



# Amtrak Cascades Washington State Train Derailment

***A LEGAL GUIDE FOR  
VICTIMS & SURVIVORS***

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# Table of Contents

Amtrak Cascade Train Accident Disaster Overview _____	5
Train Accident Details _____	5
Amtrak Cascade Train Accident Details _____	6
Train Route & Speed Prior To Derailment _____	6
Location of Trail Derailment _____	7
Emergency Medical Treatment For Train Accident Victims _____	7
NTSB Investigation of the Amtrak Cascades Disaster _____	8
Amtrak Cascades Accident Probable Causes _____	9
Results of Preliminary NTSB Investigation _____	10
Amtrak Cascades Engineer Did Not Initiate Emergency Brake Before Derailment _____	12
Amtrak Cascades Was More Than 30 Minutes Behind Schedule At The Time Of The Deadly Train Accident _____	14
Amtrak 501 Departures Delayed On The Morning Of The Accident _____	14
Was The Amtrak Engineer Trying To Make Up For Lost Time? _____	15
NTSB Criticized Amtrak For 'Adversarial' Safety Culture After 2016 Pennsylvania Train Wreck _____	18
Similar Amtrak Derailment Last Year _____	18
Other Agencies Blamed For 2016 Derailment _____	19
Who Is Legally Responsible For The Amtrak Cascades Train Disaster? _____	20
Legal Questions That Must Be Answered About The Accident _____	22
Human Performance Factors _____	22
Mechanical Equipment Information _____	24
Train Safety Procedures _____	24
Signal and Train Control Information _____	25
Train Speed _____	25
Track & Trestle Conditions / Obstructions _____	26

Questions About The Accident Investigation	26
Sabotage / Terrorism	27
Questions About Post-Accident Interviews / Reports	27
Other Important Questions	28
US Railway Industry	29
Train Accident Statistics	29
FRA Study on Train Accidents	29
Railway Industry In Washington State	30
Washington State Train Accident Statistics	30
Types of Trains Operating In Washington State	31
Background: Amtrak Cascades	33
History & Information	33
Amtrak Cascades Track Record	34
Recent Amtrak Cascades Changes / Upgrades	35
Point Defiance Bypass Project	35
Positive Train Control: Race To Get Federal Tax Dollars Trumped Safety Feature On Amtrak Cascades	37
Ownership and Operational Partnership Legal Agreements	38
Other Interesting Datapoints	40
Legal Information For Victims & Survivors	41
Federal Law Sets Damage Caps For Victims of Passenger Rail Accidents	41
49 U.S.C. 28103 - Limitations On Rail Passenger Transportation Liability	41
Should victims of the Amtrak Cascades derailment disaster in Washington State speak with reporters?	42
Amtrak Is Trying To Quickly Settle Claims Before Victims Hire Attorneys	43
Why is Amtrak already offering settlements to derailment victims?	43
What happens if Amtrak victims hire legal representation?	44

Amtrak Derailment Attorneys _____	45
Ten Reasons Why Amtrak Accident Survivors Should Hire A Local Attorney ____	45
Train Accident Liability Questions Answered, Legal Options Explained _____	48
Appendix _____	51
Glossary of Terms _____	51
Calculate Expected Train Stopping Distance _____	51
Passenger Rail System – Washington State _____	52

# Amtrak Cascade Train Accident Disaster Overview

## Train Accident Details



**Train:** Amtrak Cascades #510

**Date:** December 18, 2017

**Derailment Time:** 7:33am local time.

**Location:** The Amtrak Cascades train derailment disaster took place in Dupont, Washington.

**Train Set Configuration:** 12 cars and two engines

**Train Models:** Siemens Charger SC-44 with a Cummins QSK95 (4,400-horse power) diesel engine. The locomotive weighs 42,000 pounds and is 8-foot tall.

**Speed:** Train was going 80 mph at the time of the accident. The speed limit for that section of track is 30 mph.

**Passengers:** 80 passengers were on the train at the time of the crash.

**Crew:** 5 Amtrak crew members were working on the train.

**Motor Vehicle Collisions:** 5 motor vehicles and 2 semi-trucks were involved in the crash.

**Injuries:** 72 people were injured.

**Fatalities:** 3 people were killed.





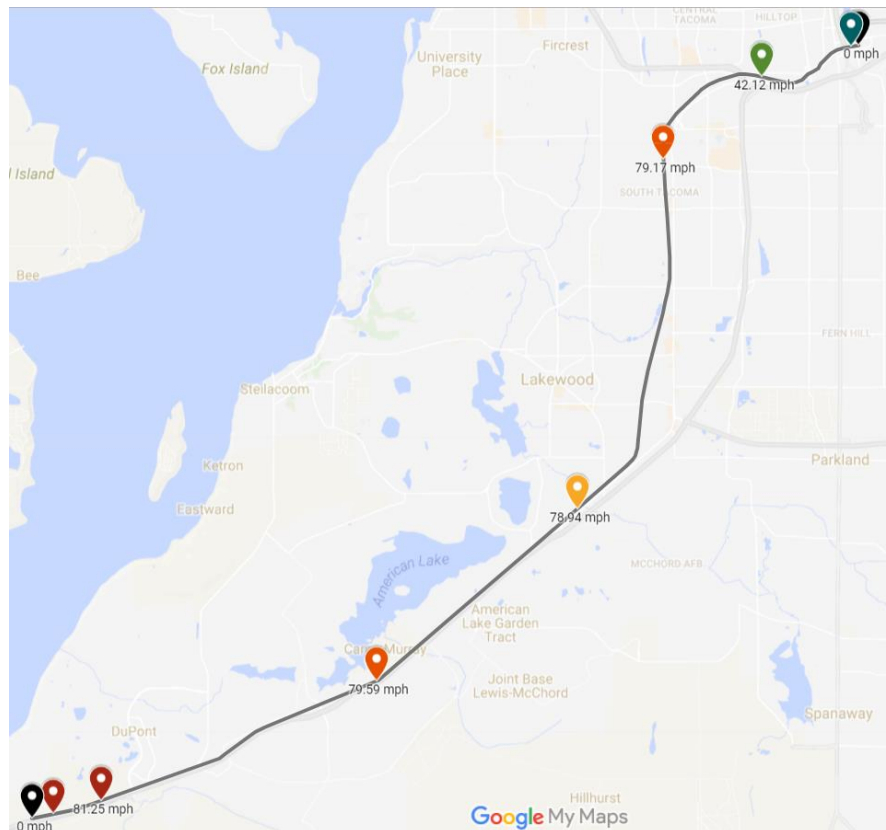
## Amtrak Cascade Train Accident Details

### Train Route & Speed Prior To Derailment

Preliminary reports indicate that excessive speed was likely the cause of the accident. Sources say that the recommended speed limit for the curve was 50 mph slower than the train was travelling at the time of the derailment.<sup>1</sup>

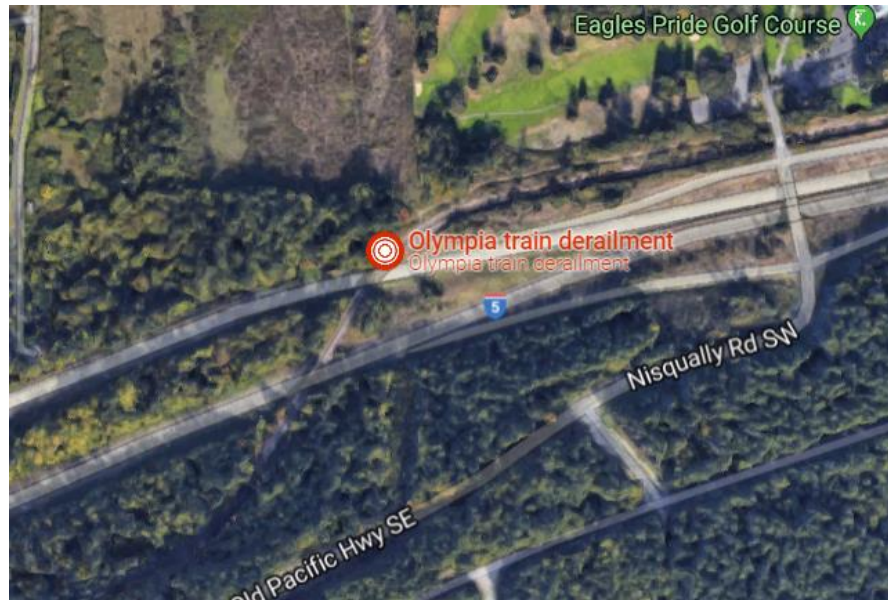
Train was traveling at 80 mph at the time of the accident which derailed all but one of the cars. The speed limit for that section of track is 30 mph.

