

6 A. Thank you. And go through each accident that they have and
7 there's an investigation done at each one of them, it just -- it
8 just leads one to believe that this is a credible situation and
9 now, obviously you're asking questions about it and since this has
10 all come up, it's obviously a point of an issue but, you know --
11 and that's looking backward, but looking forward, it was -- it's
12 incredible.

13 Q. Okay. So back to -- do you remember your initial on-boarding
14 with Triton back -- I mean, I realize it was a couple years ago,
15 but --

16 A. Well, yeah, but I mean, I don't remember word for word, but I
17 remember the day.

18 Q. So you went to their --

19 A. Office, correct.

20 Q. -- headquarters in Illinois.

21 A. Correct, in Romeoville.

22 Q. And what was this, is that where they explained this ELD?

23 A. Well, he --

24 Q. I guess we'll call it this ELD business --

25 A. Sure.

1 Q. -- for lack of a better term.

2 A. They explained it over the phone before I got there.

3 Q. Okay.

4 A. Maybe not in exact detail, but you know, I drove up there
5 expecting to be able to drive team miles. So when they didn't
6 explain the -- I'm putting it in air quotes "program" until I
7 actually got in the truck and they started orienting me to the ELD
8 proper, as I recall.

9 Q. Do you remember who gave you that orientation?

10 A. Lauren.

11 Q. Lauren?

12 A. Um-hum.

13 Q. Is Lauren a guy or a girl?

14 A. It's a girl. And a very nice person.

15 Q. Everybody who was there was very nice.

16 A. Yeah, they're very kind people.

17 Q. So were you surprised, I mean, obviously you talked about it
18 over the phone --

19 A. Well, it's --

20 Q. -- you've been a truck driver for a while, so you know how
21 the rules are supposed to work.

22 A. Well, okay, and you say that, and I do, but at the end of the
23 day, you know, at the end of virtually every rule, "rule," you
24 know, it's up to the interpretation of the officer. And so if
25 these rules were, in fact, you know, in stone, it would be less

1 believable that there was a carve-out, but you know -- but these
2 guys have hundreds and hundreds of trucks, thousands of trailers,
3 every driver's running the same program and it -- I guess it
4 quashes that initial, I don't -- I don't want to say recoil, but
5 initial suspicion.

6 Q. Okay. Going to change the channel here. So back to the day,
7 you said you got fuel, do you remember where you got fuel?

8 A. It was at the Pilot.

9 Q. Okay. And how were you feeling that day?

10 A. Good.

11 Q. Do you know when your last bunch of sleep or block of sleep
12 was?

13 A. Well, I had just -- I started my shift at the rest area. I
14 don't know if -- are you from Virginia? I guess it doesn't
15 matter, but there's a rest area maybe a mile and a half or 2 miles
16 past the Pilot, so I go past the Pilot, went to a rest area, slept
17 there for, I don't know, 5 hours, approximately, I think, and then
18 started my shift, drove back around to the Pilot, fueled, and then
19 proceeded.

20 Q. Okay. How's your health, in general?

21 A. Good.

22 Q. These are Dennis's questions, but --

23 A. Oh, okay.

24 Q. -- I'm going to steal some of them.

25 A. No, that's all right. I'm not on any medication, I don't --

1 I haven't seen a doctor, and I'm a nurse --

2 Q. Okay.

3 A. -- and so I haven't seen a doctor in 30 years, probably.

4 Q. Okay. So you're not on any medications?

5 A. Correct.

6 Q. You're not supposed to be on any medications?

7 A. Well --

8 Q. I ask that question because sometimes people are supposed to
9 and don't take them.

10 A. Okay, I'm not on any doctor-prescribed medication. I was
11 taking testosterone, you know, hormone therapy --

12 Q. Um-hum.

13 A. -- which is a voluntary thing and I got a prescription for --
14 shoot. It's a blood sugar medicine, I'm trying to think about it,
15 what the name of it is. Starts with an "M." I don't know why I
16 don't know that, it's a very, very common --

17 MR. CURRIE: Excuse me?

18 MR. COLLINS: Does metformin ring a bell?

19 MR. CRAMER: Metformin, yes, that's it, yeah.

20 MR. CURRIE: Okay.

21 MR. CRAMER: Thank you. But, you know, when they searched my
22 truck, they found a big bag of supplements --

23 MR. CURRIE: Okay.

24 MR. CRAMER: -- and, you know, metformin has been linked to
25 longevity.

1 MR. CURRIE: Okay.

2 MR. CRAMER: To long life. And so I tried taking one or
3 maybe two of them and it just dropped my blood sugar so low I just
4 stopped taking them altogether and if they look on the bottle and
5 they see how many were prescribed and then see how many are still
6 there, they'll do the math and realize I never -- I never took
7 more than one or two, for that reason.

