On Thursday May 27, 2004, at approximately 5:38 p.m., eastbound passenger train #2064 struck a pedestrian who had entered the right-of-way by walking under a lowered pedestrian crossing gate. The accident occurred at the South 12th Street grade crossing on the LIRR Main Line Branch in New Hyde Park, Nassau. At this location, there are two electrified tracks that run in an east–west direction and are used by both passenger and freight trains. The maximum allowable speed for passenger trains in this area is 80 mph. South 12th Street runs in a north-south direction and is at the west end of the New Hyde Park Station. The grade crossing warning devices at the South 12th Street grade crossing consist of highway and pedestrian gates with bells and flashing lights. MTA Police reported that these devices were operating as intended at the time of the accident.

Eastbound passenger train #2064 left Flatbush Street Station at 5:01 p.m. bound for Ronkonkoma Station. The crew performed the required brake tests prior to departure and no exceptions were taken. The trip, up until the train’s arrival at the South 12th Street grade crossing, was normal and uneventful. The crew consisted of a conductor, an assistant conductor and an engineer who was operating the train from the lead coach of the eight car M1 consist.

As train #2064 approached the South 12th Street crossing on eastbound track #2 at a speed of approximately 40 mph, the engineer stated that the gates were down, the lights were flashing, and that he was blowing the trains’ horn for the crossing when he saw a female pedestrian standing to the north of the gates. The engineer further stated that although he believed the pedestrian was waiting to cross, he repeatedly blew the train’s horn as a precaution. When the train was approximately 400 feet from the crossing, the pedestrian ducked under the down gate and started to walk across the tracks. The pedestrian cleared both tracks but paused for a moment inside the crossing gate on the south side of the crossing before stepping back between the running rails of track #2. Upon seeing this maneuver, the engineer stated that he immediately applied the train’s emergency brake but that he could not prevent striking the pedestrian who stood between the rails with her hands over her eyes. The train eventually came to a stop approximately 80 feet after
impact near the western end of the New Hyde Park Station platform. The pedestrian was found alive under the head car approximately 37 feet from the front of the train. She was removed from under the car by Nassau County EMS who were aided by two off-duty NYPD officers and transported to Winthrop University Hospital. The pedestrian subsequently expired from her injuries six days later on June 2, 2004. Several eyewitnesses standing on the westbound platform corroborated the engineer’s account of what transpired.

Post accident testing of the grade crossing warning devices conducted by LIRR Signal Department personnel on the day of the accident, and an analysis of the grade crossing event recorder data, revealed that all warning devices were operating as intended at the time accident. A post accident inspection of the equipment of train #2064 after it arrived at Ronkonkoma Yard revealed no defects. The weather at the time of the accident was clear and sunny, with the temperature around 73 degrees. PTSB staff finds that neither the property, the equipment nor the weather were contributing factors in this accident.

The Public Transportation Safety Board staff finds that the probable cause of this accident was the unsafe actions of the pedestrian who ignored the grade crossing warning devices and intentionally stepped under the lowered highway/rail crossing gates at the South 12th Street grade crossing in New Hyde Park. Based on the reported facts, the Public Transportation Safety Board staff takes no issue with the Railroad and makes no recommendations regarding this accident.

11. DID THE PROPERTY CONTRIBUTE TO THIS ACCIDENT? NO

12. ARE THERE ANY RECOMMENDATIONS TO BE MADE? NO

INVESTIGATOR: Robert Maraldo DATE: July 13, 2004

SUBMITTAL

The above case has been thoroughly investigated and meets all the conditions identified in PTSB Resolution #1220 and does not require a written report.

Jerry Shook, Director Rail Safety Bureau