PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE#: 10088
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Hit other in rear
3b. Accident Severity Index: 0.80
4a. DATE: January 29, 2009
4b. TIME: 7:55 a.m.
5. ACCIDENT LOCATION: Pennsylvania Avenue at Freeport Loop
6. TOWN/CITY/BOROUGH: Brooklyn, NY
7. SUMMONS: No
8. BUS NUMBER: 4948
8a. YEAR: 1999
8b. MAKE: Nova/RTS-06
9. NUMBER OF INJURIES: 16
10. FATALITIES: 0
11. HOURS OF SERVICE: 8 hr 18 min in last 24 hrs/38 hrs 33 min in last 7 days
12. SYNOPSIS:

At approximately 7:55 a.m., MTA New York City Transit (NYCT) bus #4948 was traveling behind an auto on southbound Pennsylvania Avenue when the auto initiated a right turn onto Freeport Loop and abruptly stopped due to pedestrians in the crosswalk. Subsequently the bus driver braked and moved sharply left but was unable to avoid colliding with the left rear corner of the auto with the right front corner of the bus. The auto driver and 15 of the 21 bus passengers claimed various injuries and were transported to local hospitals for treatment (hospital records showed that the auto driver and eight of the bus passengers left without treatment). The remaining injured bus passengers were treated for their injuries and released following treatment. The bus sustained slight damage and the auto extensive damage from the collision.

In the vicinity of the accident Pennsylvania Avenue is a wide two-way north/south roadway divided by a 10 foot raised concrete median into three travel lanes in each direction. Freeport Loop is a one-way westbound becoming an eastbound loop type roadway that starts and ends at Pennsylvania Avenue. Parking is permitted at the curbs of both roadways. Both roadways are asphalt paved and in good condition. At the time of the accident it was daylight, the weather was clear and the roadway was dry. The area speed limit is 30 mph.

Bus #4948 is a 1999 Nova/RTS-06 transit type bus housed and maintained at the East New York Depot with a seating capacity of 40 passengers. A review of the bus records showed that Preventive Maintenance Inspections are performed at regular 4,000 mile intervals, which the most recent was completed on January 2, 2009 and the bus had traveled 1,690 miles since then. There were no safety or recurring defects noted in the 45 days prior to the accident. Physical inspection of the bus on January 3, 2009 found no defects that could be considered a causative factor in the accident. The inspection showed slight collision damage to the right front corner of the bus. Decelerometer tests were performed on the bus braking systems and showed stopping distances that met the MTA NYCT adopted standards for passenger vehicles of NYS DOT Regulations (Title 17 of NYCRR, Article 3, Part 720).

The bus driver was hired by the MTA NYCT on February 1, 1988 and completed the New Bus Operator Training Program. A review of the driver's Department of Motor Vehicles records for the past three years showed no violations or convictions. NYS Vehicle & Traffic Law, Article 19-A records were reviewed and found to be complete, in-order and up-to-date. A review of the driver's NYCT accident record for the past three years showed four preventable (10/31/06,11/22/07,02/05/08,
11/10/08 all rated non-major w/reinstruction) and one non-preventable (08/06/07) collision accidents. Post accident drug and alcohol tests performed on the bus driver upon his release from the accident scene, 2 hours and 46 minutes from the time of the accident, were negative.

In an interview the bus driver indicated that he was traveling south behind an auto in the right lane on Pennsylvania Avenue when the auto slowed, began to turn right (with signaling) and stopped. The bus driver said that at that time he was 1-2 car lengths behind the auto and although he braked and steered left he was unable to avoid colliding with the left rear of the auto with the right front of the bus.

The post accident download of the bus Electronic Control Module (ECM) showed that 1 second before the last hard brake application the bus was traveling at approximately 27 mph.

The MTA NYCT trains all bus drivers in defensive driving techniques for safe operation of the bus in all types of operating conditions. The training emphasizes establishing proper following distances behind other vehicles in front of the bus, recommending 1.5 bus lengths for each 10 mph of speed. The New Bus Operator Instruction Manual recommends the following distances for these speeds; 10 mph -1.5 bus lengths, 20 mph - 3 bus lengths, 30 mph - 5 bus lengths. Therefore, for the 27 mph speed the ECM indicated that the bus was traveling the bus driver should have been 4-5 bus lengths behind the auto – not the 1-2 car (1/2 bus) lengths as stated by the bus driver.

Public Transportation Safety Board staff finds that the probable cause of this accident was the failure of the bus driver to adhere to his training by following too closely to the auto immediately in front of the bus.

MTA NYCT Department of Buses, after reviewing the facts concerning the accident found the accident to be preventable. On February 25, 2009 the bus driver was issued, and accepted, a 20 day suspension. On January 26, 2009 the bus driver attended a Performance and Evaluation class and qualified for returning to passenger service. He will also receive undercover check rides.

Based on the action taken by the MTA New York City Transit regarding this accident, the Public Transportation Safety Board staff makes no recommendation in this case.

INVESTIGATOR: Harry W. Gerham

CHIEF, ACCIDENT INVESTIGATION SECTION

DIRECTOR, PCSB, NYS DOT

DATE

DATE