PUBLICATION SAFETY BOARD
CLOSE OUT BUS ACCIDENT REPORT

BUS PROPERTY NAME: MTA NYCT CASE NUMBER: 10048
CRITERIA CODE: Fatality Accident TYPE OF ACCIDENT: Pedestrian
DATE/TIME: January 3, 2009 at 8:25 p.m. ACCIDENT SEVERITY INDEX: 6.05
DATE REPORTED: January 3, 2009 TIME REPORTED: 9:07 p.m.
VEHICLES INVOLVED: 1 NUMBER OF INJURIES: 1
NUMBER OF FATALITIES: 1 BUS NUMBER: 923
TYPE OF BUS: New Flyer Low Floor CNG PASSENGERS: 0
OTHER: None OCCUPANTS: 0

ACCIDENT LOCATION: 36th Street at Clara Street, Brooklyn, NY SPEED LIMIT: 30 mph
ROADWAY TYPE: Asphalt ROAD CONDITIONS: Dry
TRAFFIC CONTROL: None WEATHER: Clear
LIGHT CONDITIONS: Dark SUMMONS: None
INVESTIGATOR: Harry W. Gerham
HOURS OF SERVICE: 7 hr 52 min in last 24 hrs/34 hrs 32 min in last 7 days

ACCIDENT DESCRIPTION: At approximately 8:25 p.m., MTA New York City Transit bus 
#5422 was traveling west on 36th St. and approaching the intersection with Clara St., when a 21 yr. 
old male pedestrian stepped or ran into the path of the bus from in front of a box truck that was 
parked at the right curb. The right front of the bus struck the pedestrian who fell to the roadway 
where his body was passed over by the right side of the bus. The bus driver stopped the bus, but not 
before the pedestrian’s body got wedged in front of the right rear wheels. The critically injured 
pedestrian was transported to a local hospital where he was pronounced dead upon arrival. The bus 
driver claimed injury from trauma and was transported to a local hospital where he was released 
following treatment. Alcohol tests at the scene were negative and post accident drug and alcohol tests 
performed on the bus driver upon his release from the hospital, 6 hrs and 13 min from the time of the 
accident, were negative. Bus and bus driver records were reviewed and found to complete, in-order, 
and up-to-date. Post accident inspection of the bus found no defects that could be considered a 
causative factor in the accident and decelerometer tests of the bus braking systems met NYS DOT 
regulations. Based on the accident investigation and reviewing the facts the Public Transportation 
Safety Board staff finds that the most probable cause of the accident was the actions of the pedestrian 
who failed to yield right of way and entered the path of the bus from the front of the parked box truck 
where he was subsequently struck and run over by the bus. It was determined that the box truck 
obscured the bus operator’s vision and he could not avoid the collision.

IT HAS BEEN DETERMINED THAT THE BUS PROPERTY INVOLVED IN THIS 
ACCIDENT DID NOT CONTRIBUTE TO THE CAUSE OF THE ACCIDENT.

SUBMITTAL

THE ABOVE ACCIDENT HAS BEEN INVESTIGATED AND MEETS ALL OF THE 
CONDITIONS IDENTIFIED IN PTSB RESOLUTION #1340 AND REQUIRES NO FURTHER 
ACTION.

CHIEF, ACCIDENT INVESTIGATION SECTION DIRECTOR, PCSB, NYSDOT

DATE DATE