Case Name: Lockley v. CSX Transportation Incorporated
Date Decided: September 13th, 2010
Originally Filed in: Pennsylvania (State)
Decided by: Pennsylvania Superior Court (State)
Court: Superior Court of Pennsylvania
Judge: Justice Wheat
Citation: Lockley v. CSX Transp. Inc., 2010 WL 3529809 (PA. Super. 2010)

Background:
Albert Lockley worked as an employee of CSX Transportation, Inc. for 34 years. He filed claims against CSX under the Federal Employer's Liability Act (FELA) and the Federal Locomotive Inspection Act (FLIA) for failing to provide him with a reasonably safe place to work. Specifically, Lockley alleged that faulty seats in the locomotive cabs caused cumulative trauma injuries including herniated discs and cervical spine issues. In response, CSX alleged the injuries are attributable to age related degenerative conditions and that Lockley should have been more proactive to express complaints of his injuries instead of waiting until the end of his employment to raise these issues. At trial, the jury awarded Lockley damages of two million dollars and found him to be 22 percent comparatively negligent for his injuries. CSX appeals the trial court's decision on several grounds.

Issue:
Do cab seats qualify as a part and appurtenance of a locomotive for the purposes of a Federal Locomotive Inspection Act? Does the Federal Railroad Safety Act preempt the Federal Employers Liability Act?

Overall Issues Discussed or Touched Upon in this Case:
- *Federal Rail Safety Act (FRSA)*
- *Locomotive Inspection Act*
- *Pre-Emption*

Held:
FLIA requires railroad companies to equip locomotives with certain parts and appurtenances and if a company fails to comply with the requirements set out in FLIA they can be held liable. As such, a railroad company cannot be held liable under FLIA if it fails to install equipment that does not qualify as a part or appurtenance. Thus, the court must determine whether the cab seats qualify as a part or appurtenance of the locomotive. According to binding precedent, a piece of equipment qualifies as "parts and appurtenances" if it is an integral or essential part of a completed locomotive or if the part is prescribed as such by law. Here, a cab seat is considered a part and appurtenance of a locomotive by 49 C.F.R. 229.119(a). Further, the law requires that cab seats be securely mounted and braced. The Superior Court held that

Lockley's claims fall within the scope of this regulation and the record reflects faulty cab seats he had an actionable claim under FLIA. Next, the court addressed the issue of preemption. CSX argues that Lockley's FELA claim is preempted by the Federal Rail Safety Act (FRSA) because Lockley seeks to impose additional duties on CSX beyond those required by federal regulations. Though the court dismissed the claim due to waiver issues the court analyzed the claim nonetheless and still rejected it. The court explained that a FELA claim is precluded under the FRSA only if it would require the railroad to assume additional duties than those imposed by federal regulations. But, as noted above, Lockley's claim was grounded in a violation of FLIA. As such, Lockley's lawsuit is based upon CSX's failure to comply with federal regulations and does in no way place additional duties upon CSX.

Comments:

Despite the liberal construction of the Federal Locomotive Inspection Act, railroads cannot be held liable under FLIA for failure to install equipment unless the equipment constitutes a part or appurtenance; with a "part and appurtenance" being whatever in fact is an integral or essential part of a completed locomotive.