



National Transportation Safety Board

Washington, D.C. 20594

Railroad Accident Brief

Accident No.: DCA-06-FR-001
Location: Laramie, Wyoming
Date: October 5, 2005
Time: 6:00 p.m. mountain daylight time¹
Railroad: Union Pacific Railroad
Property Damage: None
Fatalities: 1
Injuries: None
Type of Accident: Maintenance-of-way employee struck by train

The Accident

On October 5, 2005, about 6:00 p.m., near Laramie, Wyoming, a westbound Union Pacific Railroad (UP) train struck and killed a maintenance-of-way employee who was working on an adjacent track. He had been walking on the track with his back to the approaching train. He had been preparing to move a tamper machine. The train was cleared through the work limits at 40 mph.

Throughout the day, the UP employee-in-charge notified several designated safety coordinators of approaching trains. In turn, the coordinators notified the workers for whom they were responsible. However, earlier in the year, the tamper operators had made an agreement with their safety coordinator that they did not need to be notified directly about approaching trains. They believed that (1) their equipment did not normally enter an area that could be struck by a train passing on an adjacent track and (2) they would monitor the radio in the cab of the tampers and would be aware of approaching trains when the coordinator notified other members of the work crew. On the day of the accident, the tamper operator who was struck by the train was not inside the cab to listen to the radio when the crews were notified of the approaching train. He was walking along the adjacent track with his back to the striking train.

Preaccident Events

Two gangs were working at the accident location: a surfacing gang and a production tie gang. The surfacing gang had three tamper machines, three ballast

¹ All times in this brief are mountain daylight time.

regulators, and a track stabilizer. The employee who was killed was one of two experienced tamper machine operators assigned to the surfacing gang. He was to instruct two trainees about the operation of a tamper machine. The tamper machine was used to compact the gravel ballast around the crossties.

Due to heavy train traffic, the dispatcher did not give the employee-in-charge permission to use the No. 2 track until 11:00 a.m. The employee-in-charge held a Track Bulletin Form B that governed the train movements on the No. 1 track between mileposts 572.0 and 583.0 from 6:30 a.m. to 7:00 p.m. While waiting to use the No. 2 track, the employee-in-charge authorized 18 trains to pass on the No. 1 track between 6:30 a.m. and 11:00 a.m. in accordance with his Track Bulletin Form B. After the employee-in-charge received permission to use the No. 2 track, the gang moved its equipment onto the track and started working. While the gang was working on the No. 2 track, the employee-in-charge authorized an additional nine trains to pass on the No. 1 track. The eighth train struck the employee.

Investigation

Before starting the day's work, the supervisors in charge of the work gangs, the employee-in-charge, and the safety captain held a job briefing. During the briefing, the employee-in-charge explained that he would obtain "Track and Time" permission to occupy the No. 2 track so the gangs could start working and that he had a Track Bulletin Form B for the No. 1 track from 6:30 a.m. to 7:00 p.m.

Federal Regulation

The Federal Railroad Administration's regulations for the protection of roadway workers are in 49 *Code of Federal Regulations* Part 214, "Railroad Workplace Safety." These regulations require that train approach warnings be communicated in a manner that does not require a warned employee to be looking in any particular direction at the time of the warning, and the warned employee, regardless of noise or distraction of work, can detect the communication.

Federal regulations and the UP operating rules require that employees stay clear of tracks unless their duties necessitate that they work on or near them. However, an employee entering a track area near a passing train must obtain a level of on-track safety that includes positive protection from approaching trains. When employees are trained in roadway worker protection, they receive safety-related instructions. UP records indicated that the employees involved in this accident had been trained in roadway worker protection.

Postaccident Actions

Since the accident, UP has reinforced its requirements for employee notification before trains are allowed to pass a worker's location. Specifically, all employees must be notified of an approaching train on an adjacent track. A systemwide UP safety meeting

was held with the roving systemwide maintenance gangs and the permanently assigned division maintenance workers about the circumstances of this accident and the necessary steps to prevent its reoccurrence. UP has also stressed to its supervisors the importance of determining employees' compliance with the communication rules, especially those rules that relate to approaching trains.

Probable Cause

The National Transportation Safety Board determines that the probable cause of the accident was the agreement among the employees that they did not need to be notified of approaching trains as required by rule and regulation. Contributing to the accident was the employee's failure to stay a safe distance from a track cleared for passing trains.

Adopted: 04/23/07