Below is a map that shows the train's speed at various points along the route between Tacoma and the accident location near JBLM.



## Location of Trail Derailment

The Amtrak Cascades train derailment disaster took place in Dupont, Washington where Mounts Road crosses Interstate 5 near the Joint Base Lewis-McChord's Eagle's Pride Golf Course in Pierce County, Washington.<sup>ii</sup>



## Emergency Medical Treatment For Train Accident Victims

Three (3) people on the train were killed and 72 were injured in the biggest railroad accident in Washington history. Victims of the December 2017 **Amtrak Cascades** train accident were transported to multiple area hospitals for emergency medical treatment including:

- **CHI Franciscan Health hospitals**, Pierce and Thurston Counties
- **St. Joseph Medical Center**, Tacoma
- **Tacoma General Hospital**, Tacoma
- **St. Clair Hospital**, Lakewood
- **St. Anthony Hospital**, Gig Harbor
- **Madigan Army Medical Center**, Joint Base Lewis-McChord (JBLM)
- **Harborview Medical Center**, Seattle



## NTSB Investigation of the Amtrak Cascades Disaster

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Attorney Chris Davis and the team at **Davis Law Group** have detailed knowledge of NTSB investigations. Our work on the Skagit River Bridge collapse case and other major accidents has given us unique legal insight into how the NTSB manages investigations.

The **National Transportation Safety Board (NTSB)** was established in 1967 to conduct independent investigations of major transportation-related accidents. The NTSB is not part of the **Department of Transportation**. The NTSB has no regulatory or enforcement powers.<sup>iii</sup>

Every NTSB investigation has a "Go Team." The purpose of the Go Team is to begin the investigation of a major accident at the accident scene, as quickly as possible. A team is typically made up of a number of specialists from the Board's headquarters staff in Washington, D.C.

The **Investigator-in-Charge (IIC)** is a senior investigator with years of NTSB and industry-related experience.

Investigations typically focus on the following key areas:

**Operations** - The history of the accident and crewmembers' duties for as many days prior to the crash as appears relevant.

**Structures** - Documentation of the train wreckage and the accident scene, including calculation of impact angles to help determine the train's pre-impact course, speed, etc.

**Powerplants** - Examination of engines and engine accessories.

**Systems** – A study of components of the positive train control system (if applicable), hydraulic and electrical systems, and other instrumentation.

**Train Control / Dispatch Systems** - Reconstruction of the dispatch orders given to the engineers, GPS data, etc. Acquisition of transcripts of dispatcher-engineer radio transmissions.

**Weather** - Gathering of all pertinent weather data from the National Weather Service for a broad area around the accident scene.

**Human Factors** - Study of crew performance and all before-the-accident factors that might be involved in human error, including fatigue, medication, alcohol. Drugs, medical histories, training, workload, equipment design and work environment.

**Passenger Survival** - Documentation of impact forces and injuries, evacuation, community emergency planning and all crash-fire-rescue efforts.

## **Amtrak Cascades Accident Probable Causes**

The **National Transportation Safety Board (NTSB)** investigation 'Go Team' will determine the probable cause of the Amtrak Cascades accident.

Based on media reports, preliminary NTSB statements, and past investigations, probable causes may fall into the following categories:

- Human Factors
- Train Speed
- Mechanical Failure
- Signal or Train Control Failure
- Track Conditions
- Route Obstructions

- Trestle Conditions
- Sabotage
- Terrorism

## Results of Preliminary NTSB Investigation

The Amtrak train that derailed December 18, 2017 in DuPont was traveling more than twice the recommended speed at the time of the crash.

### *Speed Was A Factor*

According to a spokesperson for the National Transportation Safety Board – which is now on-site investigating the derailment – data from the train shows that the train was traveling “at 80 miles per hour in a 30 miles per hour track.”

The Amtrak Cascades derailment occurred on the inaugural trip of a new high-speed stretch of track. Officials said there were about 80 passengers and five crew members aboard the train. Additionally, five cars and two semi-trucks were involved in the crash when the train derailed onto southbound Interstate 5. A total of 72 people were taken to the hospital with injuries – 10 in serious condition and 13 with minor to moderate injuries. At least three people were killed.

The train entered a curve over I-5, which has a posted speed limit of 30 mph. Investigators have not said what they believe caused the derailment or why the train was traveling as fast as it was.

"We will be looking at all the different areas related to this accident. That includes such things as operations, mechanical, human factors, signals, survival factors and of course the event data recorders," NTSB member Bella Dinh-Zarr said in a press conference late Monday night.

The Amtrak train was not using an automatic braking system or speed control system. Positive train control is installed on the train, but is not activated.

Congress set a deadline of 2015 to complete the PTC system on all tracks. That date has been pushed back to December 2018.

Several experts believe PTC, or a cheaper alternative, could've prevented the derailment.

The Washington State Department of Transportation said I-5 in the area of the crash will remain closed through at least Tuesday morning. The NTSB said its investigative "go team" is typically on scene 7-10 days.

*Engineer May Have Been Distracted*

Investigators are looking into whether the Amtrak Cascades train engineer was distracted prior to the December 18th derailment in DuPont, a federal official told the Associated Press.

The official told the AP that the National Transportation Safety Board investigators want to know if the engineer lost "situational awareness" because of an employee-in-training that was present in the cab at the time of the derailment.

The Dec. 18 Amtrak Cascades derailment resulted in the death of three people and over 70 injuries. The train was traveling at 80 miles per hour around a 30 mph curve over Interstate 5. Five cars and two semi-trucks were also involved in the incident.

Radio transmissions from a crew member described the engineer – whose name has not been released at this time – as bleeding from the head after the derailment. Both eyes were swollen shut as well. The radio transmission also referred to a second person in the cab who was also injured.

The Amtrak Cascades train was making its inaugural trip along a new, faster bypass that included refurbished tracks along I-5.

A May 2015 derailment of an Amtrak train in Philadelphia – which resulted in eight deaths and more than 180 injured passengers – was caused by a loss of

situational awareness by the train's engineer after his attention was diverted to an emergency involving another train. That Amtrak train was traveling 106 mph around a curve with a speed limit of 50 mph.

Situational awareness is being aware of one's surroundings and identifying potential threats and dangerous situations. No amount of experience can make up for a loss of situational awareness. It can only be exercised with the will and discipline to do so.

### **Amtrak Cascades Engineer Did Not Initiate Emergency Brake Before Derailment**

The National Transportation Safety Board's initial investigation of the December 2017 Amtrak Cascades derailment in DuPont indicates that the emergency brake went off automatically. The train's engineer never applied the emergency brake.

The brake went off only after the train, carrying about 80 passengers and seven crew members, had left the tracks.

A federal official told the Associated Press that the investigators want to know whether the engineer was distracted prior to the derailment. The NTSB said that a second person was in the cab with the engineer – a conductor who was familiarizing himself with the territory.

Data from the train's recorder showed the train was going 80 miles per hour into a 30 mph zone when it went off the rails over Interstate 5.

