

INTERSTATE COMMERCE COMMISSION

WASHINGTON

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INVESTIGATION NO. 3077

CHICAGO, SOUTH SHORE AND SOUTH BEND  
RAILROAD COMPANY

REPORT IN RE ACCIDENT

AT ANDRY, IND., ON

FEBRUARY 17, 1947

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SUMMARY

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Railroad: Chicago, South Shore and South Bend  
Date: February 17, 1947  
Location: Andry, Ind.,  
Kind of accident: Collision  
Equipment involved: Passenger train : Bus  
Train number: 26 :  
Engine number: Electric-traction :  
car 107  
Consist: Electric-traction :  
car  
Estimated speeds: 60 m. p. h. : 3 m. p. h.  
Operation: Timetable, train orders and  
automatic block-signal system  
Track: Single; tangent; 0.198 percent  
descending grade westward  
Highway: Tangent; crosses track at angle  
of 89°58'; level  
Weather: Cloudy  
Time: 3:05 p. m.  
Casualties: 13 killed; 18 injured  
Cause: Failure to operate a bus approaching  
railroad crossing at grade in  
accordance with requirements of  
law

INTERSTATE COMMERCE COMMISSION

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INVESTIGATION NO. 3077

IN THE MATTER OF MAKING ACCIDENT INVESTIGATION REPORTS  
UNDER THE ACCIDENT REPORTS ACT OF MAY 6, 1910.

CHICAGO, SOUTH SHORE AND SOUTH BEND  
RAILROAD COMPANY

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March 19, 1947

Accident at Andry, Ind., on February 17, 1947, caused by failure to operate a bus approaching a railroad crossing at grade in accordance with requirements of law.

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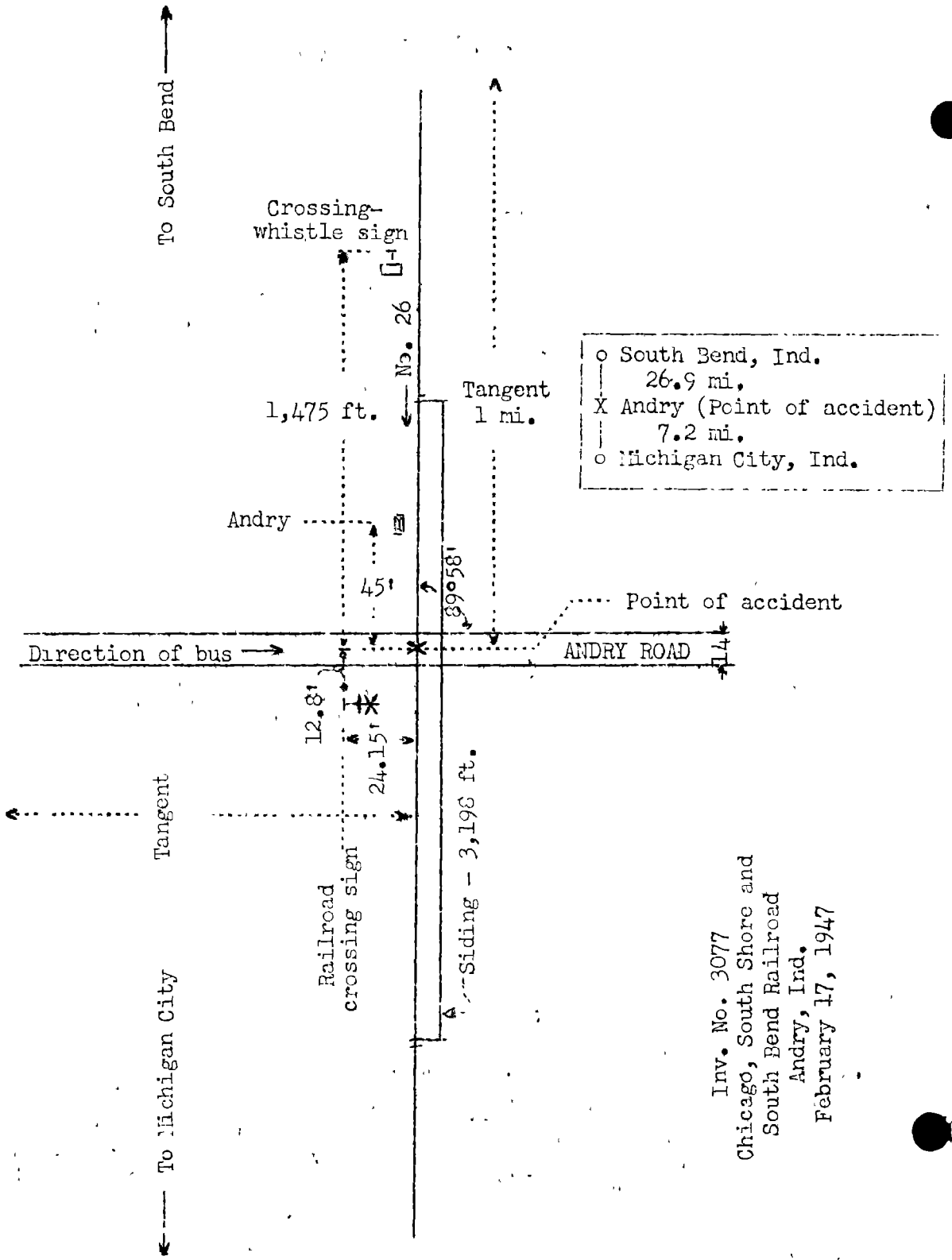
REPORT OF THE COMMISSION<sup>1</sup>

