



SURVIVAL FACTORS ATTACHMENT

Witness Interviews

Phoenix, AZ

HWY21MH008

(23 pages)

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FATALITIES DUE TO MILK TANKER *

ACCIDENT IN PHOENIX, ARIZONA *

Accident No.: HWY21MH008

ON JUNE 9, 2021 *

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Interview of: [REDACTED], Witness

Mesa, Arizona

Monday,
June 14, 2021

APPEARANCES:

RONALD KAMINSKI, Investigator
National Transportation Safety Board

DAVID RAYBURN, Investigator
National Transportation Safety Board

I N D E X

ITEM

PAGE

Interview of [REDACTED] :

By Mr. Kaminski

4, 6, 7

By Mr. Rayburn

8

I N T E R V I E W

1
2 MR. KAMINSKI: This date is June 14th. Ronald Kaminski with
3 the NTSB, I'm here with David Rayburn with the NTSB and we're
4 going to be talking to Mr. [REDACTED] here in
5 Mesa. He's going to give us a description of what he saw at the
6 crash on June 9th.

7 INTERVIEW OF [REDACTED]

8 BY MR. KAMINSKI:

9 Q. Why don't you start from what lane you were in, how fast you
10 were going, what all you saw?

11 A. Yeah, so I was doing the speed limit, 65. I'm in the
12 furthest lane to the left, not in the HOV lane. I came up on -- I
13 saw brake lights ahead, right -- I guess looking back now it was
14 right around the 143 off-ramp.

15 I saw some brake lights in the furthest two right lanes. So
16 I started to just -- I let off the gas. I started to slow down
17 because everybody else is slowing down. I noticed that an 18
18 wheeler -- I didn't see that his brake lights were on, which kind
19 --

20 Q. So you were behind him a little bit?

21 A. Yeah, I was behind him a little bit, a few hundred yards. So
22 that kind of -- it kind of through a flag real quick because
23 everybody braking and then not seeing any brake lights on his
24 vehicle -- you know, I started to slow down because I wanted to
25 stay behind in case anything happened. As I get closer -- because

1 as they're slowing down I'm still slowing down, but I'm still --
2 I'm still travelling a little faster than they are. Yeah, man --
3 Q. Take your time.

4 A. I get maybe a 100 yards away from the rear end of the semi
5 and I'm still in the far left lane and I noticed he's about a car
6 out and I was like he's going to hit this car. So that's when I
7 started braking.

8 So I did not -- I didn't realize how fast he was going when
9 he hit that car until he actually made contact and then that's
10 when I started to slow down even more because there was a white
11 car that came -- I want to say she came across my lane, might have
12 hit the center barrier and then kind of rolled back and stopped in
13 that fast lane.

14 That's where I came to a stop and then I proceeded to move
15 over into the HOV lane and then into the far left shoulder, just
16 making sure that -- making sure that there was anybody behind me
17 wouldn't have made contact with me, but everybody stayed pretty
18 far back because I was braking really, really early.

19 Yeah, that's the -- the semi made contact with the one car,
20 caused chain reaction about three-to-four cars. After he collided
21 with that car I don't know if he hit the right side of the barrier
22 of the freeway and then glanced off towards the center barrier, or
23 if he kind of like wedged the two cars he hit and then glanced off
24 to the left. Yeah and that way he struck that center barrier --
25 the trailer he had flipped over the center median and it caught on

1 fire.

2 Q. This white vehicle, can you describe what you saw again?

3 What lane was that in and where did it change?

4 A. I don't know which lane that car came from. My best
5 assumption would be not the furthest right lane, but the lane next
6 to it --

7 Q. Go ahead, I'm sorry.

8 A. So yeah, it was a girl driving, but yeah she took off left
9 towards the center barrier. Like I said I don't -- she had front
10 end damage so I don't know if she hit the car in front of her, or
11 if she struck the center of the -- center median and then rolled
12 back, because she did roll back. I was watching the truck kind of
13 go towards the center barrier.

14 MR. RAYBURN: When you saw the truck going towards the center
15 barrier, was it on fire?

16 MR. [REDACTED]: You know what, I think in my original statement
17 I'm not sure if I said it was on fire -- kind of digesting all of
18 this. It could have been on fire underneath, or it could have
19 been sparking, like something dragging along, sparking, but I'm
20 not positive.