8 BY MR. CURRIE:

9 Q. Okay, so it was prescribed to you but not for diabetes or --

10 A. Correct, that's --

11 Q. -- anything like that, it was an alternate --

12 A. It was prescribed to me by the same physician that did my
13 hormone therapy.

14 Q. Okay. But other than that --

15 A. Correct, I have nothing --

16 Q. -- no issues, no long term, no -- your digits work the way
17 they're supposed to and everything else?

18 A. They did before the accident.

19 Q. Okay. Speaking of which, what did you have for injuries from
20 the accident?

21 A. A broken nose, a broken wrist, a torn rotator cuff and, you
22 know, bumps and bruises. And I think I may have another torn
23 rotator cuff, they haven't assessed this one yet.

24 Q. Okay. But nothing long term, it's --

25 A. Hopefully, correct.

1 Q. Well, that's good. So before you stopped at the rest area by
2 the Pilot, where was your break before that, do you remember? You
3 make this kind of triangle trip, is that fairly common for you, to
4 drive from like the Illinois area to the Virginia area or --

5 A. It is, it is.

6 Q. So being probably a creature of habit, you probably have
7 places you like to stop and don't like to stop, something like
8 that.

9 A. Well, not really.

10 Q. No? Okay.

11 A. Yeah, I'm, you know -- which is -- I drive by the way I
12 feel --

13 Q. Okay.

14 A. -- and so if I feel like I need to stop, I just stop and
15 candidly, that could be 15 minutes into my shift, if I start
16 rolling and I don't -- I don't feel right, I stop. So I don't
17 have set areas that I prefer to stop at.

18 Q. Okay. Do you remember where you stopped before?

19 A. I don't, I'm sorry.

20 Q. So about how far is that trip from Kansas City to Chesapeake?

21 A. I'm going to guess, 1200 miles, I'm going to guess that.

22 Q. Okay.

23 A. You know, you could --

24 Q. Yeah, that's fine, so ballpark, 1200 miles. How long does it
25 normally take you to drive that far or would it take you to drive

1 that far?

2 A. Under their logging system?

3 Q. No, under -- like for real, like let's take the logging
4 system out, how long -- how long would it take you to drive from
5 there --

6 A. A day and a half.

7 Q. Day and a half?

8 A. Yeah.

9 Q. Okay. Is that how long it took you? Roughly.

10 A. See, you're asking me these questions that, you know, I can't
11 -- I just can't remember.

12 Q. Okay.

13 A. I just can't remember when I started and when I stopped. It
14 would make sense to me that I -- the load that I had before this
15 canceled --

16 Q. Okay.

17 A. -- and then so this was kind of a backup load. I think I
18 started later in the day, but I can't remember.

19 Q. Later in the day, like evening time, daylight?

20 A. I'd rather not characterize it just because I really can't
21 remember.

22 Q. Okay. So you said you have about five, five and a half hours
23 rest at the rest area before you fueled up.

24 A. Yes.

25 Q. Okay. So back to your ELD real quick, even though you're

1 switching it over to Mr. Sykes, or they're switching it over to
2 Mr. Sykes for you, the truck is still moving, so it's still
3 calculating when you're moving.

4 A. Correct.

5 Q. Okay. So if we overlaid your time and Mr. Sykes' time, the
6 time when you were both either in the sleeper or off would be a
7 true off, right, that would be time where you wouldn't be moving
8 the truck because the truck wouldn't be moving, does that make
9 sense to you? Because log book's a grid, right?

10 A. Yeah.

11 Q. If you look -- remember the old log book --

12 A. Sure.

13 Q. -- and at the bottom of it you've got on duty and then you've
14 got driving and then you've got sleeper berth and then you've got
15 off.

16 A. Sure, sure. That's the same with an ELD, you know, just --

17 Q. Right. It's just basically an electronic version of that.

18 A. Right.

19 Q. So if I took Daniel Cramer time and I took Dwayne Sykes time
20 for the same time --

21 A. Yeah.

22 Q. -- and I overlaid them --

23 A. Yeah, I would, I would -- I don't know how they do it, but it
24 would be my prediction that those times would match, but again --

25 Q. It should be fairly close.

1 A. -- I don't -- I don't -- I don't have -- you know, my
2 attorney's saying don't say anything.

3 Q. No, I don't know, it's just through a phone, making sure.

4 A. I don't have any ability or any knowledge about how they
5 organize their -- you know, their logbooks.

6 Q. Okay.

7 A. I don't -- I just, I just roll (ph.) them.

8 Q. All right. So when you're --

9 MR. VOYLES: Let me interject one thing. I think that
10 question presumed that the log switching always occurred when the
11 truck was moving, I don't know if that's the case.