The majority of the train cars derailed, killing three and injuring more than 70. Many of the victims remain hospitalized days after the derailment.

Skid marks - so-called "witness marks" - from the train's wheels show where it left the track, the NTSB says.

The NTSB is still investigating the incident and is expected to remain on the scene for 7-10 days. Investigators for the NTSB obtained the train's inward and

outward facing cameras and sent them to the NTSB's lab in Washington, D.C., to try and recover the footage.

The train cars are being moved to nearby Joint Base Lewis-McChord.



## Amtrak Cascades Was More Than 30 Minutes Behind Schedule At The Time Of The Deadly Train Accident

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*Was the Amtrak Cascades engineer under pressure to make sure that the first run beat the previous time by at least 10 minutes, or perhaps more?  
Was the engineer speeding to make up for lost time?*

Titanic Captain Edward John Smith famously tried to beat the previous travel-time records on the ship's maiden voyage. Historians believe that increasing Titanic's speed contributed to the disaster.

Were forces like those of the Titanic at play in the **Dupont Amtrak** accident?

### Amtrak 501 Departures Delayed On The Morning Of The Accident

The morning of the Amtrak Cascades derailment disaster our office immediately began investigating the circumstances that led up to the crash.

At 10:45 a.m. we performed a simple "status check" of Amtrak 501 on the **Amtrak Cascades** website ([www.AmtrakCascades.com](http://www.AmtrakCascades.com)). We also immediately noticed that the website noted a delay in the departure time from Seattle, as well as delays at several stops along the route.

Now that our law firm is representing several victims of Amtrak 501, we are making this information public in the hopes of pointing a spotlight on this unreported data point.

The departure delays were as follows (see screenshots below):

**Departure from Seattle**

Scheduled: 6:00 a.m.

Delay: 10 minutes

**Departure from Tukwila**

Scheduled: 6:14 a.m.

Delay: 12 minutes

**Departure from Tacoma**

Scheduled: 6:45 a.m.

Delayed: 32 minutes

According to the **Amtrak Cascades** website, by the time the train left Tacoma it was 32 minutes late.

**Was The Amtrak Engineer Trying To Make Up For Lost Time?**

Coupled with the preliminary information released by the National Transportation Safety Board, which stated that the train was traveling 50 miles per hour over the speed limit at the time of the derailment, the departure delays beg the question, "Was the engineer speeding to make up for lost time?"

The \$181-million-dollar **Point Defiance Bypass** project, which re-routed the Amtrak Cascades train between Seattle and Portland, was supposed to reduce the travel time of that route by 10 minutes. The inaugural run of the new route was the day of the accident.

Was the engineer under pressure to make sure that the first run beat the previous time by at least 10 minutes, or perhaps more? Was the engineer speeding to make up for lost time?

Below are screen shots that we made of status updates on the **Amtrak Cascades** website.

### Check Status

Station  
Seattle, WA  
Submit

#### Train status information for Seattle, WA.

##### Arrivals

Train/Bus	Scheduled	Comment	New Time
8911-bus	09:00 am	No Data Available	
500	09:40 am		04:00 pm
7	10:25 am	54 min late	11:19 am
502	11:50 am		04:00 pm
8907-bus	12:45 pm	No Data Available	
504	03:20 pm		04:00 pm
8909-bus	03:30 pm	No Data Available	
8957-bus	07:45 pm	No Data Available	
14	07:51 pm		04:00 pm
506	09:00 pm		04:00 pm
519	10:10 pm		04:00 pm
508	10:45 pm		04:00 pm

##### Departures

Train/Bus	Scheduled	Comment	New Time
501	06:00 am	10 min late	06:10 am

## Check Status

Station  
Tukwila, WA

Submit

Train status information for Tukwila, WA.

Arrivals

Train/Bus	Scheduled	Comment	New Time
There are no results for this search.			

Departures

Train/Bus	Scheduled	Comment	New Time
501	06:14 am	12 min late	06:26 am

## Check Status

Station  
Tacoma, WA

Submit

Train status information for Tacoma, WA.

Arrivals

Train/Bus	Scheduled	Comment	New Time
There are no results for this search.			

Departures

Train/Bus	Scheduled	Comment	New Time
501	06:45 am	32 min late	07:17 am

## NTSB Criticized Amtrak For 'Adversarial' Safety Culture After 2016 Pennsylvania Train Wreck

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As the Seattle community continues to search for answers regarding Monday's tragic Amtrak derailment disaster in DuPont, past news reports of what is now an interesting statement from the National Transportation Safety Board (NTSB) about Amtrak's safety culture are coming to light.

### Similar Amtrak Derailment Last Year

On April 3, 2016, [Amtrak train 89](#) was traveling eastbound from Philadelphia, PA to Washington, D.C. on track 3 of the Northeast Corridor when it struck a backhoe in Chester, PA at approximately 7:50 a.m. According to news reports, the engineer who was operating the train in that incident saw equipment and people working on and around the track as he approached and initiated emergency braking on the train. Unfortunately, the emergency brakes only slowed the train from 109 mph to 99 mph by the time the impact occurred.

Two Amtrak employees were killed and 39 total people were injured in the 2016 incident. In the course of its investigation, the NTSB found several alarming safety issues that either contributed to or played a significant role in the crash. Allowing a passenger train to travel at maximum speed on an unprotected track, the absence of shunting devices, a lack of team safety briefings, and inconsistency in the knowledge and application of safety policies and procedures were all listed as factors that led to the tragedy.

"Amtrak's safety culture is failing, and is primed to fail again, until and unless Amtrak changes the way it practices safety management," said NTSB Chairman Robert L. Sumwalt. "Investigators found a labor-management

relationship so adversarial that safety programs became contentious at the bargaining table, with the unions ultimately refusing to participate.”

### **Other Agencies Blamed For 2016 Derailment**

The NTSB additionally placed some blame on the Federal Railroad Administration (FRA) for its failure to require redundant signal protection, such as shunting, for maintenance workers. Investigators also found traces of narcotics, including cocaine, marijuana, and opioids, in the employees who were killed in the crash during routine post-accident toxicology reports.

Ultimately, the NTSB issued a total of 14 safety recommendations to agencies relating to the 2016 incident in Chester, PA. Nine of those safety recommendations went to Amtrak, while two were made to the FRA and three more were issued to employee unions.



## Who Is Legally Responsible For The Amtrak Cascades Train Disaster?

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Under the rules of civil procedure, a plaintiff (injured party) can join multiple defendants to a single lawsuit if claim raised against each defendant arises out of the same transaction, occurrence, or series of transactions or occurrences.

**Joint and several liability** applies where each of the defendants is liable to the plaintiff(s) (victims) for the full amount of the plaintiff's damage; and where each can also seek a contribution from the co-defendants, by which to reduce the extent of his monetary liability to the plaintiff.

In the case of the December 2017 Amtrak Cascades derailment there will likely be multiple defendants.

**Amtrak Cascades** is part of the **Washington State Passenger Rail System** which is operated in part by the **Washington State Department of Transportation**. The operation and maintenance of the Amtrak Cascades service is conducted by the following entities, any or all of which may be held legally responsible for the December 2017 accident.

**Washington State Department of Transportation (WSDOT) Rail Division-** WSDOT and ODOT manage the **Amtrak Cascades** service through a Memorandum of Understanding. WSDOT is primarily responsible for service in Washington and in British Columbia. ODOT is primarily responsible for service in Oregon.<sup>iv</sup>

**Amtrak** – WSDOT and ODOT contract with Amtrak to manage the day-to-day operations, service, oversight, etc. of certain maintenance activities.

**BNSF Railway Company (BNSF)** – BNSF had dispatch responsibility of the Amtrak Cascade train. Train dispatcher (aka train controller or

rail traffic controller) is the locomotive equivalent of an air traffic controller. The dispatcher or controller directs the movement of trains over an assigned territory. BNSF owns many of the sections of tracks Amtrak Cascades trains run on in Washington and British Columbia. A large number of the conductors and engineers that operate **Sound Transit** and **Amtrak Cascades** trains actually work for **BNSF Railway Company**.

