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Drowsy driving rare in rail crashes

Fatigue seen as growing issue in car accidents

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The driver in a casino tour bus crash that killed 15 passengers on Interstate 95 in 2011 was accused of falling asleep at the wheel.

In 1994, the driver of a propane fuel truck nodded off while on Interstate 287 and struck a road abutment, sparking a massive fireball near a quiet residential neighborhood and hurling the hulking steel tank into a nearby home.

Now, a federal investigation is examining whether William Rockefeller, the engineer of the Metro-North Railroad commuter train that derailed early Sunday, killing four and injuring 63, fell asleep at the controls.

Though a relatively small percentage of road and transportation accidents are due to drowsiness, experts contend it is a growing concern. A survey last month by AAA found that 28 percent of respondents — and one-third of those ages 19-24 — struggled to keep their eyes open while driving at least once in the prior month.

A 2010 study by AAA also estimated that 17 percent of fatal crashes and 13 percent of crashes that result in hospitalizations involved a drowsy driver. The statistics don't include drivers who do not admit being fatigued in police reports to avoid potential financial or legal liability, said Robert Sinclair Jr., a spokesman for AAA New York.

"It's very serious," Sinclair said. "Drowsy driving seems to be falling under the radar, and it seems a lot of people are doing it."

Traffic accidents caused by drowsiness account for about 2.5 percent of all road fatalities in the U.S. every year, the National Highway Traffic Safety Administration said. Last year, 826 people died in 737 accidents where drowsiness was at least one factor — about 2.4 percent of the total of 30,800 fatal accidents reported in the country.

Drowsiness is rarer in railroad accidents. The Federal Railroad Administration reports that only 18 rail accidents out of about 8,000 in the past decade were due at least in part to drowsiness. There were two injuries and no fatalities.

Jeremy James, a sleep technologist at the Sleep Center at Phelps Memorial Hospital Center in Sleepy Hollow, said drivers or vehicle operators suffering sleep deprivation can behave as if in a drunken state.

“You don’t have your bearings. You don’t have your complete thought process,” James said. “Your actions are slower and not as responsive.”

Mental fatigue can result in the body snatching quick bursts of sleep, known as microsleep. They can last from just a few seconds to up to 30 seconds, he said. Microsleep episodes are common among shift workers, people who suffer from sleep apnea and others who don’t get regular uninterrupted sleep, he said.

Sleep loss is cumulative and “messes up your clock,” James added.

Jeffrey Chartier, the attorney representing Rockefeller, the Metro-North engineer, acknowledged Wednesday that his client experienced “highway hypnosis” and was “in a daze” at the time of the crash.

He said Rockefeller realized too late that he was speeding into a curve with a posted speed limit of 30 mph at 82 mph.

“I strongly believe this was not a criminal act. It’s a tragic accident,” Chartier said. “He wasn’t intoxicated or on drugs. His phone was off. He’s cooperating fully with investigators.”

Bronx District Attorney Robert Johnson, who will decide whether to present the case to a grand jury, prosecuted Ophadell Williams, the driver of the ill-fated tour

bus that crashed on I-95 near the Westchester border in 2011. Though he was indicted on 54 felony and misdemeanor counts, a jury acquitted Williams in December 2012. Prosecutors were unable to prove that Williams was so sleep deprived it was irresponsible for him to get behind the wheel.

Steve Epstein, a veteran attorney who represented 34 passengers who sued JetBlue Airways last year, said any criminal case against Rockefeller hinges on whether the NTSB probe finds he was criminally reckless or negligent.

“There’s no question that his acts were the causation of the damages,” Epstein said. “The question is whether or not the government has enough proof of his mental state” at the time of the derailment.