

Gorski Consulting Website

Archived News - 2014 - December

December 21, 2014

Critical Injuries to Several Innocent Children Yet Presence of Defective Barrier Not Revealed

It should be offensive to any right-minded person to note how the presence of a defective guardrail system has been kept from the public's knowledge even though it has led to the critical injuries of several innocent children.

It is reported that Saturday, December 20th, 2014, at approximately 1418 hours a Volkswagen Golf was being driven south on Kimball Road, north of Wallaceburg, Ontario by a 56-year-old male driver. Accompanying him in the vehicle were three boys, aged 15, 12 and 12. The vehicle struck a concrete bridge abutment resulting in critical level injuries to two of the boys and the driver. A photograph at the collision site was taken by Vicki Gough, of the Chatham Daily News, showing the impacted abutment and the vehicle, as shown below.



Evidence indicates the Golf slid on top of the guardrail before impacting the concrete bridge abutment.

The presence of blue paint on top of the guardrail is obvious and indicates that, instead of deflecting the vehicle from the abutment the guardrail served as nothing more than a ramp directing the vehicle into the abutment. Even without attending the site it is clear from the photo that the height of the guardrail is much too low and secondly, it is not attached to the bridge abutment as required. Pre-impact views of the guardrail can be obtained from Google maps and this clearly shows a “dug in” end treatment of the guardrail which is old, has been identified as dangerous, and should have been replaced. Obviously that did not happen.

Despite that all emergency personnel, doctors, road maintenance and safety advocates may have children of their own, and some have a sworn responsibility to keep society safe, no one, not even the news media, has been brave enough to say the obvious: The barrier was defective and caused needless injuries to innocent children. If someone had

spoken up earlier corrections might have been made and this tragedy might have been avoided. Even now everyone remains silent.

December 20, 2014

Merry Christmas!

From our family to you and yours...



Cheers!

Peace and good will to all.

December 16, 2014

Charges Against Farm Tractor Driver In Fatal Collision of November 14, 2014 And Questionable Status of Air Bag Deployment

It is reported John Lennan of Petrolia has been charged with criminal negligence causing death with respect to a collision on Petrolia Line in Lambton County, Ontario, on November 14, 2014. An on-site photo would suggest that a passenger car drove into the back of farm trailer being hauled by Lennan's tractor. Although the information is obviously scant there is some concern with the lack of lighting on the back of the trailer and whether it could have been visible by the approaching driver.

Although not discussed in any of the news articles, there should also be concern regarding the manner in which the deceased driver sustained his injuries. The on-site photo shows a right side view of the car and there is evidence that the hood has been pushed rearwards toward the windshield. However, a tell-tale sign is that the right roof pillar does not show any evidence of rearward displacement. Furthermore, the rear of the struck trailer appears to be "high" with respect to the front end of the car leaving the potential that the front end of the passenger car under-rode the rear of the trailer. In cases of such under-ride there is the potential that the car's air-bag control module could be fooled into a late deployment while the driver's body has moved into an out-of-position (OOP) state. In this manner severe injuries are caused by the air bag deployment rather than by the collision severity in terms of the change-in-speed (Delta-V) sustained by the vehicle. In the on-site photo the right front door to the car is open and it is possible to see that at least one of the frontal air bags has deployed and therefore it is highly likely that the driver's air bag deployed.

The problem is that neither police nor any official news media are likely to report that a driver sustained injuries due to an air bag deployment and so the public remains uninformed. We believe it is our duty to inform the public whenever any such potential exists as anyone could be innocently caught in such an unpredictable consequence.

While it is our experience that air bags have been vastly helpful in reducing injury and death, much like seatbelts, there are rare times when their functioning actually causes or increases injury. Rather than hide this fact we need to be informed so that we evaluate

certain actions, such as requiring that air bag design be more sensitive in detecting such dangerous conditions.

December 15, 2014

Right-To-Know A Continued Issue In Local Fatal Collisions

Two tragic collisions in South-western Ontario in the last couple of days continue to demonstrate that the public's right-to-know needs to be preserved.

It was reported that just before 2100 hours of Saturday, December 13, 2014, a single vehicle collision occurred on westbound Highway 402 west of Oil Heritage Road, east of Sarnia, Ontario. In that event a 27-year-old woman and a 2-year-old girl were ejected from their vehicle resulting in the death of the girl. No further evidence was provided.