**Union Pacific Railroad (UPRR)** - Amtrak has agreements with **BNSF Railway Company (BNSF)** and **Union Pacific Railroad (UPRR)** that address track usage, train dispatching, maintenance of track and structures, on-time performance, locomotive fuel, and supply of spare locomotives.

**Sound Transit (Central Puget Sound Regional Transit Authority)** - Controls/manages/maintains the section of track on which the accident took place. **Sound Transit** was created in 1993 by King, Pierce and Snohomish counties to build a regional rapid transit system. The tracks, known as the **Point Defiance Bypass**, are owned by Sound Transit. **Sound Transit** managed the track upgrade work under an agreement with **WSDOT**. The route is the same that **Sound Transit** uses for Sounder commuter rail service.

**Talgo, Inc.** – Talgo is manufacturer of trains and passenger cars used in Amtrak Cascades service and has separate maintenance contracts with WSDOT and Amtrak for maintenance services. The contracts are for 20 years and will expire in 2019.

**Siemens Industry, Inc. / Siemens Corporation USA** - The new Siemens Charger model locomotives, which were delivered to WSDOT in the summer of 2017, were built at Siemen's Sacramento, California manufacturing plant.

## Legal Questions That Must Be Answered About The Accident

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### Human Performance Factors

These questions about how human performance factors that may have contributed to the Amtrak Cascades derailment disaster are critical to potential legal claims.

Was there one engineer or a two-person engineering crew in the lead cab?

Was the engineer somehow incapacitated moments before the accident?

Did the train engineer experience a medical event that prevented him/her from properly controlling the locomotive?

Was the engineer impaired in any way by alcohol, prescription drugs, illegal drugs, or any other type of impairment?

Is there any evidence of cell phone use by the engineer during the trip and/or before the accident?

Does Amtrak Cascades have a policy banning the use of distracting electronic devices by crew members?

Was the engineer actively operating the train at the time of the accident?

Was the engineer's attention diverted for some reason before or during the accident? What was his situational awareness?

Did the Amtrak engineer accelerate the train without slowing to successfully negotiate the turn?

How much training had the engineer received for this model locomotive?

Had the engineer driven this new route before today? If so, how many hours of operational experience?

Did the engineer have any training on preventative measures to avoid speed-related accidents?

When was the last time the engineer attended any safety refresher courses?

Were all Amtrak Cascades employees properly trained as defined by the **Amtrak Service Standards Manual for Train Service and On-Board Service Employees?**<sup>v</sup>

Did all crew receive the required Emergency Preparedness Training?

Had all tenured crew complete their refresher training prior to the end of every two-year period?

Prior to departure, did the operator perform a cab check and a functional brake system check?

Did the operator perform an inspection of the cab lights, gauges and system indicators prior to departure?

Did the operator verify that all bypass and cut-out switches were in the normal position and property sealed?

Did the operator apply the emergency braking device?

How often do supervisors conduct spot checks to ensure that all policies and procedures were being followed?

## Mechanical Equipment Information

What was the mechanical condition of the train?

When was the last inspection of the train?

Was all cab signal equipment fully operational?

Was the deadman or alerter feature checked prior to departure?

What was the mechanical condition of the controlling locomotive (engine)?

What is the mechanical inspection record of the locomotive and the passenger cars?

Were emergency brakes applied at any time before the accident?

Were the braking systems functioning normally prior to the accident?

Was the train operator display (TOD) in full working order?

Have all maintenance crew members met the **American Public Transpiration Association (APTA) Rail Vehicles Maintenance Training Standards**?<sup>vi</sup>

Did the train have a full pre-departure inspection of systems and components of the rail transit vehicles?<sup>vii</sup>

## Train Safety Procedures

Did the engine have a cab signal protection system to enforce speed restrictions?

Did the train have a fully implemented positive train control system or other crash avoidance technology?

How many 'trial runs' were performed on this new route prior to the accident?

Were all crew actions in accordance with rules and procedures that are essential to safety as well as train operating conditions?

Were train crew actions in accordance with applicable safety laws and the railroad carrier's operating rules and procedures?

Where there any safety recommendations, regulations, or improvements that had failed to be implemented?

Does Amtrak Cascades have an extensive curve mitigation plan?

## **Signal and Train Control Information**

What were the signal indications of a traffic control system at the time of the accident?

Has Amtrak Cascades installed or fully implemented, and activated positive train control systems on its trains?

## **Train Speed**

Have curves on the new Amtrak Cascades route been fully studied to determine if they require significant speed reductions?

If so, has a speed enforcement plan been implemented?

Have additional speed limit signage been installed along the route?



What was the recommended speed for that section of track?

What was the recommended speed for the curve?

Has WSDOT identified each main track curve on the Amtrak Cascade Corridor where there is a significant reduction (more than 20 mph) from the maximum authorized approach speed to those curves?

Are there train speed limit signs at appropriate locations along the route?

What does WSDOT do to enforce the passenger train speed limits on track curves in Washington State?

## **Track & Trestle Conditions / Obstructions**

Was an obstruction on the tracks responsible for the derailment?

Did the train strike a foreign object?

What was the condition of the track?

Did the weather at the time of the accident provide the engineer with clear visibility of the tracks?

When was the last time the tracks were inspected?

## **Questions About The Accident Investigation**

Did the train have any inward- or outward-facing photographic image recording devices?

Did the train have any inward-facing or outward-facing video cameras?

What information can be obtained from the black box audio recording device?

Are recordings accessible for review during the accident investigation?

What are the results of post-accident toxicological tests for crewmembers and the engineer? Were they negative for alcohol and other drugs?

What data is available from crash-audio and image recorders?

## **Sabotage / Terrorism**

Did anti-fracking protestors who were blocking train tracks in Olympia within the two-weeks before the accident have anything to do with the disaster?

## **Questions About Post-Accident Interviews / Reports**

What information can be obtained from the engineer about the moments before the accident?

In the event of a derailment, On-Train Crews must follow specific instructions in addition to all of the instructions **Service Standards Manual No. 6 1-41** listed in Section 2.B.1 “General Train Emergency Instructions”. Were all of these procedures followed?

When emergency responders remove injured passengers from trains the ‘Debriefing and Critique’ (49CFR Part 239) section of the ‘Non-Employee Injury/Illness Report (NRPC 3116) must be completed.

## Other Important Questions

Because this is an inaugural trip of "new" service and reporters, members of the media and transportation officials were on board, were there any unauthorized occupants in the cab car operating compartment of the train at the time of the accident?

Were any passengers ejected during the crash? If so, did the passenger car windows remain intact and secured in the cars?

Were the passenger equipment safety standards (Title 49 Code of Federal Regulations Part 238) fully met? If so, did the standards help provide some level of protection for train occupants?

Were passengers seriously injured by being thrown from their seats when the passenger cars overturned?

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# US Railway Industry

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## Train Accident Statistics

In 1972 there were approximately 12,000 collisions between trains and motor vehicles annually. By 2014, according to preliminary statistics, the number of train/motor vehicle collisions had been reduced by about 81% to 2,286.<sup>viii</sup>

The **Federal Railroad Administration (FRA)** within the **United States Department of Transportation (USDOT)** is responsible for collecting information about highway-rail grade crossing and pedestrian/trespasser incidents.

## FRA Study on Train Accidents

Recently, the **Federal Railroad Association (FRA)** conducted a study of nearly 300 reported train accidents – 294 total accidents to be exact – between 2002 and 2009 that investigators had determined “human error” was at least partially the cause of the accident.

In approximately 80 percent of all of the train accident cases they reviewed, one or more employees on board the locomotive involved had taken at least one generic or brand name drug sometime prior to the accident.

