



National Transportation Safety Board

Railroad Accident Brief

Film Crew Trespassing on CSX Right-of-Way

Accident No.:	DCA14FR005
Location:	Jesup, Georgia
Date:	February 20, 2014
Time:	4:30 p.m. eastern standard time
Train:	Q12519
Railroad:	CSX Transportation
Property Damage:	\$0
Injuries:	6
Fatalities:	1
Type of Accident:	Trespasser

On February 20, 2014, about 4:30 p.m. eastern standard time, a crew of at least 12 people was filming a movie scene on a railroad bridge near Jesup, Georgia, when northbound CSX Transportation (CSX) freight train Q12519 approached. As the train passed the film crew's location on the bridge, it struck a prop—a metal-framed bed. Debris from the prop struck some crewmembers on the bridge walkway. One film crewmember was killed, and six others with injuries were transported to local hospitals. The accident occurred in the CSX Nahunta Subdivision at milepost A543.7 on the railroad bridge across the Altamaha River.

At the time of the accident, the train was operating on a single main track, with 2 locomotives and 37 freight cars. The train was traveling about 56 mph, in a region of track having a maximum authorized speed of 70 mph. The sky was clear, and the temperature was 80°F.



Figure 1. Railroad bridge over the Altamaha River. (Photo by CSX.)

In January 2014, about a month before the accident, the location manager for the film production company called CSX requesting permission to film on CSX property.¹ Within a week, CSX denied the request in an e-mail dated January 27, 2014, stating:

In accordance with our company protocol, CSX does not permit filming on our property. This is based on concern for the safety of those accessing and working on our railroad, security considerations, and our commitment to ensuring on-schedule train operations for the customers we serve.²

According to multiple interviews, on February 7, 2014, despite having received the written denial of permission to film on CSX property, film production personnel visited the area at the Altamaha River railroad bridge to scout the location for their film.³ The film group included: the executive producer/unit production manager, first-assistant director, director of photography, production designer, and location manager. The NTSB investigation determined that the film makers gained access to the area at the Altamaha River railroad bridge through Rayonier, Inc. (Rayonier), which owns the property surrounding the CSX railroad track and Altamaha River railroad bridge. Moreover, a communications manager from Rayonier escorted the film production personnel through the Rayonier property. According to the communications manager, the film personnel had permission to access Rayonier's property. However, Rayonier did not have the authority to grant permission to enter the CSX railroad right-of-way or bridge.

After the February 7, 2014 site visit, the location manager and the CSX communications director discussed the earlier request (which had been denied) in a telephone conversation. The location manager was asked to request in writing permission to film.

¹ Companies involved with the production included Film Allman, LLC; Unclaimed Freight Productions; and Meddin Studios, LLC.

² In an NTSB interview, the location manager acknowledged that he received this e-mail.

³ Staff interviewed the film crew's director, writer, first-assistant director, director of photography, and a location manager. Staff also interviewed a communications director from a business that owns property next to the CSX right-of-way.

About a week later, on February 14, 2014, the film location manager sent an e-mail to CSX requesting permission to access and film on CSX tracks near, but not on, the Altamaha River bridge.⁴ The Rayonier communications manager was copied on the e-mail. The e-mail, in part, stated:

We would like permission to access CSX tracks with 5 people and no vehicles on Thursday February 20, 2014 for 20 minutes between 4 PM and 6 PM...We are simply filming two actors staring at each other from approximately 50 yards apart. We will not be attaching anything to the tracks or ties. The tracks are located on Rayonier's Jessup Mill location, 4470 Savannah Hwy. Jessup, GA 31545. The site we're requesting is just south of the Doctor Town Trestle on the Altamaha river.