12 MR. CURRIE: Okay.

13 MR. CRAMER: Yeah.

14 MR. CURRIE: We'll come back around to that. Thank you.

15 So that was Mr. Voyles. I forgot to say that at the
16 beginning, if you guys want to jump in, that's fine, just please
17 tell me, say your name before you say it so they know --

18 MR. VOYLES: Sure.

19 MR. CURRIE: -- and the transcriptionist doesn't hate me at
20 the end of this.

21 BY MR. CURRIE:

22 Q. So when you're getting close to the end of your driving time,
23 which is -- how many hours you're allowed to drive in a day?

24 A. Eleven.

25 Q. Eleven, okay. So you're getting close to 11 hours but you're

1 still -- you're still, you know, you're not tired and you need to
2 keep going, how would the process work for you to get them to
3 switch you over?

4 A. Well, I just pull over, I log out of my log and call them and
5 then they would say log back in, I'd log back in and --

6 Q. When you logged back in, how -- would you use --

7 A. My name.

8 Q. Your name. And your password? I would assume it had a
9 password.

10 A. Yeah, it did, you know, they saved it. So logging in was,
11 you know, basically, just touching a button.

12 Q. Okay. And then what would your ELD look like? You'd be
13 magically Mr. Sykes and good to go?

14 A. No, I would still be under my own name, just with a fresh
15 clock. I never drove on -- under another name.

16 Q. Okay, so it wouldn't show on your end, it wouldn't show
17 Sykes?

18 A. Yeah, the only -- the only name on my logbook was my own.

19 Q. Okay.

20 A. So again, how they edit or whatever --

21 Q. Do you remember the number you called or was it just
22 programmed?

23 A. Well, again, you know, they have my phone, so --

24 Q. Okay.

25 A. But it's -- it's an extension from the main number.

1 Q. Okay.

2 A. So you dial the main number, if I remember right, it's
3 extension number 4 and that puts you in contact with these people.

4 MR. CURRIE: Okay. So Dennis, would you like to ask some
5 questions while I reformulate where I'm going here?

6 BY MR. COLLINS:

7 Q. Yes, this is Dennis Collins. Thank you, Mr. Sykes. I'm
8 sorry, Mr. Cramer. Just to confirm what I heard, you said you
9 don't see any doctors on a regular basis?

10 A. That's correct.

11 Q. Okay. Do you have any allergies of any kind, seasonal,
12 animal, food?

13 A. No.

14 Q. Okay. Could you tell us your height and weight, please?

15 A. I weigh right now about 195 and I'm six foot tall.

16 Q. And I think you already told us but again, I just want to
17 confirm, your health at the time of the crash, how would you
18 describe it?

19 A. Well, you know -- okay. I would describe it as good, you
20 know, not a marathon runner and I'm 62, but you know, I don't have
21 -- I don't have any sort of chronic disease or any acute disease.
22 The only health concern that I had was a tooth infection, but that
23 was -- that was prior to this, that was prior to me going home.

24 Q. Okay. And just to be clear, nothing, cough, cold, upset
25 stomach, anything like that on that particular day?

1 A. That's correct.

2 Q. Okay. Do you drink alcohol?

3 A. I might drink, you know, a few beers per year. In other
4 words, I don't have a sort of like religious, you know, refusal to
5 drink alcohol, but my alcohol consumption would be measured in
6 cans, certainly less than 20 cans a year, certainly less than
7 that. And never while I work.

8 Q. Do you recall the last time you had something to drink prior
9 to that crash in December?

10 A. Alcohol-wise?

11 Q. Yes.

12 A. Well, when I was home, I had a toothache and my wife made me
13 a combination of wild lettuce tea and vodka, which we use here for
14 pain, so if you want to consider that an alcoholic drink, that
15 would be it, but that was at least a week before -- before that.

16 Q. At least a week, okay.

17 A. You know, don't hold me to that, I don't have my -- you know,
18 my logs of that, but I'm going to say approximately. Well, you
19 guys have my records, so you know when I was home.

20 MR. CURRIE: I think it was like December 10th or -- this is
21 Shawn Currie, I think it was like December 10th or 11th.

22 MR. CRAMER: When I was home.

23 MR. CURRIE: I think so. Roughly.

24 MR. CRAMER: So, you know -- and that was also the last
25 toothache I had, so --

1 BY MR. COLLINS:

2 Q. Okay. Do you take any recreational drugs?

3 A. No.

4 Q. And you've already said no prescriptions.

5 A. Other than the ones I mentioned, correct.

6 Q. Correct, okay. But you weren't actively taking that
7 metformin at the time of the crash.

8 A. That's correct.

9 Q. You said you --

10 A. That's correct.

11 Q. Okay. Did you take anything that's sold, was sold over the
12 counter, say in the couple, 3 days before the crash?

13 A. Well, I'm not sure what you mean by anything sold over the
14 counter. If you mean energy drinks, yes. If you mean --

15 Q. Okay.

16 A. -- like antihistamines or something medicinal, no.

17 Q. Okay.

18 A. Not that I recall. And there would be no reason for me to
19 take any of that.

20 Q. Okay. And you said there were a number of supplements in the
21 truck and you had a regimen, could you describe your daily regimen
22 in terms of those herbal supplements for us?