In follow-up conversations about potential risks, railroad officials and researchers conceded that the actual number of employees who used non-controlled substances prior to a train accident was probably higher than 80 percent, because some employees likely either forgot or chose not to report any substances they were taking.

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## **Railway Industry In Washington State**

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### **Washington State Train Accident Statistics**

In 2016, in Washington State, there were 40 train crossing collisions resulting in 13 injuries and 7 fatalities. There were also 7 train accident fatalities related to trespass (pedestrian).<sup>ix</sup>

Prior to the Amtrak Cascades accident on December 18, 2017, there were 8 crossing fatalities and 20 trespass (pedestrian) fatalities in Washington State during 2017.<sup>x</sup>

The week of September 18<sup>th</sup> 2017 was designated as Rail Safety Week by Washington State governor Jay Inslee.<sup>xi</sup>

In 2016, 660 people were killed in train-related accidents. Four-hundred eighty-seven of these fatalities were relegated to trespassing.<sup>xii</sup>

YEAR	CROSSING COLLISIONS	CROSSING INJURIES	CROSSING FATALITIES	TRESPASS FATALITIES
2016	40	13	7	7
2015	37	7	4	23
2014	35	10	5	9
2013	20	10	4	17
2012	33	18	2	10
2011	29	4	8	22
2010	36	10	4	15
2009	36	7	5	12
2008	38	5	4	12
2007	48	16	7	9
2006	50	11	8	12
2005	60	4	7	16
2004	57	11	4	20
2003	46	8	6	14
2002	32	3	1	14
2001	38	6	5	16
2000	45	9	1	11
1999	51	11	2	14
1998	70	7	7	10
1997	62	26	8	15
1996	79	15	7	11
1995	90	23	4	17
1994	96	23	4	16
1993	81	23	6	13
1992	105	30	5	18
1991	102	23	10	20

## Types of Trains Operating In Washington State

Trains are a popular mode of transportation for many residents of Washington state, and even more so in the western region where Amtrak and Sound



Transit run a number of daily routes for commuters and long-distance travelers alike. The various types of train and railroad systems that exist in Washington state include:

**Passenger Trains:** Passenger trains carry thousands of passengers – both commuters and long-distance travelers – each day throughout Washington state. There is a 90 mph speed limit for passenger trains, which include the Amtrak Cascades, Coastal Starlight, and Empire Builder trains.

**Monorail:** The Seattle Monorail was originally built for the 1962 World's Fair and is now owned by the City of Seattle and operated by Seattle Monorail Services. Approximately two million passengers ride the Seattle Monorail for transportation throughout the city each year.

**Sounder Train:** The Sounder is a commuter train that has one route running from Lakewood-Seattle and another route that runs from Everett-Seattle. Both routes have multiple stops along the way and transport hundreds of passengers every day.

**Freight Trains:** There are a number of freight companies that utilize railroads in Washington for transporting goods and other cargo. These trains carry massive payloads and travel at speeds of up to 80 mph, which results in a one-mile stopping distance that can lead to devastating accidents.

## Background: Amtrak Cascades

### History & Information



**Amtrak Cascades** trains connect 18 cities along the I-5 corridor including Seattle, Portland, Vancouver, BC, and Eugene, Oregon.

Approximately 781,000 passengers traveled on Amtrak Cascades passenger trains between Eugene, Ore., and Vancouver, British Columbia in 2014.<sup>xiii</sup>

**Amtrak (National Railroad Passenger Corporation)** was created in 1970 by the federal Rail Passenger Act to assume the common carrier obligations of the private railroads.

In October 1992, the **U.S. Department of Transportation** designated the **Pacific Northwest Rail Corridor (PNWRC)** as a highspeed rail corridor and allowed state-supported Amtrak intercity passenger rail service on the corridor.

There are 467 miles in the corridor: 300 in Washington, 134 in Oregon, and 33 in British Columbia.

In 1994, Washington, Oregon, and the federal government began supporting the Amtrak Cascades service between Eugene, Oregon and Vancouver, British Columbia.

A typical Amtrak Cascades trainset seats approximately 250 passengers and typically consists of 13 train cars, including one baggage car; two business class (first-class) coaches; seven standard coaches; one bistro (cafe) car; one lounge car; and one service car that provides onboard electricity for the train.

**Washington State Department of Transportation (WSDOT)** and **Oregon Department of Transportation (ODOT)** signed a memorandum of understanding (MOU) on March 7, 2012. This MOU committed the two agencies to the concept of joint operation of the Amtrak Cascades service as a single corridor.

**Passenger Rail Investment and Improvement Act of 2008 (PRIIA)** required states to pay the fully allocated cost of intercity passenger rail service. In effect, this that no federal funding contribution after September 2013.

Amtrak Cascades is funded by ticket sales and sponsorship by WSDOT and ODOT.<sup>xiv</sup>

Amtrak Cascades operating costs were impacted by the changes in federal law effective in 2013 as required in the **Passenger Rail Investment and Improvement Act** of 2008 (PRIIA).

PRIIA requires states to pay for all intercity passenger rail service. Starting on October 1, 2013, Washington and Oregon were required to increase their combined share of operation costs from 80 percent to 100 percent.

The **Cascades Rail Corridor Management Workplan** provides a framework for the initial steps ODOT and WSDOT agreed to follow in developing a single Cascades Rail Corridor.<sup>xv</sup>

The **Washington State Rail Plan 2013 – 2035** outlines strategies for addressing system needs and provides a blueprint for ensuring the continued movement of people and goods on the rail system.<sup>xvi</sup>

## **Amtrak Cascades Track Record**

In 1999, Amtrak launched the Cascades route to serve passengers who wished to travel up and down the western coast of the U.S. The route runs

north and south, to and from Eugene, Ore. to Vancouver, British Columbia and has stops throughout the Pacific Northwest along the way.

Before 2017, the Amtrak Cascades trains had run successfully without incident since the service began in 1999. However, the Amtrak Cascades route experienced two serious incidents in 2017 - once on July 2nd, and then again on December 18th. The July incident was worse for optics than anything else; most passengers in that incident were unharmed, and those who were injured only suffered minor injuries.

## Recent Amtrak Cascades Changes / Upgrades

WSDOT is developing the **Fleet Management Plan**, in collaboration with the Oregon Department of Transportation, to maximize the optimal longevity of the Amtrak Cascades fleet.<sup>xvii</sup>

In June 2017, **WSDOT** purchased 8 new **Siemens Charger** locomotives to support the Amtrak Cascades routes.<sup>xviii</sup>

## Point Defiance Bypass Project

The **Point Defiance Bypass** project. The new route uses a stretch of Sound Transit tracks known as the Point Defiance Bypass that goes through Lakewood and along I-5. The stretch was renovated as part of a \$181 million project begun in 2010.<sup>xix</sup>