On the morning of the accident, February 20, 2014, CSX replied to the film location manager by e-mail, copying the Rayonier communications manager, to again deny the request to access CSX railroad property. In the e-mail, CSX stated:

Unfortunately, CSX will not be able to support your request. As discussed, I do suggest that you reach out to the short line railroads as they routinely support filming...⁵

According to the film location manager, he forwarded the CSX e-mail to film staff, including: the producer, director, writer, production designer, and a location assistant. NTSB investigators were told during interviews with film staff that there was discussion about CSX's e-mail on the morning of the accident.⁶ In an interview, the location manager stated that he informed the producer, the director, the writer, and the first-assistant director about CSX's denial of permission for filming on the railroad property. Furthermore, the location manager said that the director insisted that filming would proceed despite CSX's denial of permission. As a result, the location manager refused to participate in the film shoot; although he could not prohibit the film crew from working.

On the afternoon of February 20, 2014, the film crew arrived at the Rayonier property, with the intent to film at and around the CSX bridge over the Altamaha River. Rayonier personnel escorted the film crew through their property to the railroad right-of-way, where the first-assistant director informed the film crew that two trains would pass and then filming would begin.⁷ The investigation revealed that the film crew complied with the work directions of the film director and first-assistant director.

⁴ The location manager also coordinated plans with the Rayonier communications manager.

⁵ In an interview, the Rayonier communications manager was asked if she was aware of the denial, and she said that she deleted this e-mail without reading it because a recall message was sent for a previous e-mail from the CSX communications director.

⁶ The NTSB interviewed five people associated with the production company and one Rayonier employee. The information obtained in the interviews about the events leading up to the accident are inconsistent. See the public docket for five interview summaries and one interview transcript.

⁷ According to the first-assistant director, an assistant to the location manager provided her with information about the two trains. As of the date of this report, the original source of this information is not known.

When the film crew began working at the CSX bridge, two assistants with two-way radios walked to the highway-rail crossing south of the railroad bridge—they were ready to prohibit members of the public from entering the film site. Then, the crew began filming, initially in an area adjacent to the railroad right-of-way and, subsequently, on the CSX bridge. The movie scene on the bridge involved an actor lying in a bed positioned across the railroad tracks.

While filming on the bridge, the film crew heard an announcement saying “Train!” over the two-way radio. Some crewmembers ran off the bridge, while others took shelter on the bridge walkway. As the train approached, one or more crewmembers lifted the prop from the tracks by up righting one end and standing the prop next to the tracks.

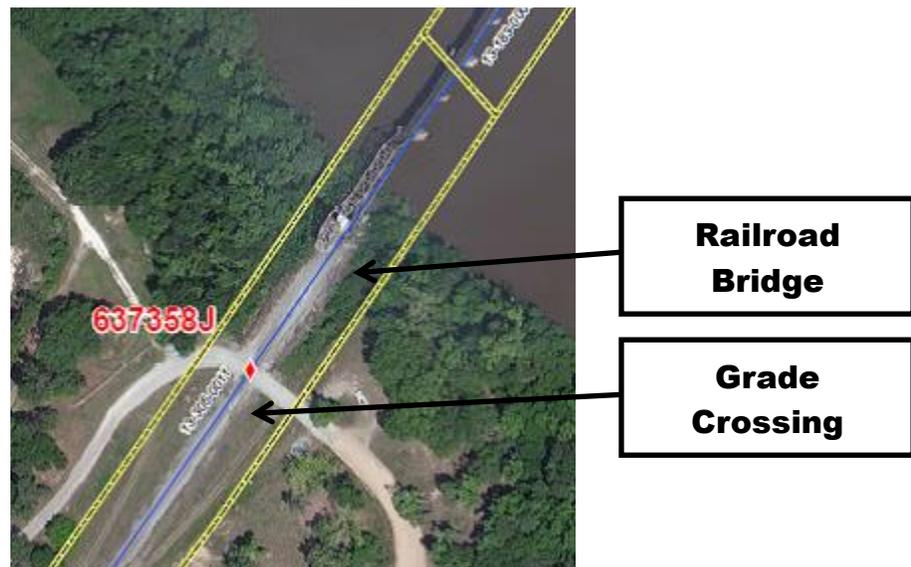


Figure 2. An overhead view of the highway-rail grade crossing and railroad bridge. (Photo by CSX.)