21 MR. RAYBURN: Yeah, (indiscernible) you saw some sparks.

22 BY MR. KAMINSKI:

23 Q. So this white car was in a second lane, could --

24 A. That's where I think it was at.

25 Q. You think it was. Do you think it may have hit one of the

1 other cars?

2 A. I'm not sure. Like I said she had some front end damage, but
3 it was on the passenger side so I don't know. She might have
4 flipped a car and then pushed her this way, or if she just went to
5 the center barrier.

6 MR. RAYBURN: Was that the white Mercedes?

7 MR. [REDACTED]: Honestly, I don't know what kind of car it was.
8 The only one I remember is a white Dodge Charger, Challenger.
9 Yeah, the -- I never (indiscernible) the make and model of that
10 white car that stopped in front of me.

11 BY MR. KAMINSKI:

12 Q. So that white car stopped in front of you?

13 A. Yeah, it stopped in the fast lane.

14 Q. In the HOV lane?

15 A. No, no, the fast lane, yeah.

16 Q. So that stopped before the truck came over and then the truck
17 went over in front of it?

18 A. Well, no, so I don't know where she was at. I'm back here,
19 the truck is right here. The truck collides, kind of veers off
20 and then this car cuts in front of me.

21 Q. Okay.

22 A. Yeah, so on angles I guess the white car almost did a 90 and
23 the truck kind of just kept going off at like a 45.

24 Q. So it missed from hitting the truck then, the white car? Do
25 you think that's why it swerved to the left and missed hitting, or

1 you don't know?

2 A. Yeah, I don't know. I don't know. I'm not sure if the --
3 yeah, like I said I'm not sure if the truck made contact with the
4 white car at all. I just know it came across my lane and that's
5 -- and then she ended up stopping in my lane.

6 BY MR. RAYBURN:

7 Q. So after it was all said and done, did you stay there for a
8 while?

9 A. Soon as I pulled over into the right shoulder -- I'm sorry,
10 left shoulder side barrier -- I made sure that there was --
11 everybody behind me was stopped before I got out of the car. I
12 jumped out of the car, didn't realize I had my phone on me. So
13 went back to grab my phone to try to dial 9-1-1. Checked on a
14 girl that stopped in front of me. She was conscious, her airbags
15 went off and everything so --

16 Q. Was anybody else in the car with her?

17 A. No, I think it was only her by herself.

18 MR. KAMINSKI: Okay, I don't really have any other questions,
19 but you have my business card. If you think of anything you can
20 email me, call me, whatever you'd like. I appreciate you taking
21 the time to give us your statement.

22 MR. [REDACTED]: No problem, that's why I stayed on site because
23 I literally watched everything.

24 BY MR. RAYBURN:

25 Q. As you were coming down the road there before all this

1 happened did you see any of those electronic overhead signs with
2 any kind of warnings on them?

3 A. I don't -- I know what you're talking about. I'm not sure if
4 it said anything -- being on site on that scene I glanced at up at
5 it, it said get your vaccine shot, or something like that.

6 Q. Like the one further back down the road?

7 A. No.

8 Q. Where do you get on the 202 at?

9 A. So I'm coming from work. I get on the 10 at 51st avenue.
10 Then I take the change from the 10 to the 202.

11 MR. KAMINSKI: Okay, that concludes our interview with
12 Mr. [REDACTED]. Am I pronouncing that correctly?

13 MR. [REDACTED]: Yeah.

14 MR. KAMINSKI: Thank you very much.

15 (Whereupon, the interview was concluded.)
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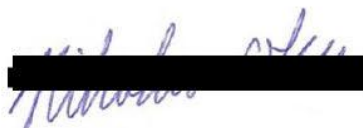
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ON JUNE 9, 2021
Interview of [REDACTED]

ACCIDENT NO.: HWY21MH008

PLACE: Mesa, Arizona

DATE: June 14, 2021

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.


[REDACTED]

NIKOLAS OKA
Transcriber

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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Via Telephone

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National Transportation Safety Board

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Interview of [REDACTED] :

By Mr. Kaminski

4

I N T E R V I E W

1
2 MR. KAMINSKI: Today's date is June 14th. I'll be talking to
3 [REDACTED], is that correct?

4 MR. [REDACTED]: [REDACTED], yeah.

5 MR. KAMINSKI: Okay, could you spell your last name?

6 MR. [REDACTED]: [REDACTED].

INTERVIEW OF [REDACTED]

7
8 BY MR. KAMINSKI:

9 Q. [REDACTED] was a witness to the crash and he's going to give us a
10 brief statement of what he saw -- what lane you were in, what
11 speed you were going -- and just tell me what you saw?