23 A. Well, candidly, I haven't had enough time to go through and
24 take all of my supplements, but the ones that I took on a daily
25 basis were Vitamin D3; there was Enzyte, you know, whatever, for

1 whatever reason, that. I think there were a couple others. I had
2 resveratrol there that I took. You know, I mean, I wanted to take
3 all of them, but I just didn't, I wasn't able to organize my time
4 well enough to take all of them.

5 Q. Okay.

6 A. The total would be -- I'm going to say the total would be
7 probably four or five that I took every day.

8 Q. Okay. And how would you describe your vision, in general?

9 A. My vision right now is actually better than it was when I was
10 in my twenties or thirties. I take OcuVite, I'm not wearing my
11 glasses right now. You know, you would assume, as people get
12 older, the vision gets worse; mine hasn't, mine's actually
13 improved.

14 Q. Thank you. And you just mentioned wearing glasses, what do
15 you wear the glasses for?

16 A. Well, again, I wear glasses for distance but parenthetically
17 speaking, I've actually passed my CDL vision test without them on,
18 I did that when I worked at Forward Air. And they requested that
19 I retake the test with my glasses on because I -- they wanted my
20 DOT exam to match my physical exam, but -- so there's not a large
21 discrepancy between my vision with glasses or without glasses.

22 Q. And you mentioned the DOT exam, your most recent commercial
23 driver exam, you did wear your glasses for that or did you not?

24 A. I did. I decided to just get in the habit of it, I don't
25 want to fail it, so I wear my glasses but again, there's -- you

1 know, I don't have them on now and, you know, you can test my
2 vision, it might not be exactly 20/20, but certainly, I can -- go
3 ahead.

4 Q. Okay. Does your license carry a lenses restriction?

5 A. Yes, it does.

6 Q. Okay. And then, of course, the question is, were you wearing
7 your glasses at the time of the crash?

8 A. Yes, I was.

9 Q. And do you recall where you got your glasses from, was it
10 from, say, an optometrist or a glasses-based, vision-based
11 business or from something --

12 A. Yeah, it's one of the online companies, Zenni, I think.
13 Don't ask me how to spell it, but it's -- you know, you send them
14 your prescription and then they send you your glasses. I think
15 it's Zenni.

16 Q. And when was the last time you had an eye exam, like the DOT
17 exam?

18 A. I'm sorry, you broke up, what was that?

19 Q. The last time you had an eye exam that wasn't part of the DOT
20 exam, so for example, went in and got a new prescription or when
21 you got your current prescription, do you recall when that was?

22 A. If you'll excuse me to get my wallet, I can get my -- all
23 right, hold on a second.

24 MR. CURRIE: I'm going to pause the recording until he comes
25 back.

1 (Off the record.)

2 (On the record.)

3 MR. CURRIE: We're back on and recording.

4 MR. CRAMER: Okay. This one is 7/22 -- that's the expiration
5 date. Seven twenty-two twenty-one.

6 MR. CURRIE: Is that your -- yeah, it expires -- it says 1
7 year, so it would be 7/22/20, I would guess.

8 MR. CRAMER: Okay.

9 MR. CURRIE: And the optometrist is Wilson Win, Covina,
10 California, does that --

11 MR. CRAMER: Yeah. And I'm not positive that was the last
12 one I had, but that's the last record that --

13 MR. CURRIE: Yeah, it was -- the date of the exam was 7/22 of
14 '20.

15 MR. COLLINS: Okay, thank you.

16 MR. CURRIE: Thank you.

17 MR. VOYLES: This is Shawn Voyles. What does the
18 prescription itself read?

19 MR. CRAMER: I knew that was going to come up. It says, I'm
20 not good with this, but --

21 MS. CRAMER: It's two, two, one's for glasses and one's for
22 contact lenses, so --

23 MR. CURRIE: Yeah.

24 MR. CRAMER: Okay.

25 MR. CURRIE: So I'm going to go with the top one, which looks

1 like it's for glasses and it has SPH is minus 1.00; CYL is minus
2 0.50 with an axis of .095 and it's kind of smeared from being in
3 the wallet, but it says add points 1.75, does that make sense?