PATTERSON, Commissioner:

On February 17, 1947, there was a collision between a passenger train on the Chicago, South Shore and South Bend Railroad and a bus at a highway grade crossing at Andry, Ind., which resulted in the death of the driver of the bus and 12 bus passengers, and the injury of 2 train passengers, 14 bus passengers and 2 train-service employees.

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<sup>1</sup>Under authority of section 17 (2) of the Interstate Commerce Act the above-entitled proceeding was referred by the Commission to Commissioner Patterson for consideration and disposition.



o South Bend, Ind.  
 26.9 mi.  
 X Andry (Point of accident)  
 7.2 mi.  
 o Michigan City, Ind.

Inv. No. 3077  
 Chicago, South Shore and  
 South Bend Railroad  
 Andry, Ind.  
 February 17, 1947

Location of Accident and Method of Operation

This accident occurred on that part of the railroad extending between South Bend and Michigan City, Ind., 34.1 miles, a single-track line in the vicinity of the point of accident, equipped with an overhead catenary system for the electric propulsion of trains, over which trains are operated by timetable, train orders and an automatic block-signal system. The accident occurred 26.9 miles west of South Bend, at a point 45 feet west of the station at Andry, where the railroad is crossed at grade by Andry Road. The main track is tangent throughout a distance of about one mile east of the crossing and a considerable distance westward. The grade is 0.198 percent descending westward.

Andry Road intersects the railroad at an angle of 89°58', and is surfaced with gravel to a width of about 14 feet. The road is tangent throughout a considerable distance north of the crossing and some distance southward. The grade for south-bound vehicles is, successively, practically level about 600 feet, 0.18 percent ascending 38 feet and 2.40 percent ascending 15 feet to the crossing, then it is level over the crossing. In the vicinity of the crossing a siding 3,198 feet in length parallels the main track on the south. The distance between the track centers of the main track and the siding is 17.3 feet. The crossing is 14 feet wide. The area between the tracks, between the rails of each track, and about 8 feet outside the north rail of the main track is surfaced with asphaltum. Flangeways about 2-1/2 inches wide are provided. A standard cross-buck railroad-crossing sign is located to the right of the direction of south-bound traffic, 24.15 feet north of the centerline of the main track and 12.8 feet west of the centerline of the road. This sign is mounted on a mast 8 feet 3 inches above the level of the surface of the road, and bears the words "RAILROAD CROSSING" in black on a white background. A rectangular sign, which bears the word "DANGER" in red on a white background, is mounted on the mast immediately below the cross-buck sign. A crossing-whistle sign for west-bound trains is located 1,475 feet east of the crossing.