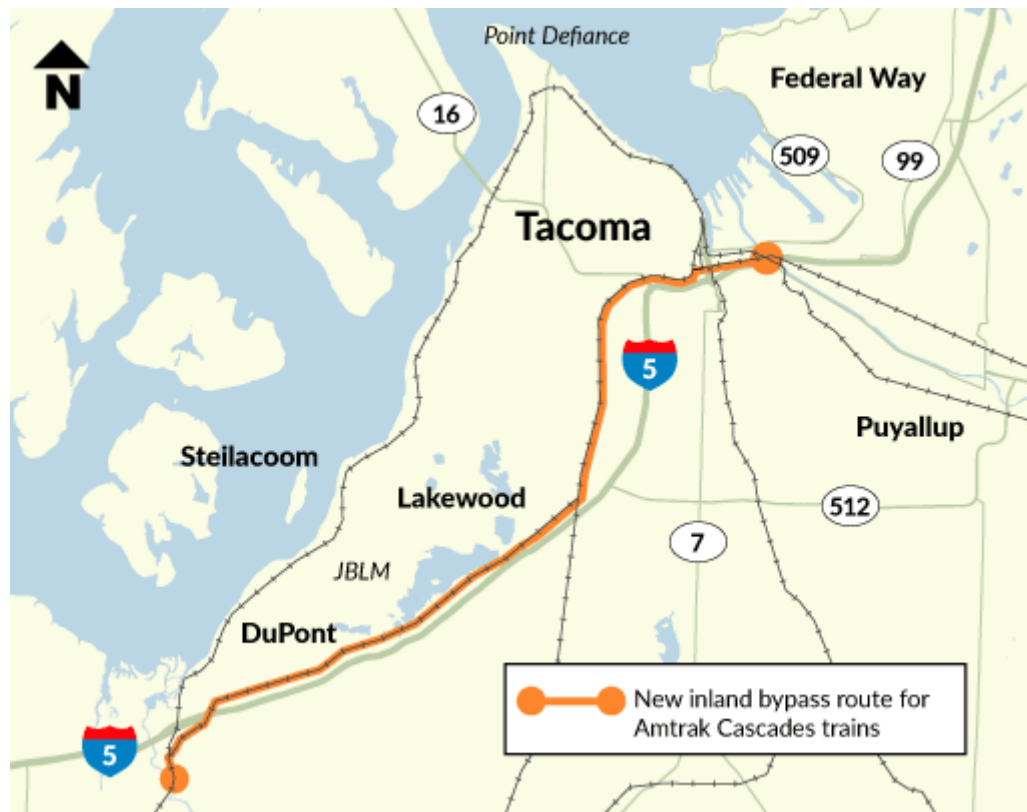
The new Amtrak Cascades Tacoma Dome Station was dedicated on December 15, 2017 and was opened to passengers on the morning on the accident, December 18, 2017.<sup>1</sup>

Recent track upgrades will allow Amtrak to send its locomotives through heavily populated areas at 79 miles an hour.

Prior to the accident, passenger trains, had to slow down due to curves and single-track tunnels on the BNSF Railway main line tracks near Point Defiance and along southern Puget Sound. The new plan rerouted passenger trains to a bypass rail line along I-5. According to Amtrak the bypass route would save railway passengers about 10 minutes and improve the train's on-time reliability.

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<sup>1</sup> <https://wsdotblog.blogspot.com/2017/12/changes-ahead-as-new-amtrak-cascades.html>



## Positive Train Control: Race To Get Federal Tax Dollars Trumped Safety Feature On Amtrak Cascades

The new rail line connected to the December 2017 **Amtrak Cascades** derailment opened much earlier than anticipated, and without a key safety feature.

A **Seattle Times** report details how Washington State transportation officials planned to have the new corridor of track completed by 2019. But to “fully collect federal stimulus money,” the project had to be completed by mid-2017. In meeting the aggressive deadline, the track launched without a critical safety feature – known as **positive train control** – that automatically slows trains and prevents derailments such as the Dec. 18 event in DuPont.

In 2008, Congress mandated that PTC be in place in all passenger trains by 2015. Congress delayed that deadline to 2018. The PTC system was on the Amtrak train that derailed Dec. 18, but was not activated.

A May 2015 Amtrak derailment in Philadelphia that left eight dead and injured more than 200 could have also been prevented by PTC, experts said. PTC has since been activated on that stretch of tracks.

A Philadelphia Enquirer report said that 20 of the 42 passenger and freight rail lines that must have PTC will have it by the end of 2018. But the Enquirer report says it's doubtful that all those required will have PTC by the deadline.

## **Ownership and Operational Partnership Legal Agreements**

SDOT is responsible for the successful operations of the Amtrak Cascades passenger rail service.<sup>xx</sup> Multiple legal contracts and agreements between the public and private entities define the responsibilities of the companies involved in providing Amtrak Cascades Rail Corridor service:

**WSDOT** and **Amtrak** have an agreement for providing daily round trips between Seattle and Portland and between Seattle and Vancouver, British Columbia.

**WSDOT** and **Talgo** have an agreement for maintaining and upgrading equipment.

**Amtrak** and **Talgo** have an agreement for maintaining and upgrading equipment.

**BNSF** and **Sound Transit** have an agreement in place outlining the use of the tracks.

**WSDOT** and **BNSF** have an agreement in place for the design, right-of-way and construction of **the American Recovery and Reinvestment Act of 2009 (ARRA)** program investments.

**WSDOT** and **BNSF** have an agreement in place for the 20-year maintenance of the corridor from Vancouver, Washington to the Canadian Border.

**WSDOT** contracts to **Talgo** and **Amtrak** to maintain the train equipment via separate agreements.



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## Other Interesting Datapoints

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According to the **Northwest Railroad Institute**, located in Vancouver, Washington, it requires only six months of training to prepare for an entry-level position as a train conductor.<sup>xxi</sup>

According to the **Washington State Department of Licensing**, in order to apply for the Fundamentals of Engineering exam one must have a degree from an accredited engineering school or four years of experience (education, work experience, or both).<sup>xxii</sup>

**Positive Train Control (PTC) Systems - Positive Train Control (PTC)** is a safety system that utilizes global positioning satellites (GPS), Wi-Fi, and digital technology to prevent collisions by automatically applying a train's brakes when the train exceeds authorized speeds.

The tracks on which the accident took place, known as the **Point Defiance Bypass**, are owned by **Sound Transit**. December 18, 2017 was the first day of public use of the tracks, after weeks of inspection and testing.

## Legal Information For Victims & Survivors

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### Federal Law Sets Damage Caps For Victims of Passenger Rail Accidents

In order to pay medical bills and other accident-related damages, the more than 70+ injury victims and the families of the six people who were killed in the December 2017 Amtrak Cascades disaster may find themselves fighting legal battles against one another to get their share of potential financial settlements.

According to **49 U.S.C. 28103**, the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident, shall not exceed \$294,278,983.

### **49 U.S.C. 28103 - Limitations On Rail Passenger Transportation Liability**

This cap was established in 1997 in order to help the financially-struggling Amtrak train service. Congress passed a law setting a \$200 million overall liability cap for passenger rail accidents (not just Amtrak's). But in December 2015 the cap was raised to \$294,278,983 to account for inflation.<sup>xxiii</sup>

The cap has no exceptions, so it applies to claims against the railroad no matter how horrific the crash, how reckless the rail company or how many people are killed or injured. The cap only applies to occupants of the train, not rail workers or people on the highway who might have been injured, Morelli said.

This notice details the inflation adjustment made to the rail passenger transportation liability cap under section 11415 of the **Fixing America's Surface Transportation (FAST) Act** (December 7, 2015). As a result of the

FAST Act, the rail passenger transportation liability cap is raised from \$200,000,000 to \$294,278,983.

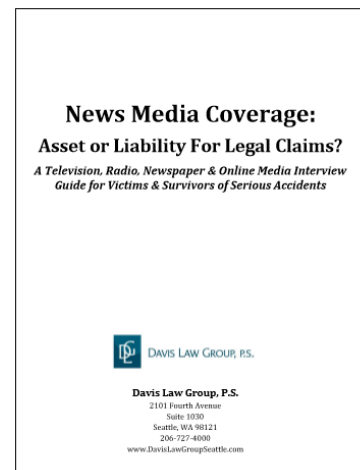
## Should victims of the Amtrak Cascades derailment disaster in Washington State speak with reporters?

If you, a family member or someone you know was involved in the **Amtrak Cascades** derailment in Washington State members of the news media may contact you. But given the fact that victim/survivors may have a potential legal claim for injuries, damages, or other harms and losses they should think twice before agreeing to an interview.

It may be wise to avoid speaking to the news media until you have legal representation. And you should work with a media-savvy attorney who can help determine the best course of action.

The attorneys and media management team at **Davis Law Group** have authored an 18-page report to help victims of major accidents understand the pros and cons of speaking with reporters. The report also addresses the type of media management services that a law firm which has extensive media experience should provide for clients for whom media coverage is a serious consideration.