4 MR. VOYLES: Yeah. All right, thank you.

5 MR. CURRIE: All right. And it says PD distance 63 and
6 that's pretty much what it says, so --

7 MR. COLLINS: This is Dennis Collins again. Thank you for
8 getting that information, Mr. Cramer and Shawn.

9 BY MR. COLLINS:

10 Q. Mr. Cramer, how would you describe your hearing in general?

11 MS. CRAMER: Excuse me, this is his most current
12 prescription.

13 MR. CURRIE: Okay, I've got -- his wife is sitting here and
14 she was able to dig up a new prescription, his most --

15 MS. CRAMER: Current one.

16 MR. CURRIE: Something just popped up.

17 MR. CRAMER: Oh.

18 MS. CRAMER: I'm sorry.

19 MR. CURRIE: I didn't want to touch it and mess up your
20 phone, so --

21 MS. CRAMER: That's all right.

22 MR. CURRIE: -- his most current prescription is his right
23 eye is SPH minus 1.25, his left eye is SPH minus 1.00. Both eyes
24 have the CYL of minus .075. The right eye axis is 102 and the
25 left eye axis is 78. And it says PD 63, so whatever that means.

1 MR. CRAMER: Yeah, I don't know if that's any --

2 MR. CURRIE: I didn't go to optometry school, but --

3 MR. CRAMER: Yeah.

4 MR. CURRIE: -- I'm sure we can all find somebody who knows
5 what all that means. Sorry, Dennis, go ahead.

6 MR. COLLINS: Do you know the -- have the date of that most
7 recent one, Shawn?

8 MS. CRAMER: It's --

9 MR. CURRIE: Stand by.

10 MS. CRAMER: I'm sorry, I don't know. Okay, that is the --
11 right here. Just a minute, let me bring up the -- I'm not very
12 good at this, either. It was on -- it was on this -- I think
13 that's when I ordered them, all right.

14 MR. CURRIE: Okay. That was as of March 28, 2022.

15 MR. COLLINS: Okay. And do you have the optometrist on it,
16 as well?

17 MR. CURRIE: No.

18 BY MR. COLLINS:

19 Q. No. Okay, if no one else has any questions about vision,
20 I'll -- how would you describe your hearing, in general?

21 A. Good. You know, we're having a conversation right now, you
22 know, so I don't -- I don't feel like I have any problem there.
23 I've never had a problem passing a DOT exam.

24 Q. Okay. Have you ever had any problems with -- let me ask you
25 more as a question, have you ever had any problems with your

1 hearing?

2 A. With my hearing? No. And, you know, I've never had any
3 problems passing a DOT exam, I've always gotten a 2-year medical
4 card.

5 Q. Okay. Switching gears slightly, one of the things we're
6 interested in is life stress, so I'm going to ask you if in the --
7 or 3 months prior to the crash, so the 3 months prior to last
8 December, if you had any life stress, and I'm going to give you
9 examples of those and you can just let me know if any of them
10 occurred. So an example would be you got married or got divorced.

11 A. No.

12 Q. There's a birth of a child in the family or a death in the
13 family.

14 A. No.

15 Q. Your employment changed, your residence changed.

16 A. No, no.

17 Q. Any financial issues or somebody in your family was very
18 sick.

19 A. I mean, when you say changed jobs, I'm not exactly sure, I'm
20 -- you know, at the time I was a truck driver, I'm a nurse now,
21 but -- you know, but the two jobs have this in common, I could
22 have a job tomorrow and it would be either one. So job stress is
23 not really an issue, it's not whether or not you can get a job,
24 it's where you want to take a job. As a nurse, I had two
25 interviews and I got both jobs, so I don't -- you know, I don't

1 look at how or where I work as a stress.

2 Q. Okay, that makes sense. Take you back to last December and
3 just give general -- during that month or say October, November,
4 December, when would you normally go to sleep and when would you
5 normally get up?

6 A. I didn't have a pattern, there was no exact pattern. And I
7 mean, if you look at my -- the logs, you'll see that. I drove
8 until I felt I needed to take a break and then I did.

9 Q. Okay. Did you develop a pattern or did you fall into a
10 pattern at days when you were at home and weren't out on the road?

11 A. No. I guess, you know, most of the -- most of my driving was
12 at night, I guess, if you want -- if you want -- at first when you
13 said a pattern, I thought you meant like hours, but if I had a
14 preference, I prefer to drive at night. And again, you can -- my
15 logs, I think, will bear that out.

16 Q. Okay. And when you were sleeping when you were driving, how
17 would you describe the quality of that sleep?

18 A. Well, you have my truck. I have a thousand dollar mattress
19 in it. I didn't skimp on, you know, what it -- what, you know --
20 the sleep, you know, the sleep I took was very important to me and
21 I spent the money required to make sure that I slept well.

22 Q. Okay. When you were driving, did you ever have any trouble
23 falling asleep when you wanted to?

24 A. No. In other words, after I got to bed, could I fall asleep?
25 I don't have the same issues other people do, I don't take a lot

1 of chemicals that -- you know, I don't drink coffee, which is, I
2 know, weird for a truck driver, but I -- I try to maintain my
3 health the best I can and I don't have sleep issues.

4 Q. Okay. And when you were driving the truck, would you usually
5 use an alarm clock or an alarm on your phone to wake you up or
6 would you generally be able to wake up on your own?