12 A. Okay, well, shit, it was -- I think the time exactly was
13 like, you know, it's like right after ten, so maybe 10:02. I was
14 driving eastbound on the 202. I had just merged from the 51.

15 I was in the lane directly -- the left lane of the far right,
16 so I was in the second lane. I was going probably 65-70 miles per
17 hour until we came around the bend, which is coming right up on
18 52nd street.

19 At that point I could see that the traffic had come to a dead
20 stop ahead. I got really nervous because it was one of those
21 things -- I don't know I'm very paranoid because I'm like, oh shit
22 someone could ram into the back of you.

23 So I started slowing down and looking in my rearview mirror
24 because I was scared that I would be rear ended. So I start
25 slowing down pretty aggressively, hoping that we could stop sooner

1 than later so that there's no chance of getting hit.

2 I watched as all the cars behind me started slowing down in
3 every lane except for one, which was directly to my right, behind
4 me. The truck was, you know, that whole time in the right lane
5 behind me and I watched as we all slowed down and they got -- and
6 the truck continued at the same exact speed. Didn't look like
7 they had hit their brakes at all, no changing speed, nothing.

8 So as -- I think there's me and a blue Toyota Camry that were
9 in the front, the very front of stopping the traffic right there.
10 We both immediately came to a full stop it was -- seemed really
11 instantaneous because we were probably still 500 feet back from
12 where the traffic piled up. We stopped completely right there
13 when we noticed that the truck wasn't slowing down.

14 Then I watched as the truck continued that same way and it
15 didn't swerve, it didn't try to change course. I mean, if he went
16 -- if he had swerved to the right there was no cars backed up
17 there. It was just as if there was no one driving that truck and
18 it just went completely straight and I watched as -- I mean, it
19 was -- it went through the car like there was no friction.

20 It was like a metal ripping through plastic. It didn't even
21 -- it wasn't even like it happened -- the second car, same thing.
22 After it hit the second car, the third and fourth you could see
23 them spin out.

24 I do have like a fair amount of pictures, but I'm sure you
25 guys have plenty. The third and fourth car spun into the middle

1 of the road and then I kind of lost vision of any cars further --
2 what happened to them because at that point the truck veered to
3 the left, hit the median. That's when the tanker went over to the
4 westbound lanes and then the truck came veering back, lit on fire
5 and that was the scene that I saw.

6 Q. So you were from the shoulder, right hand shoulder, you were
7 in the second lane in?

8 A. Yeah, I was in the lane right next to the truck. I mean,
9 when we were slowing down I watched him. I mean, he passed me
10 that's why I braked really far back because it was very bizarre to
11 have a truck passing me when we were all slowing down.

12 Q. Okay, so you were --

13 A. Especially in the right lane.

14 Q. in the second lane and he passed you up in the right lane
15 because the traffic was still -- had pulled a little bit farther
16 ahead than where you were.

17 A. Yeah.

18 Q. So you saw him speed right by you?

19 A. I saw him speed right by me. I mean, I believe there was two
20 cars -- I mean I have pictures I can show you my frame of
21 reference, my vantage point. I mean, there was just me and the
22 blue Toyota Camry that were in that front.

23 You know, there was no one else right there. I mean, we
24 watched him just -- it was the most bizarre thing to watch because
25 there was -- you would expect at least some last second braking or

1 something.

2 Q. Now, the lanes to your left, the -- I guess the three and
3 four lane and the HOV lane. Those were fairly open and moving, or
4 how would you describe those?

5 A. Those -- there was nobody in those lanes. I mean, traffic
6 wasn't -- it was like pretty sparse. You know, its ten o'clock at
7 night on a freeway heading east that there's not many people using
8 at that time of night anyways.

9 It wasn't like there was a big pack of us. It was like when
10 -- there were people in those lanes, but they stopped much further
11 back because by the time they had seen it, the rest of us -- I
12 mean, the accident had already ensued.

13 Q. Sure, sure. So those lanes to the left of you that were open
14 and it was just the two lanes to the right that were kind of
15 backed up?

16 A. No, only the one lane was backed up to the point where he had
17 the impact. I mean, he could've -- one lane over there wasn't
18 anybody -- I mean, there was probably another couple hundred feet
19 up, but there was more time.