Visit our website or call our office at 206-727-4000 to request a free copy.



## **Amtrak Is Trying To Quickly Settle Claims *Before* Victims Hire Attorneys**

Our office has received numerous calls from victims of the December 18, 2017 Amtrak train derailment in Washington State. Several of the victims of this tragic railroad disaster have already hired **Davis Law Group** to protect their legal rights in this case.

Nearly all of those who have contacted our firm have indicated that officials representing Amtrak had already contacted them and had tried to get them to sign settlement agreements.

Some of the most seriously injured victims will remain hospitalized for weeks. The full extent of their injuries is still yet unknown. The time-to-recovery and cost of medical treatment is uncertain. And some may never be able to resume their normal working lives ever again. Therefore, it is impossible at this time to assign a fair and reasonable settlement amount to these injury claims.

## **Why is Amtrak already offering settlements to derailment victims?**

After major catastrophic accidents the insurance company representing the at-fault corporation will often try to save money by very quickly offering premature settlements to victims who do not know any better and are not represented by an attorney. Typically, these premature settlements are much less than what the claim is actually worth and ultimately don't cover all of the victim's harms and losses.

Most victims don't know or understand that once they sign a settlement agreement they cannot renegotiate should the ultimate cost of medical expenses, lost wages, and other expenses exceed the settlement amount.

And once you sign off on a settlement, you lose all right to further legal action—so you can't file a lawsuit later.

### **What happens if Amtrak victims hire legal representation?**

Victims of any serious accident or catastrophic event should strongly consider speaking with an attorney before entering into settlement negotiations with the at-fault company(s).

Once represented by an attorney victims cannot be contacted by officials, attorneys or investigators that represent Amtrak, WSDOT, BNSF Railway, Sound Transit, Talgo, Siemens Corp., or any other company that may be held liable for the Amtrak Cascades disaster. All communications would be channeled through the victim's attorney(s).

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## Amtrak Derailment Attorneys

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Attorney Chris Davis, founder of award-winning civil litigation firm **Davis Law Group**, has already been retained by several victims of the December 2017 Amtrak railroad derailment disaster. Davis' experience handling cases against the **Washington State Department of Transportation** (WSDOT) makes him uniquely qualified to represent survivors of the Washington State Amtrak crash.<sup>xxiv</sup>

### Ten Reasons Why Amtrak Accident Survivors Should Hire A Local Attorney

#### *Local Experience*

Amtrak Cascades is part of the Washington State Passenger Rail System which is operated in part by the Washington State Department of Transportation (WSDOT). The day-to-day operational decisions; employees; training; maintenance; etc. were all made locally by WSDOT officials and/or their subcontractors.

Working with an attorney that has experience dealing with legal claims against WSDOT may be very important for victims and survivors of the Amtrak Cascades train derailment.

#### *Local Courts*

A local attorney with decades of experience in the same jurisdiction as the Amtrak derailment accident will likely have relationships with the lawyers and experience with the judges involved in the case. When it comes to court cases, your attorney's familiarity inside the courtroom and the respect he or she commands could be the difference in your case.

#### *Local & State Laws*

Understanding local court rules; local civil procedures; and local case law is critical to the success of any case. Your attorney should have experience with

the local ordinances, state laws and regional regulations related to your case. An outside attorney won't be familiar with those nuances. A local attorney will.

#### *Local Community*

Having an understanding of the local community is vital when it comes to handling a case. Should the case go to trial, a local attorney can accurately judge the temperament of your community and judge the likelihood of a fair verdict being returned in your case. Outside attorneys simply don't have the knowledge of local culture, political beliefs and other factors that would help them successfully handle a case in your geography.

#### *More Accessible*

Don't underestimate the factor convenience will play in a case, which may take years to complete. When you have a local attorney that lives and works in the region, you can see your lawyer whenever the need arises.

The same is not true of an outside attorney who may just fly into your area at different stages of the case. If you need to see your attorney and they are not available to meet face-to-face, you don't get the same level of service.

#### *Known Quantity*

Choosing an attorney to represent you might be one of the biggest decisions you make in your life. Doing your research, reading reviews and talking to former clients is important to do before hiring any attorney. People in your community are likely to know the reputation of a local attorney; they are unlikely to know about an outside attorney.

#### *Reputation Matters*

A local attorney has their reputation to protect. Spend any time in a courtroom and you'll see which attorneys are held in high regard and which ones are not. A local attorney must maintain a positive relationship with not only those involved in the court system, but also consider the community. An outside attorney may burn bridges and be more abrasive because they may never appear in that court again.

*Equally Qualified*

Don't believe the myth that hiring an outside attorney means you're getting the best. If the local attorney has over two decades of experience, they've likely handled cases such as yours and are just as qualified to represent victims of "big cases."

*Committed*

When the at-fault party's insurance company knows your attorney is local, the likelihood of a successful resolution in your case by way of a fair settlement is greater. This is because the insurance company knows your attorney is prepared to go to trial. When an outside attorney handles a case, they must account for flights, hotel stays and meals. It is much more convenient, and cheaper, for an outside attorney to settle a case rather than try it in court. A local attorney is in it for the long run and will see your case through to the end.

*Less Costly*

The client is ultimately responsible for an out-of-town lawyer's travel expenses, hotels, meals and rental. Attorneys from out-of-state rack up much higher expenses, which will cost you in the long-run. A local attorney can handle all aspects of your case without incurring additional expenses.



## Train Accident Liability Questions Answered, Legal Options Explained



*Christopher M. Davis, Attorney at Law, **Davis Law Group, P.S.** during an interview with KIRO7 News discussing the Washington State Amtrak disaster.*

Attorney Chris Davis and the team at **Davis Law Group** have been retained by several victims of the December 2017 Amtrak railroad derailment disaster.

Davis' experience handling cases against the Washington State Department of Transportation (WSDOT), including the infamous Skagit River Bridge collapse case, makes him uniquely qualified to represent survivors of the Washington State Amtrak crash.

**Davis Law Group** has been named **Best Injury Law Firm in Washington State** by AI Legal Awards; and **Best Personal Injury Law Firm in Washington State** by AI Dispute Resolution Awards. And **Davis Law Group** has been distinguished as the **Best Traffic Accident Firm in Washington State** and named **Most Feared Personal Injury Litigators** in the Pacific Northwest by the Legal Elite Awards.



No other attorney in Washington State has more experience working with the news media than Chris Davis. He is a frequently sought-after legal commentator known for regularly appearing on television and radio news programs to discuss his most high-profile cases and to comment on the legal aspects of other cases in the news.



Chris Davis has appeared on television in interviews featured on CNN, ABC, NBC, CBS, FOX, KING5, KOMO4, KIRO7, and Q13 as well as Discovery Channel. He has been interviewed by respected print publications such as *Huffington Post*, *Trial Magazine*,

*Super Lawyer Magazine*, *The Boston Globe*, *San Francisco Chronicle*, *Attorney at Law Magazine*, *The Seattle Times*, *The Miami Herald*, *The Seattle Post-Intelligencer*, *La Raza*, *The Stranger*, *The News Tribune*, *Seattle Weekly*, *Inside Edition*, and dozens of other blogs and online news websites. He has



*Attorney Chris Davis discussing the Skagit River Bridge accident lawsuit with KING5 News.*

also been a guest on news talk radio programs interviewed by Ken Schram, John Carlson, Dori Monson, Dave Ross, Scott Drake of the Legal Broadcast Network and countless others.

If you or a loved one has been injured in the Amtrak Cascades train derailment, it is in your best interest to consult with an experienced personal injury attorney about your legal rights and options before agreeing to any form of compensation by Amtrak or any other company or agency. The attorneys at **Davis Law Group** have been retained by several Amtrak victims of the crash and continue to investigate additional claims.