While there is a reason and need to consider the privacy and emotions of the involved persons and family there is also a need for the public to know how and why this tragedy occurred. Normally a 2-year-old child should be enclosed in the safe environment of a child seat. It has been shown that any government-approved and tested child seats provide superior protection beyond what is already provided to adult occupants inside a modern vehicle. While no photographs were provided and therefore the severity of the rollover events cannot be fully known, the severity of injuries to the two other passengers provides some indication. Thus the driver suffered non-life-threatening injuries and a 4-year-old girl was uninjured. Even the ejected, 27-year-old female reportedly sustained non-life-threatening injuries. So, the severity of the collision in terms of change-in-speed or structural intrusion in the occupant space would seem to be limited. So why would the 2-year-old become ejected and sustain fatal injuries? That is something that the public is entitled to know. Because the consequences are not just faced by those immediate to the incident but it may involve the future of any member of the public who could be subjected to similar consequences.

With respect to another incident, it was reported that at approximately 0230 hours of Sunday, December 14, 2014, a vehicle crashed into a tree on Frederick Street in Kitchener, Ontario. It was reported that a 49-year-old female passenger of the vehicle sustained fatal injuries. A witness who came upon the site shortly after the collision submitted the photo below showing the vehicle being pulled onto a flat-bed trailer.



View of damaged vehicle being pulled onto a flat bed trailer.

While the view of the vehicle is not the best it certainly suggests that the impact with the tree was in the area of the left-front and that there would be structural intrusion into where the driver was seated. Yet police reported that he did not sustain serious injuries. At face value the reported facts do not match what would be expected. Such major deformation within where the driver was seated should result in more injuries than to a passenger who would be expected to be remote from that crush. Granted it was also reported that, after striking the tree, the vehicle then collided with the wall of a building and this second collision might relate to the passenger's injuries. But we do not know, we are only left with this curious set of inconsistencies. Having observed the damage to the struck tree it confirms to us that the impact was of a high severity and generally, a subsequent, high-severity impact with the wall of the building would not be likely. So the probabilities make it unusual that the passenger should sustain fatal injuries from that second impact. So this is another unusual incident that has not been explained. Yet the public may often be unaware that they are not provided with the proper facts.

We continue to express the view that the public is entitled to be correctly informed in those instances where death and serious injuries have occurred. The public's understanding should not be based on after-the-fact propaganda but through objective facts from which they are free to draw their independent opinions.

December 12, 2014

2003 Honda Civic Ball-Joint Failure At Costco In London, Ontario

Non-collision events can be a useful tool toward reconstructing more-serious, injury-producing or fatal collisions. When a vehicle failure occurs and no one is hurt, that is often just luck, merely a roll-of-the-dice, that eventually will lead to something more serious. So it is important to pay attention to these non-events.

A typical example of a non-event occurred in the driveway of the Costco store on Wellington Road in London, Ontario on the morning of December 12th, 2014. We observed a vehicle stopped in the entrance/exit driveway to the Costco store and it was causing a great deal of mayhem as the driveway is very busy with traffic. So we stopped to take a closer look.



View of the driver and store employee standing by a disabled 2003 Honda Civic that was partially blocking the path of vehicles driving in and out of the Costco store on Wellington Road in London, Ontario on the morning of December 12th, 2014.



View of Costco store employee trying to play “traffic cop” as he directs busy traffic around a disabled, 2003 Honda Civic at the entrance/exit driveway of the store.

Obviously, this was a non-event. There was no collision, no one was injured and certainly no fatalities. The tow truck would be called, the vehicle would be whisked away and everything would go back to normal. Except that we would never know what really happened because it would not be reported to anyone.

As we came closer to the vehicle it was obvious that the left front wheel was pointing in an extreme angle to the left, beyond what one would expect of a properly functioning steering system.



As we get closer to the disabled vehicle we see that its left-front wheel is pointing at an extreme angle to the left – further than what the steering system should normally be capable of doing.

The vehicle seemed to have dropped down onto the left front wheel.



Looking more closely at the left front wheel, it appears the vehicle seemed to have fallen down on it as evidenced by the fender touching the top of the tire.

Looking inboard of the left front wheel we could clearly see that the ball joint had separated and had scraped the road surface as the driver attempted to reverse for a short distance.



View inboard of the left front wheel showing that the ball joint is separated and has dragged on the road surface.