20 Q. Right, okay.

21 A. It wasn't like that was the -- I mean, it was -- yeah, it
22 didn't make any sense to me. I couldn't understand how it even --
23 I was perplexed just watching it all happen.

24 Q. Because you're looking out of your rearview mirror, correct?

25 A. Well, I saw him out of my rearview mirror passing -- I mean,

1 it was just right in front of me where the accident happened.

2 Q. Yeah, if you have a picture I guess of -- from your
3 perspective showing the carnage -- I guess that would have been to
4 the right and in front of you -- text me that, or email me that,
5 whichever works easier for you.

6 A. Yeah, I have -- none of them are directly after, probably
7 about four or five minutes later. So the truck's already on fire,
8 but yeah, you can see from that point who was there and what we
9 saw. Just a question, was the driver like awake? Doesn't --

10 Q. Well, we're still trying to put together all the pieces for
11 this.

12 A. Yeah, it's so crazy.

13 Q. So you survived, but we're still trying to get everything
14 together.

15 A. Yeah, I mean it was -- no, I walked away from that scene I
16 was like -- when I was leaving I was like oh well, the driver -- I
17 mean, that truck they were so heavy and so big. I was like, that
18 guy's fine.

19 His truck was still in one piece when the accident stopped.
20 I could see it barely had -- it lit on fire so that's what
21 destroyed it, but the truck itself after the accident -- I mean,
22 they're so heavy and they're so big and they're made out of just
23 metal. It didn't even look like it experienced that much damage.

24 Q. Right. What were you driving in?

25 A. I was driving a silver Ford Fusion. So yeah, I mean you

1 could see it all from that. Yeah, it was an awful site.

2 Q. So did you -- I guess then at that point traffic really
3 started backing up because of -- or were cars still trying to go
4 around the damage and get through?

5 A. There was one -- in that entire time there was only one.
6 There was a black Tahoe and I remember because I was like what the
7 fuck is this guy doing -- who did actually go around the accident.
8 Nobody else tried I mean, I thought once we stopped -- I have a
9 video and you can even hear me say it again.

10 Once we stopped I saw people get out of their cars. I just
11 sat there, I wasn't getting out because I think the people who
12 didn't see the accident were more optimistic about what they were
13 about to walk into. As someone who watched it I was just trying
14 to count how many were probably dead. There was two cars that
15 were -- very clearly if you walked out of the car right there you
16 were going to see people who were not alive.

17 Q. Yeah, if you could either email me or text me that video,
18 whatever works easier for you. I'd really appreciate that, that
19 will help us out.

20 A. Yeah, no absolutely. I can tell that to you guys right now.
21 The only other thing I'd say is if there was an emergency braking
22 system on that truck this wouldn't -- it probably wouldn't have
23 happened.

24 Q. Okay.

25 A. Just want that there.

1 Q. Yeah, like there is in so many vehicles. The newer vehicles
2 have that, right?

3 A. Yeah, I mean my family -- pretty much everybody in my family
4 drives a Tesla and I've seen them save so many lives because of
5 those systems. Also, why wouldn't the biggest trucks that carry
6 the most weight and can impose the most damage to other bystanders
7 not be required to do that? It seems silly, it seems like --

8 Q. Well, we've been pushing --

9 A. a common sense solution.

10 Q. we've been pushing for that kind of regulation for several
11 years now.

12 A. It seems like common sense

13 Q. You know, this crash is a perfect example of why that would
14 be needed, sure.

15 A. Well, I hope that it helps you guys at least accomplish that.

16 Q. Right, okay [REDACTED] --

17 A. If there's anything good.

18 Q. Well, I thank you very much. If I have any follow up
19 questions, no problem calling you back at this number?

20 A. No, yeah call me anytime.

21 Q. Okay, great.

22 A. Awesome, I'll send you those pictures right now and I hope
23 you have the best luck in your investigation.

24 Q. Yeah, pictures and video would be great I'd appreciate that.

25 A. No problem, I'll text them to you right now.

1 Q. Great, thank you sir, very --

2 A. Awesome, have a good day.

3 Q. I don't know if it's too large or not, but you have my email
4 address too. He just cut me off.

5 UNIDENTIFIED SPEAKER: Maybe he got disconnected.

6 (Whereupon, the interview was concluded.)

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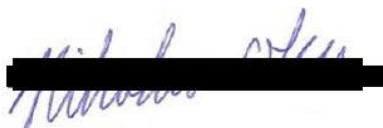
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