7 A. I used an alarm on my phone. You know, a certain percentage
8 of the time I'd wake up before it went off, but -- but, you know,
9 as a truck driver, you're expected to make, you know, your
10 appointments, so I used an alarm, but again, much of the time I
11 would wake up before it went off.

12 Q. Okay. Did Triton offer you any annual or recurrent training
13 while you were employed with them?

14 A. No. But as an ancillary point, I got my hazmat and tanker
15 endorsements while I was working for them.

16 Q. And did you do that on your own initiative or did --

17 A. That's correct, yeah. That's correct.

18 Q. And the truck you were driving at the time of the crash, was
19 that truck assigned to you?

20 A. Yes.

21 Q. So no one else drove it, it was -- it was your truck and you
22 used it on all your runs --

23 A. That's --

24 Q. -- when you were off, take it home, that sort of thing?

25 A. That's correct.

1 Q. Okay. How long did you have that truck?

2 A. Oh, boy. You know, I'm not exactly sure.

3 MR. CURRIE: Had you had it since that -- this time going
4 back to work for Triton?

5 MR. CRAMER: I think so. They gave me a new truck and it
6 seems like -- you know, they certainly didn't give me the truck
7 that I had when I was there -- in fact, if I remember correctly,
8 when I first started, they gave me an older truck, then they gave
9 me a new truck, and then they gave me like a brand-new truck when
10 I came back the second time. That's how I recall it. But
11 mechanically speaking, that truck had just gotten out of the shop,
12 you know, a couple weeks prior to that.

13 BY MR. COLLINS:

14 Q. Did you have any problems with the truck prior to the crash?

15 A. Yeah, I had a cracked windshield and so they have, not
16 surprising, a person, a "guy" they call and so they prefer to have
17 those things done there in Romeoville and it was also due for its
18 routine PM.

19 Q. Okay.

20 A. But when they go through the trucks, I mean, they put new --
21 you know, I've always been an owner/operator, I couldn't afford to
22 put tires on like they do, they -- they seem to -- I'm not saying
23 they get this stuff for free, but they don't -- they don't -- if
24 the tires are anywhere near worn, they replace them and I think
25 you can bear that out by -- if you look at the truck, that, you

1 know, they're very willing to maintain their equipment.

2 Q. Okay. Did you have any concerns over its general condition
3 or drivability or handle-ability prior to the crash?

4 A. None that I can think of. You know, and the only reason I
5 hesitate is because, you know, we're constantly swapping trailers
6 out. The tractor itself was in probably, I would say, you know, a
7 hundred percent condition. The trailers, you know, you pick them
8 up and you drop them off there, but I can't recall any -- anything
9 that alerted me that that would be an issue on the -- as far as
10 serviceability.

11 Q. Okay. And you said earlier that you had made the trip from
12 the St. Louis area down to Chesapeake before, so how familiar
13 would you say you were with -- you were with that stretch of I-64?

14 A. Well, you know, not to be specific, but I didn't say that. I
15 didn't say that I had traveled from St. Louis to Chesapeake. I
16 think, as I recall, the question was, you know, did I run out of
17 the Chicago area in a triangle and that is correct, but the --

18 MR. VOYLES: This is Shawn Voyles. I believe the question is
19 where did your trip start, which you said Kansas City. All right.

20 MR. CRAMER: Yeah. And I'm not trying to be picky, but since
21 everyone else is, I just want to be accurate. So many of my trips
22 involved Chicago and Chesapeake. I'm very familiar with I-64.
23 But, you know, as far as the third leg, that -- there were -- you
24 know, there was a lot of traffic to Georgia and even some to
25 Texas. So the two points that were very common were the New

1 Jersey area or Virginia area, Chicago, and then somewhere else.
2 And it could be that I'd just run back and forth, I did that quite
3 a bit, too, but -- so it wasn't always a triangle. But I'm very
4 familiar, I would consider myself very familiar with I-64.

5 MR. COLLINS: Okay. First, let me say, Shawn, I want to be
6 correct, so if we do any misstatements like that or
7 mischaracterize something you said, please don't hesitate to set
8 us straight. We very much want to be accurate -- and so thank you
9 for putting out that what I heard wasn't what you said, that's
10 part of the reason that Shawn likes to record these and we do give
11 out the transcript to allow that -- that correction of error. And
12 thank you for being very clear that you were familiar with that
13 stretch of 64. I'm looking at my notes here.

14 BY MR. COLLINS:

15 Q. And the truck, was it equipped with any kind of electronic
16 devices? You said the ELD was a tablet, did it have a CB radio,
17 AM/FM radio, a dispatching device, was there anything along those
18 lines in the truck?