The separation of the ball joint also caused the suspension to fall onto the transaxle causing it to pull out of its inner anchorage.

These events are typical of what happens when there is a ball joint failure on a vehicle. Fortunately there were no serious consequences. However, infrequently, a ball joint may fail in situations other than low-speed and large steering inputs. In those rare instances, if the investigator is unfamiliar with this typical evidence, the realization of what transpired might be significantly delayed, or perhaps never uncovered.

So, we reiterate, it is important to pay attention to small and insignificant events as they are the “school teachers” of what you may need to know in the future.

December 9, 2014

Trinity Guardrail Terminal Performance Evaluation From 2013 U.S. National Automotive Sampling System (NASS) Cases

Much publicity has been placed in the U.S. on the alleged improper performance of the ET-Plus guardrail end terminals produced by Trinity Highway Products of Dallas Texas, that dot almost every corner of the North American highway landscape. Gorski Consulting has taken a further study of this issue by examining some of the U.S. NASS files to explore whether this data file could be useful in providing further light on the safety performance of the ET-plus terminal. We invite readers to visit the Articles page of this website and review the article.

December 2, 2014

Ambulances Blocked From Reaching Emergency By Malfunctioning CP Rail Barrier



Ambulances dispatched to the site of this collision on Clarke Road near Atlantic Court on the morning of December 2, 2014, were blocked by a CP rail barricade that malfunctioned and required CP employees to attend to lift the barricades. Ambulance drivers fearful of crossing the lowered barricades were forced to travel around a long detour that caused considerable response delay.

It is as if we possess a lemming gene that causes us to persistently follow the same path, over the cliff, without thought. That would have to be the reason why, after so many fatalities in the Lac Megantic rail disaster, we continue to ignore dire warnings of rail malfunctions, without a whisper of concern.

It would have been less of an issue if the CP rail barricade malfunction of this morning, December 2, at Clarke Road north of Dundas had been an isolated event. But that is far from the fact. It was on September 26, 2014 that Gorski Consulting noted in our News page that this same rail barricade had malfunctioned, for at least an hour, without a concern expressed by anyone. Drivers simply turned around to take another route, or took the dangerous action of driving through the barricade. No one called anyone to do anything until we took the action ourselves. We were present at the malfunctioned barricade for about an hour but who knows how long the barricade had been down before we arrived. Yet no one did anything.

This morning a similar but potentially more disastrous result. Two northbound ambulances had to attend to an emergency involving a significant collision on Clarke Road at Atlantic Court. But, once again, the barricades were down. They must have been down for quite some time due to the fact that many drivers were turning around to take another route and some were crossing through the lowered barricades, just like in the September 26th incident. The drivers of the two ambulances simply could not take that chance, as shown in the captured frame taken of our video of the events.



View of two ambulances, and many other northbound drivers, turning around at the lowered CP barricades because they could not take the chance of passing through them. The ambulances had to reach a collision site that was just a few hundred metres north of their blocked location but had to take a roundabout detour which delayed their response.

While we are unaware of the level of injuries sustained by the drivers in the collision the damage suggested that injuries should not have been life-threatening. But clearly that is not the point.

We have prepared an article regarding the issues at this malfunctioning rail crossing and uploaded it to the Articles page of this website. We encourage readers to take a serious consideration of its content.

December 1, 2014

Protection From SLAPP Law Suits Long Over-due

The proper functioning of society requires that the general public be capable of expressing a concern about something they believe is wrong without the meritless threat

of an entity that wants to muzzle that freedom of communication. Yet, it has been known that meritless law suits have been used to prohibit such expression.

An interesting development is that the Ontario government is reportedly proposing legislation (Protection of Public Participation Act) that would place a halt on SLAPPs (Strategic Lawsuits Against Public Participation). Such legislation would allow a judge to review the merits of a law suit and make a determination within 60 days whether that suit matches a test that defines it as meritless and wastes the court's time.

In the field of motor vehicle collisions and their repercussions, we see many occasions where persons have likely been silenced because of the threat of such meritless law suits. This often comes in the form of a dangerous defect of a vehicle, roadway or transportation system or function, that needs to be exposed but remains hidden because exposure could mean bankruptcy to the whistleblower. At the same time, protection from SLAPPs should not mean there is an open season on strategic defamations. It is a theoretical balancing act that is not always balanced in practice.

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