

Train operators, track signals probed in fatal Burlington derailment

What caused last year's deadly VIA train derailment? Investigators hope to soon find out.



RICK MADONIK / TORONTO STAR

An eastbound VIA passenger train derailed in Burlington last Feb. 26, killing three people and injuring many others.

By: [Niamh Scallan](#) News reporter, Published on Mon Feb 25 2013

Almost one year after a VIA train derailed west of Toronto, killing three engineers, investigators say they have narrowed their focus to the role of the train's operators and track signals in the fatal accident.

Dozens of passengers were injured when the Toronto-bound train hurtled through a crossover and jumped the track east of Burlington's Aldershot station last Feb. 26. Investigators say the train was travelling 108 km/h, more than four times the authorized limit, when it left the track.

In an investigation update released Monday, the Transportation Safety Board said it had found no mechanical problems with the train or track.

As part of the final stage of their investigation, officials are examining “operation of the train” and the track signals to figure out why the train was travelling so fast just before the accident.

The update did not state whether officials had determined which operator was at the controls as the train approached the crossover.

Since the accident, investigators have struggled to piece together what happened inside the locomotive cab after the train left Aldershot station. Unlike ships and airplanes, trains do not require in-cab voice recorders and there was no voice data to help explain the train’s speed.

The safety board, which has called for in-cab voice recorders since 2003, renewed its plea in Monday’s update and said the lack of recorded information “deprives the (board) of a key tool it needs to help make Canadians safer.”

Federal NDP transportation critic Olivia Chow echoed the board’s call for in-cab recorders and blamed the Conservative government for “dragging its heels.”

Meanwhile, a group of passengers is seeking compensation from VIA Rail and CN Rail for physical injury, emotional distress, loss of income and property damage that allegedly resulted from the accident. Ontario’s Superior Court granted class-action status to the lawsuit late last year.

The Canadian Press reported last November that three people had accepted an offer from VIA to settle for \$3,000 and would not be part of the class action.

VIA Rail planned to hold a private memorial in Toronto Tuesday to mark the one-year anniversary of the three engineers’ deaths, said spokeswoman Mylène Bélanger.