19 A. In the truck there was a radio, you know, AM/FM radio. I
20 don't have a CB. There are no other real electronics that I --
21 that I could point to, you know, it was a standard, you know,
22 factory issue and I don't think there was anything custom on it,
23 so the AM/FM radio and again, no CB. The dispatch equipment, we
24 did dispatching over my cell phone and the ELD, I think there was
25 a capability to communicate through that, but I never used it.

1 Q. Okay. Speaking of cell phones, did you have yours with you
2 at the time of the crash?

3 A. Yes.

4 Q. And I believe when we first spoke a few months ago, you
5 indicated that you had more than one phone, is that correct?

6 A. That's correct.

7 Q. How many cellular phones did you have with you?

8 A. Those two.

9 Q. Those two.

10 A. And then I had a tablet, as well, I think one may be -- and
11 there might've been two tablets. You know, you kind of accumulate
12 these things over time, so --

13 Q. I'm not so sure I do, but I certainly know my children --

14 A. Well, I live in a truck, so anything that comes in basically
15 stays there.

16 Q. I can imagine. But now thinking back to the day of the
17 crash, that early morning, was there anything in the environment
18 outside of the vehicle that was particularly noteworthy or has
19 stuck in your mind since?

20 A. I mean, I'm not sure if you're -- I don't know what -- how
21 you would characterize that. You know, earlier that night I saw a
22 shooting star, which is not that common, but also not that
23 irregular. I didn't see a UFO and I didn't see Bigfoot. So I
24 didn't see anything that would be abnormal, let's put it that way.

25 MR. COLLINS: Okay. Shawn Currie, I think that's the end of

1 everything I have, so I will turn it back over to you.

2 MR. CURRIE: Okay. Thank you, Dennis. I just have a few
3 follow-up questions. Does anybody need a break or are we good to
4 press on for just a couple more minutes?

5 MR. CRAMER: I'm fine.

6 BY MR. CURRIE:

7 Q. Okay. Going to talk about your pay real quick. You said
8 when you got hired, single driver gets paid team miles, so 5 to
9 6,000 miles a week is what -- was that about what you were getting
10 paid for?

11 A. I don't know exactly how to answer that because I got paid
12 per mile.

13 Q. Okay, how much did you get paid per mile?

14 A. Initially, it was 70 cents.

15 Q. Okay.

16 A. And then, so I got paid for however many miles I drove.

17 Q. Okay.

18 A. You know, the offer was that many miles, you know, sometimes
19 I got it and sometimes I didn't.

20 Q. Okay.

21 A. You know, that's truck driving, there's no --

22 Q. No guarantees.

23 A. Correct.

24 Q. So would they pay you for -- so if you drove seven -- or
25 excuse me, 6,000 miles --

1 A. Well, whatever number of miles I drove, yes, I got paid for
2 all of them.

3 Q. Okay. They never questioned, say hey, your truck is only --
4 can only go so far because you only have so much time, there was
5 none of that discussion or --

6 A. No, no. In fact, I have all of my pay receipts.

7 Q. As do I.

8 A. Oh. Well, they're -- okay.

9 Q. So I was curious if --

10 A. Yeah.

11 Q. Because obviously, at some point, I -- one of the things I
12 was trying to look at with the company is are there ways that they
13 can check to make sure that drivers are only driving the allotted
14 miles that they should be able to --

15 A. Well --

16 Q. -- if they wanted to.

17 A. Yeah.

18 Q. From what I understand from our conversation, probably they
19 didn't want to, they didn't care, because they wanted to get the
20 stuff delivered so they could get paid.

21 A. Yeah. If you have my paystubs, it shows how many miles I
22 drove and it shows what they paid me --

23 Q. Okay.

24 A. -- and they break it down per run, so this run was this many
25 miles, this run was this many miles, add it up for the week.

1 Q. So your pay slips were accurate, they paid you accurately for
2 your miles?

3 A. Well, when you say accurate is a hundred percent, probably
4 not, but --

5 Q. Well, close enough to make you happy because you're not in it
6 for the fun, you're in it for the money, right?

7 A. Thank you for that, yes.

8 Q. And if they cheated you out of a hundred miles, you'd
9 probably take exception to that.

10 A. Well, a hundred, I probably wouldn't say anything, but --

11 Q. A thousand, yes.

12 A. -- I understand your point, that's correct, you know,
13 nothing's going to be perfect. You know, if you Google from this
14 point to that point, are they going to pay you for every mile, no
15 one does, you know. Is it within a hundred miles? Probably.

16 Q. Okay. So it was fairly, fairly close.

17 A. Yeah.

18 Q. Okay. So that was that question. The night of the -- or the
19 morning of the crash, you said you fueled up, I would guess you
20 did a walk-around?