**Davis Law Group, P.S.**  
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Seattle, WA 98121  
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## Appendix

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### Glossary of Terms

AAR - Association of American Railroads

ACSES - Advanced Civil Speed Enforcement System

Amtrak - National Railroad Passenger Corporation

ATC - Automatic Train Control

FRA - Federal Railroad Administration

PTC – Positive Train Control

NTSB - National Transportation Safety Board

HSR – High Speed Rail

FAST - Fixing America's Surface Transportation Act

### Calculate Expected Train Stopping Distance

The expected stopping distance of a train is calculated as a function of train mass, train speed, track grade, train braking type, emergency or full service brake application, and the use of locomotive brakes (released or applied).

## Passenger Rail System – Washington State

Map source.<sup>xxv</sup>



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- ii McKirdy, Euan. “Washington train derailment 'could've been avoided,' local mayor says.” CNN, Cable News Network, 19 Dec. 2017, [www.cnn.com/2017/12/19/us/lakewood-mayor-point-defiance-bypass/index.html](http://www.cnn.com/2017/12/19/us/lakewood-mayor-point-defiance-bypass/index.html).
- iii *The Investigative Process*. National Transportation Safety Board (NTSB), [www.nts.gov/investigations/process/Pages/default.aspx](http://www.nts.gov/investigations/process/Pages/default.aspx).
- iv *Passenger Rail in Washington*. Washington State Department of Transportation (WSDOT), 18 Dec. 2017, [www.wsdot.wa.gov/rail/](http://www.wsdot.wa.gov/rail/).
- v *Amtrak Service Standards Manual for Train Service and On-Board Service Employees, Version 6, 2011*. Amtrak FOIA Office, Apr. 30ADAD, 2011, [www.governmentattic.org/4docs/AmtrakServiceStandardsManual\\_2011.pdf](http://www.governmentattic.org/4docs/AmtrakServiceStandardsManual_2011.pdf).
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- ix *WA Rail Crash Stats*. Washington Utilities and Transportation Commission, [www.utc.wa.gov/publicSafety/railSafety/Pages/WARailCrashStats.aspx](http://www.utc.wa.gov/publicSafety/railSafety/Pages/WARailCrashStats.aspx).
- x *Train Crash Statistics*. Washington Utilities and Transportation Commission, [www.utc.wa.gov/publicSafety/railSafety/Pages/OLCrashStatistics.aspx](http://www.utc.wa.gov/publicSafety/railSafety/Pages/OLCrashStatistics.aspx).
- xi *Train Safety Week Proclamation*. Washington Utilities and Transportation Commission, [www.utc.wa.gov/publicSafety/Documents/2017-09-24%20Rail%20Safety%20Week.pdf](http://www.utc.wa.gov/publicSafety/Documents/2017-09-24%20Rail%20Safety%20Week.pdf).
- xii *US Transportation Fatalities in 2016 – by Mode*. National Transportation Safety Board, [www.nts.gov/investigations/data/PublishingImages/US-TransportationFatalities2016.jpg](http://www.nts.gov/investigations/data/PublishingImages/US-TransportationFatalities2016.jpg).
- xiii “Rail: Amtrak Cascades 57 Quarterly Update.” *Gray Notebook - Edition 57*, Washington State Department of Transportation (WSDOT), Mar. 2015, [wsdot.wa.gov/publications/fulltext/graynotebook/Mar15.pdf#page=18](http://wsdot.wa.gov/publications/fulltext/graynotebook/Mar15.pdf#page=18).
- xiv “Passenger Rail in Washington.” WSDOT, Washington State Department of Transportation (WSDOT), 18 Dec. 2017, [www.wsdot.wa.gov/rail/](http://www.wsdot.wa.gov/rail/).
- xv *Cascades Rail Corridor Management Workplan*. Washington State Department of Transportation (WSDOT), [www.wsdot.wa.gov/NR/rdonlyres/A5B68628-65A8-49C3-B98B-5AD1E557AD0E/0/EndorsedCRCWorkplan13113.pdf](http://www.wsdot.wa.gov/NR/rdonlyres/A5B68628-65A8-49C3-B98B-5AD1E557AD0E/0/EndorsedCRCWorkplan13113.pdf).

<sup>xvi</sup> “*Washington State Rail Plan 2013-2035.*” WSDOT State Rail Division , Washington State Department of Transportation (WSDOT), [www.wsdot.wa.gov/NR/rdonlyres/9428C2D9-B3AB-4509-B6C0-D5C2FD695560/0/StateRailPlanFolio.pdf](http://www.wsdot.wa.gov/NR/rdonlyres/9428C2D9-B3AB-4509-B6C0-D5C2FD695560/0/StateRailPlanFolio.pdf).

<sup>xvii</sup> *Fleet Management Plan.* Washington State Department of Transportation (WSDOT), Feb. 2015, [www.wsdot.wa.gov/NR/rdonlyres/7B2775AB-3660-4690-A8BD-39A5E6F4FFE6/0/FleetManagementPlanfolioFeb2015.pdf](http://www.wsdot.wa.gov/NR/rdonlyres/7B2775AB-3660-4690-A8BD-39A5E6F4FFE6/0/FleetManagementPlanfolioFeb2015.pdf).

<sup>xviii</sup> *Rail - Amtrak Cascades New Locomotives - Completed June 2017.* Washington State Department of Transportation (WSDOT), 8 Dec. 2017, [www.wsdot.wa.gov/Projects/Rail/newlocomotives/default.htm](http://www.wsdot.wa.gov/Projects/Rail/newlocomotives/default.htm).

<sup>xix</sup> *Rail - Tacoma - Bypass of Point Defiance.* Washington State Department of Transportation (WSDOT), 12 Dec. 2017, [www.wsdot.wa.gov/Projects/Rail/PNWRC\\_PtDefiance/default.htm](http://www.wsdot.wa.gov/Projects/Rail/PNWRC_PtDefiance/default.htm).

<sup>xx</sup> *Passenger Train Operations.* Washington State Department of Transportation (WSDOT), 8 Dec. 2017, [www.wsdot.wa.gov/Rail/Operations.htm](http://www.wsdot.wa.gov/Rail/Operations.htm).

<sup>xxi</sup> *Earn Railroad Operations in just 6 months.* Northwest Railroad Institute, [www.nw-ri.com/train-conductor-training.html](http://www.nw-ri.com/train-conductor-training.html).

<sup>xxii</sup> “*How to get your Engineer-in-Training certificate.*” WA State Licensing (DOL) Official Site: How to get your Washington Engineer-in-Training Certificate, [www.dol.wa.gov/business/engineerslandsurveyors/engintraining.html](http://www.dol.wa.gov/business/engineerslandsurveyors/engintraining.html).

<sup>xxiii</sup> “49 U.S. Code § 28103 - Limitations on rail passenger transportation liability.” LII / Legal Information Institute, [www.law.cornell.edu/uscode/text/49/28103](http://www.law.cornell.edu/uscode/text/49/28103).

<sup>xxiv</sup> “*Ten Reasons Why Amtrak Accident Survivors Should Hire A Local Attorney.*” Amtrak Derailment Attorneys, Davis Law Group, P.S., [www.injurytriallawyer.com/blog/ten-reasons-why-amtrak-accident-survivors-should-hire-a-local-attorney.cfm](http://www.injurytriallawyer.com/blog/ten-reasons-why-amtrak-accident-survivors-should-hire-a-local-attorney.cfm).

<sup>xxv</sup> MAP: Passenger Rail System - Washington State. Washington State Department of Transportation (WSDOT), [www.wsdot.wa.gov/NR/rdonlyres/55697D20-A6E8-4544-A680-AE8889934FFB/0/PassengerRailSystemStations.pdf](http://www.wsdot.wa.gov/NR/rdonlyres/55697D20-A6E8-4544-A680-AE8889934FFB/0/PassengerRailSystemStations.pdf).