The forward-facing camera on the train recorded the accident. As the train approached the highway-rail crossing, its horn and bell were activated. After the crossing became visible in the video, people were discernable on and next to the tracks. As the train entered the crossing, the bed prop fell onto the tracks.⁸ Then, as the train approached the entrance of the bridge, six people were discernable near the bridge and six people were discernable on the bridge walkway. When the train passed the filming location, it hit the prop. The impact with the prop caused the train video image to shake. Debris from the prop struck several people on the bridge walkway.

⁸ According to the director and director of photography, they and two others on the bridge tried to move the bed from the tracks.



Figure 3. The walkway on east side of railroad trestle and remnants of the prop after being struck by the train. (Photo by CSX.)

Safety Issues

CSX denied the film crew permission to film on CSX property. Because of contradictory information in the interviews, the investigation could not determine who made the final decision to disregard the denial and film on CSX's bridge. As a result of this accident, one person died, and six were injured.

Railroad property is private property. The film crew leadership had enough awareness about railroads to ask for CSX's permission to film. In NTSB interviews, some of the film crew leadership stated that they thought others were handling the permission to be on CSX property; while others believed it was safe to film. This assumption was reckless, and it endangered the entire film crew.

Scenes on and near railroad tracks appear in a number of movies; however, it is not known how often any of the film crews trespassed on railroad property, or how often a film crew had the permission and cooperation of the railroad. Although this accident involved an intentional disregard for CSX's denial of access, trespassing by film crews may be due to a lack of awareness of the risks.

The NTSB is concerned that the film industry may not be aware of the risks of trespassing on railroad property. Operation Lifesaver is an advocacy organization that partners with governments and railroads to raise awareness for railroad safety. They train volunteers to deliver awareness presentations nationwide and create safety posters and videos. The film industry has not been a traditional audience for Operation Lifesaver outreach. The NTSB believes that partnership between the film industry and Operation Lifesaver will increase safety for film crews.

Probable Cause

The National Transportation Safety Board determines that the probable cause of the accident was the film crew's unauthorized entry onto the CSX Transportation right-of-way at the Altamaha River bridge with personnel and equipment, despite CSX Transportation's repeated denial of permission to access the railroad property. Contributing to the accident was the adjacent property owner's actions to facilitate the film crew's access to the right-of-way and bridge.

For additional details about this accident, visit www.nts.gov/investigations/dms.html and search for NTSB accident ID DCA14FR005.

Recommendation

As a result of this investigation, the National Transportation Safety Board makes the following safety recommendation:

To the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts; Location Managers Guild of America; The International Cinematographers Guild Camera Local 600; Producers Guild of America; Screen Actors Guild and the American Federation of Television and Radio; Society of Motion Picture & Television Engineers; Directors Guild of America; Writers Guild of America; Teamsters Local 399; International Brotherhood of Electrical Workers, Local 40; Studio Utility Employees, Local 724, and Operation Lifesaver:

Work with [the other recommendation recipients] to create and distribute educational materials that emphasize that (1) railroads are private property requiring the railroad's authorization to enter and (2) that, if authorization is given, everyone on scene must follow the railroad's safety procedures to reduce hazards. (R-15-13)

BY THE NATIONAL TRANSPORTATION SAFETY BOARD

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Adopted: March 23, 2015

The NTSB has authority to investigate and establish the facts, circumstances, and cause or probable cause of a railroad accident in which there is a fatality or substantial property damage, or that involves a passenger train. (49 U.S. Code § 1131 - *General authority*)

The NTSB does not assign fault or blame for a railroad accident; rather, as specified by NTSB regulation, “[NTSB] investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person.” 49 Code of Federal Regulations, Section 831.4.

Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by conducting investigations and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report. 49 United States Code, Section 1154(b).