Operating rules read in part as follows:

14. ENGINE WHISTLE SIGNALS.

Note:--The signals prescribed are illustrated by "o" for short sounds; "—" for longer sounds.  
\* \* \*

Sound.	Indication.
* * *	
(1) — — o —	Approaching public crossings at grade and obscured curves. The final sound to be prolonged until crossing is reached.
* * *	

Section 47-2114 of the Motor Vehicle Laws of Indiana reads in part as follows:

\* \* \* Whenever any person driving a vehicle approaches a railroad grade crossing, the driver of such vehicle shall stop within fifty (50) feet but not less than ten (10) feet from the nearest track of such railroad and shall not proceed until he can do so safely, when:

\* \* \*

(d) An approaching train is plainly visible and is in hazardous proximity to such crossing.

\* \* \*

No maximum authorized speed for trains was specified by rule or by special instruction.

#### Description of Accident

No. 26, a west-bound first-class passenger train, consisted of electric-traction car 107. This car is of steel construction, and is operated from a control station at the front end. This train departed from South Bend, 26.9 miles east of Andry, at 2:25 p. m., on time, and while moving at an estimated speed of 60 miles per hour it struck a bus on a grade crossing 45 feet west of the station at Andry.

The bus involved was owned and operated by the Chicago, South Shore and South Bend Railroad Company. It bore Indiana license No. BC 3. The driver held Indiana chauffeur's license No. 180864. The bus was a 1940, 4-wheel, 6-cylinder, GMC model, equipped with dual tires on the rear wheels, and hydraulic brake. The body of the bus was of sheet metal construction. It weighed 8,180 pounds. The windshield and the side windows were so arranged that the driver had unrestricted view ahead and to each side. This vehicle was occupied by the driver and 26 maintenance-of-way employees; and was moving southward on the highway at an estimated speed of 3 miles per hour when it entered upon the crossing and was struck by No. 26.

The bus was demolished. The equipment of No. 26 was not derailed. The front end of the traction car was considerably damaged. Parts of the wreckage of the bus struck and damaged the air brake equipment suspended below the floor of the traction car, and the air-brake system became inoperative. No. 26 was stopped by the use of the hand brake at a point 4,294 feet west of the crossing.

The motorman and the conductor of No. 26 were injured.

It was cloudy at the time of the accident, which occurred about 3:05 p. m.

During the 30-day period preceding the day of the accident, the average daily movement of trains over the crossing was 46. During the 24-hour period beginning at 7 a. m., February 21, 1947, 52 automobiles, 15 trucks, 13 school-buses and 45 trains passed over the crossing.

#### Discussion

No. 26 was approaching the crossing at a speed of about 60 miles per hour, in territory where no maximum speed was specified. The motorman was maintaining a lookout ahead from the control station at the front end of the traction car, and the conductor was in the rear portion of the car. The whistle signal for the crossing was sounded in compliance with the rules, and the last blast of the whistle was being sounded as the front end of the traction car entered upon the crossing. The motorman first observed the bus as it started to move southward on the highway in the immediate vicinity of the crossing. At that time he thought the bus would stop clear of the crossing. When the traction car was about 30 feet east of the crossing the motorman observed that the bus had not been stopped, and he moved the brake valve to emergency position. The brakes of this train had been tested and had functioned properly en route.

About 3 p. m. a maintenance-of-way extra gang, which had been engaged in track work at Andry, boarded the bus en route to Michigan City. The bus was headed southward and was parked on Andry Road at a point about 60 feet north of the crossing. About 3:05 p. m. the bus was started and, without stopping, it entered upon the crossing immediately in front of the approaching train. The driver of the bus was an experienced driver and was familiar with the route. Visibility was not impaired by weather conditions and the driver could have seen the approaching train throughout a considerable distance immediately north of the crossing. The laws of the state of Indiana require drivers of motor vehicles to stop within 50 feet but not less than 10 feet from the nearest railroad track and not to proceed until it is safe to do so. It could not be determined why the driver failed to take action to stop the bus short of the crossing, as he was killed in the accident.

Cause

It is found that this accident was caused by failure to operate a bus approaching a railroad crossing at grade in accordance with requirements of law.

Dated at Washington, D. C., this nineteenth day of March, 1947.

By the Commission, Commissioner Patterson.

(SEAL)

W. P. BARTEL,  
Secretary.