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Press Release

Coroner Finds Unsafe Cable Caused Fatal Crash of Funicular

WORCESTER, Mass., August 7, 1997--A cable car crash in Quebec that killed two people and seriously injured several Worcester-area residents was caused by unsafe, poorly maintained cables, according to a new report from Investigating Coroner Dr. Yvan Turmel.

"The coroner's report demonstrates that the negligence in this case was extreme and outrageous," said Attorney Edward C. Bassett Jr. of Mirick O'Connell. "It verifies that this tragedy could and should have been avoided."

Bassett represents three of the accident victims &endash Anne Dygon and Catherine Murray, both of North Brookfield, and Denise Solodyna of Charlton. The crash took place on Oct. 12, 1996 when the cables snapped on the Funiculaire du Vieux-Québec. The emergency brake failed and the Funicular fell 30 feet, smashing into a concrete wall while traveling at a speed of 2,000 feet per minute.

Dr. Turmel's scathing report says that, even though a mechanic who inspected the Funicular last summer noticed that the cable was worn down to an unsafe diameter, nothing was done to change or repair it. Although Safety Codes require that cable be replaced when its diameter is reduced by 6.8 percent, the Funicular cable continued to be used in spite of a diameter reduction in some areas of up to 24 percent.

A supervisor for Otis Canada inspected the cable on May 1, 1996, but carried out only a visual inspection with a tape measure. He did not use a gauge or micrometer, as required during normal inspections. He also failed to inspect the emergency brakes.

The report says that the cable also showed signs of "rouging," the presence of red dust created by corrosion, and that the cable stretched during use and frequently had to be shortened. The Coroner's report says the cable was adjusted and shortened 30 times between 1991 and 1996, and a "significant length of the cable was eliminated during each shortening" to compensate for stretching. The report notes that neither the Otis Canada inspector nor the supervisor noticed or acted on this sign of extreme danger.

Dr. Turmel reported that even before the cable became worn down, it was inadequate for hoisting a cable car. Investigators for the Coroner discovered that a galvanized hoist cable with a maximum tension of 27,000 pounds was replaced in 1991 with a non-galvanized compensating cable with a maximum tension of only 13,400 pounds. The replacement cable had less than half of the strength value required by government regulations for the operation of elevators (3.46 compared with 8.60).

The Coroner's report also concluded that the braking system was improperly

designed and failed to protect the passengers.

The Coroner concluded that Otis Canada should incorporate its own written safety standards into a code of honor and ethics. The Quebec City Funicular is the only system of its kind in North America and has been carrying passengers between the Petite Champlain District and the Bufferin Terrace since 1879.

Contacts:

Parker Keene	David P. Kowal, APR
Marketing Director	Kowal Communications,
Mirick O'Connell	Inc.
508-791-8500	508-393-7023
rpkeene@modl.com	kowal@kowal.com

Mirick O'Connell, with offices in Worcester and Boston, is a 50-lawyer full-service law firm. The firm provides core services in corporate & business law, tax & estate planning, labor & employment law, land use, litigation and municipal law. The firm also offers cross-departmental and intra-departmental practice groups, such as creditors' rights and bankruptcy, high technology, international business, health law, personal injury, banking and environmental law. Founded in 1916, Mirick O'Connell is among New England's oldest and one of Central Massachusetts' largest law firms.

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