21 A. Yeah.

22 Q. Okay. How long does that usually take?

23 A. Well, again, I'm on my own truck. If it was a different
24 truck you'd, you know -- but I'm going to say 10 to 15 minutes
25 and, you know, you have to -- I also looked at it at the rest

1 area, too, but at the rest area it's kind of dark, I do have a
2 flashlight, but you can see things in the light of a truck stop
3 that you can't see, you know, at a rest area. So I wouldn't -- I
4 felt comfortable with my equipment.

5 Q. Okay. And the only thing you said really was the cracked
6 windshield?

7 A. That was prior, that had been repaired.

8 Q. Yeah. Oh, it had been repaired?

9 A. Yeah, during --

10 Q. Okay.

11 A. Yeah, that had already been repaired.

12 Q. And I'm trying to think --

13 A. He asked me why I took it to the shop.

14 Q. Oh, okay.

15 A. Okay.

16 Q. All right, sorry about that. So did you have like a
17 cowcatcher or some kind of guard in your sleeper?

18 A. Yes.

19 Q. Why was that there?

20 A. Oh. All right. I was parked here at the Pilot --

21 Q. Um-hum.

22 A. -- and someone, you know, turned too close --

23 Q. Actually, I think I saw the video of that, they kind of like
24 swiped you and then drove off.

25 A. Exactly. And so I just took it off and threw it up there --

1 Q. Okay.

2 A. -- and when they put the new one on, candidly, I thought they
3 were just going to snatch it out of there, but they didn't, so --

4 Q. Okay. So there was no -- that wasn't from anything that
5 happened in transit on this trip, that was just old stuff --

6 A. Correct.

7 Q. -- they should've probably pulled up.

8 A. Correct.

9 Q. So there was no issues with your truck when you looked at
10 either place, correct?

11 A. That's correct.

12 Q. Okay. And how did you feel when you did your walk-around,
13 did you feel okay when you woke up, did you feel a little tired?
14 I'm just trying to figure out how we got to where we're sitting
15 here today --

16 A. Right.

17 Q. -- and why we're talking.

18 A. When I talk to other drivers, young drivers, I tell them that
19 the only person that can determine if you're ready to drive is
20 you.

21 Q. Okay.

22 A. If you don't feel ready to drive, don't drive. I felt ready
23 to drive. I didn't have any -- any sort of diminishment or
24 anything, I felt a hundred percent.

25 Q. Okay. Looking back on it now, still a hundred percent?

1 A. I can't explain why I didn't see that -- you know, I saw the
2 video, Mr. Voyles showed me the video, and you would think that it
3 would be "oh, I remember that," no.

4 Q. Okay.

5 A. It happened -- even on the video, it happened very quickly
6 and --

7 Q. So your initial conversation you had with the Virginia State
8 Police, you said that the bus had come over into your lane?

9 A. I don't think I said that.

10 Q. Okay.

11 A. I don't think I said that, they -- go ahead.

12 Q. No. Well, I was just going by what they --

13 A. Yeah.

14 Q. Yeah. What they said you said, so what did you --

15 A. No, I think --

16 Q. Yeah. So --

17 A. Yeah, I think that they said other witnesses said that --

18 Q. Oh, okay.

19 A. -- but that wasn't something that I -- that I said.

20 Q. Okay.

21 A. I think they asked me why I didn't see it and I may have said
22 I don't know, maybe they swerved into me, but that wasn't a --
23 that wasn't a decision that I made.

24 Q. Okay.

25 A. Or a comment that I made.

1 MR. CURRIE: All right. Before we cut off here, Mr. Voyles,
2 is there anything you'd like to ask or add?

3 MR. VOYLES: No.

4 BY MR. CURRIE:

5 Q. Okay. Is there anything that you feel we should've asked you
6 that we didn't ask you?

7 A. I think we covered the log issue, you know, pretty
8 thoroughly. I guess the only thing that I would add to that is
9 that there have been -- I found this out later, but there have
10 been whistleblowers that have come forward, although I never saw
11 that prior to this, apparently there are people who have come to
12 say the same thing that I've said.

13 Q. Okay.

14 A. But again, this is not something that's unique to this
15 company. If your only four jobs were from trucking companies in
16 the Chicago area, you would probably have been under this logging
17 system with each of them. It's not unique, so --

18 Q. Okay. Do you have an e-mail address so I can e-mail you a
19 copy of this (indiscernible)?

20 A. I do. It's free, [REDACTED]

21 [REDACTED]
22 MR. CURRIE: Okay. I am going to stop the -- stop the
23 interview at 3:02 p.m. Eastern or 2:02 p.m. Central.

24 (Whereupon, at 3:02 p.m., the interview concluded.)
25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL TWO-VEHICLE CRASH IN YORK
COUNTY NEAR NEWPORT NEWS, VIRGINIA
ON DECEMBER 19, 2022
Interview of Daniel L. Cramer

ACCIDENT NO.: HWY23MH004

PLACE: Cropwell, Alabama

DATE: May 12, 2023

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



Karen D. Martini
Transcriber