According to the police report it was daylight, clear and dry. The speed limit on US Hwy 83 was 55 mph.

Mr. Tucker, deposed on July 11, 2023, testified that he was traveling in the left northbound lane on US HWY 83 at about 45 mph and intended to make a left turn about one-quarter of a mile down the road. He saw a wrong way driver ahead of him, about 100 yards away, traveling southbound on US HWY 83 in the northbound lane that he was in. He thought it was a white 4DR Mercury and estimated its speed as about 30 mph. There were vehicles in the right lane adjacent to his truck tractor and his semi-trailer and he was not able to move over. He started to slow down, tapped his brakes a couple times and then downshifted from ninth gear to seventh gear. The wrong way driver continued and did not slow or change lanes. He brought his vehicle to a complete stop but did not stomp on the brakes in a full emergency manner to do so. The cars in the right lane next to him also came to a stop. He was struck from behind by the GMC pickup while he was at a complete stop and the impact slammed him forward and then back “heavy against his seat”. The impact was moderate to severe, and his head had gone forward, then it came back and struck the head rest. His body did not hit anything else inside the cab of the truck tractor and the semi-trailer did not detach from the truck tractor. The wrong way driver in the white Mercury moved into the shoulder and went past them and disappeared. There was about 4,400 gallons of fuel in the Fruehauf tanker semi-trailer, and it was in the first and third compartments (the first compartment was at the front of the trailer and the compartments were numbered from the front to the rear). There wasn’t any damage done to the Kenworth truck tractor.

Mr. Perry, deposed on July 11, 2023, testified that he was traveling northbound on US HWY 83 in the right lane. Traffic was exiting the Menards store ahead of him, so he moved into the left lane behind the Fruehauf fuel tanker trailer and Kenworth truck combination. He was going under the 55 mph speed limit but had no estimate of his actual speed. He did not remember any other vehicles being in the right lane ahead of him other than the ones pulling out of Menards. All of a sudden, the truck and tanker ahead of him stopped. There was no indication that a sudden stop was going to occur. He did not remember any brake lights illuminating or flashing before it suddenly stopped, and he did not know if it skidded or not. He had been following the truck and tanker at a safe distance before it suddenly stopped, and he defined a safe distance as three to five car lengths.

Ms. Perry, deposed on July 11, 2023, testified that her husband was driving, they were northbound on US HWY 83, and she was looking down at her phone. The only thing she remembered next was the impact. She did not provide any further crash reconstruction related information.

Byron Bandy, witness, stated in his written voluntary statement that he was leaving the Menards store and was turning onto northbound US HWY 83. He saw a white car traveling southbound in the left northbound lane. He stopped his vehicle and then saw the subject tractor-trailer with the subject pickup truck behind it. The tractor-trailer came to a fast stop due to the white car in his lane and the pickup truck ran into the back of the stopped truck-trailer. The white car went around the crashed vehicles in the right lane and he did not see where it went after that.

*ECU download data-Kenworth*

The ECU of the subject Kenworth was imaged by Veritech during their inspection on May 17, 2023 and no stored information was located. The ECU data was not provided to FR+A for review.

*EDR download data-GMC:*

The air bag control module was imaged by Investigator Connelly of the Nebraska State Patrol on February 26, 2021 and the CDR report was contained in the provided police investigative file. There were two recorded events. The first event was a non-deployment event and not related to the subject crash. The second event was a deployment event and was related to the subject crash. A review of the data revealed the following:

* The VIN’s were compared and confirmed.
* The image date was February 26, 2021 (the crash date was February 25, 2021).
* The ignition cycle at the crash event was 11,686.
* The ignition cycle at the download event was 11,687.
* The data limitations stated positive values for longitudinal delta V indicate “forward” and for lateral delta V it is “left to right”.
* The pre-crash data contained information from -2.5 to -0.5 seconds and did not contain information at time zero.
* The maximum longitudinal delta V was -34.8 mph at 100 ms.
* The maximum lateral delta V was 0.6 beginning at 60 ms.
* At -1.5 seconds the brakes were applied, and the vehicle’s speed was 52 mph.
* At -0.5 seconds the brakes were applied, and the vehicle’s speed was 40 mph.

A list of different points

Description automatically generated with medium confidence

**Data limitations, GMC**

A table with text on it

Description automatically generated

**Pre-crash data, GMC**

**A table of data with numbers

Description automatically generated with medium confidence**

**Longitudinal delta V, GMC**

**A table of numbers and a number of meters

Description automatically generated with medium confidence**

**Lateral delta V, GMC**