Log R-441D

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

ISSUED: April 29, 1983

Forwarded to:

Honorable Harry R. Hughes
Governor of Maryland
Annapolis, Maryland 21404

SAFETY RECOMMENDATION(S)

R-83-42 and -43

The National Transportation Safety Board has long been concerned about the safety of railroad operations involving railroad employees who may be under the influence of alcohol, or whose judgment may be impaired by alcohol. This concern was heightened by two recent railroad accidents: the first at Livingston, Louisiana, on September 28, 1982, which involved hazardous materials, and the second near Newport, Arkansas, on October 3, 1982, in which two railroad employees were killed. The investigations are not yet completed, but in both accidents, train crewmembers were found to have consumed alcohol just before going or while on duty. As a result of these investigations, as well as other major railroad accidents investigated by the Board, the Safety Board issued on March 7, 1983, Safety Recommendations R-83-28 through -34 concerning alcohol/drug abuse by railroad operating personnel to the Federal Railroad Administration (FRA), the Association of American Railroads, and the Railway Labor Executives Association.

A recent incident at Union Station in Washington, District of Columbia (D.C.) involving an intoxicated Baltimore and Ohio Railroad Company (B&O) engineer who was about to operate a Maryland Department of Transportation (DOT) commuter train on a regular run further highlights the Board's concern that this sensitive safety problem requires immediate and constructive action by the FRA, the railroad industry, rail labor unions, and government entities that provide commuter railroad service.

In the Washington incident, which occurred about 5:23 p.m. on February 14, 1983, the locomotive engineer was escorted by a Washington Terminal Company (WTC) trainmaster and car superintendent from the locomotive of Maryland DOT commuter train No. 61, operated under contract by the B&O, about 2 minutes before it was scheduled to depart with approximately 300 passengers for Brunswick, Maryland. Subsequently, the engineer submitted to a blood alcohol test at Capitol Hill Hospital, and the laboratory report of the test indicated that the engineer had a blood alcohol level (BAL) of 0.222 percent. A BAL of 0.10 percent is established by the National Highway Traffic Safety Administration, the Congress, and most States including Maryland and the District of Columbia, as the level at which highway drivers are considered to be driving while intoxicated.

The four-man crew of train No. 61 consisted of a conductor, an engineer, a fireman, and a flagman. The crew normally reports for duty Monday through Friday, at 5:45 a.m., at Brunswick and goes off duty after the arrival of train No. 60 at Washington, scheduled for 7:56 a.m. The crew returns to duty at 4:25 p.m. for the 5:25 p.m. departure of train No. 61. The crew is provided rooms at a hotel near Union Station during the layover. The crew worked this schedule on February 14, 1983.

On the day of the incident, train No. 61 was located on track No. 10 in the Union Station, as is customary, a short distance from the crew dispatcher's office where the outbound crews report for duty. In the afternoon, there are several clerk-callers in the office, but they are separated from the reporting location by a partition. Crewmembers are required to sign the appropriate register before proceeding to their trains. There is no supervisor stationed at the reporting location; the offices of the WTC supervisors are located inside Union Station proper. About 45 minutes before departure, the conductor and flagman open the train doors and station themselves on the platform to assist passengers boarding the train. A hostler brings the locomotive from the roundhouse and leaves it 15 to 20 feet in front of the passenger cars on track No. 10. It is necessary for the engineer to walk the length of the platform, past the flagman and conductor, to board the locomotive.

On the day of the incident, a railroad official (not a B&O employee) who regularly rides train No. 61 happened to walk alongside the engineer as they both made their way toward the head end of the train. The official noticed that the engineer apparently was having difficulty in walking and that he had a generally disheveled appearance. According to the railroad official, he stopped to talk with the conductor and asked him if there was anything wrong with the engineer. The conductor said nothing, but simply shrugged his shoulders and gave the official an exasperated look. The official immediately returned to the station, contacted the WTC president, and suggested that he have the condition of the engineer of train No. 61 checked. A trainmaster and car superintendent were sent to investigate, and they arrived at the head end of the train in time to observe the engineer make four start and stop reverse movements before the locomotive was successfully coupled to the passenger cars. Generally, one such movement is adequate to couple the locomotive to the cars. They then boarded the locomotive.

The WTC superintendent testified at a B&O/WTC railroad hearing that both he and the trainmaster detected what they believed to be the odor of alcohol on the engineer's breath. Since he did not consider himself impaired, the engineer consented to take a BAL test. According to the engineer, he had drunk "not more than four screwdrivers," a mixture of vodka and orange juice, prior to 1 p.m. He insisted that he had had nothing to drink thereafter and thought there was enough time for the drinks to "wear off" before he had to go back to work.

Train No. 61 is scheduled to depart Union Station 25 minutes behind commuter train No. 39. However, since train No. 39 is scheduled to make almost twice as many stops as train No. 61, it arrives at Point of Rocks, Maryland, 42 miles from Union Station, only 8 minutes ahead of train No. 61. As a result, train No. 61 often encounters approach signal indications because train No. 39 occupies the signal block ahead. Train operation over this route is double-track with automatic block signals. There is no provision for cab signals or automatic train control. Maximum authorized passenger train speed is 70 mph, and the B&O locomotives have overspeed control with a nominal setting of about 74 mph.

The engineer of train No. 61 was not observed by a supervisor when he came on duty. The engineer's inebriation was detected only by a chance encounter with a passenger who was an official of another railroad and who was conscientious enough to inform the responsible officials at the terminal. Had this not occurred, the train would have been under the control of an engineer with a 0.222 percent BAL, a condition in which he would have experienced loss of critical judgment, impaired comprehension, increased reaction time, and degraded perception of color, form, motion, and dimension. Therefore, he was unfit for duty and, in operating the train, would have placed the passengers, his fellow employees, and himself at peril.

This incident highlights operating problems appropriately of concern to the State of Maryland which contracts with the B&O to operate commuter trains in a safe manner from Brunswick to Washington. The Safety Board believes that the State of Maryland should review possible actions that the State could undertake to minimize alcohol abuse by operating train employees. There are at least two organizations within the State that may be able to address the problems directly—the Maryland DOT and the Department of Licensing and Regulation (DLR). The Maryland DOT administers the contract between the State and the B&O. Consideration should be given to inclusion of a clause in the contract that would require B&O supervisory checks at points where the commuter traincrews report for duty. Such an action by the State would serve to reduce the number of incidents in which operating train employees who have consumed alcohol are allowed to go on duty. The DLR, in exercising its responsibility for the safety and health of railroad operating employees, could undertake periodic operating practice checks on Maryland DOT commuter trains.

Therefore, the National Transportation Safety Board recommends that the State of Maryland:

> Require that State contracts with the Baltimore and Ohio Railroad Company specify that adequate supervisory checks be performed by the railroad at those points where commuter traincrews report to duty. (Class II, Priority Action) (R-83-42)
>
> Increase State railroad inspections of operating practices on Maryland Department of Transportation commuter trains. (Class II, Priority Action) (R-83-43)

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility ". . . to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (P.L. 93-633). The Safety Board is vitally interested in any actions taken as a result of its safety recommendations, and the Board would appreciate a response from you regarding action taken or contemplated with respect to the recommendations in this letter.

BURNETT, Chairman, GOLDMAN, Vice Chairman, McADAMS, BURSLEY, and ENGEN, Members, concurred in these recommendations.

By: Jim Burnett
Chairman