April 18, 2007

Mr. Howard Roberts Jr., President
MTA New York City Transit
2 Broadway
New York, NY 10004

RE: PTSB CASE #8867

Dear Mr. Roberts:

The Public Transportation Safety Board received notice of a fatal bus accident involving the MTA New York City Transit, which occurred on Glenwood Road at Ralph Avenue, Brooklyn, NY, March 11, 2006.

Based on a review of the enclosed Abbreviated Report, no further action is necessary.

Sincerely,

Brian O. Rowback
Executive Director
Public Transportation Safety Board.

Enclosure
At approximately 8:05 am, MTA New York City Transit (NYCT) bus #9230 traveling northbound on Ralph Avenue was making a left turn into Glenwood Road on a green traffic signal while the front bumper of the bus struck a female pedestrian walking in the crosswalk north to south, from the bus driver’s right to left. The injured pedestrian fell down to the pavement underneath of the bus, was snagged by the air dryer and the differential unit, and was dragged forward by for approximately 40 feet. The bus driver stopped the bus after being informed by an unidentified motorist that there was a lady under the bus. The injured pedestrian was extricated by the FDNY and transported to a local hospital where she was pronounced DOA at 8:40 am. NYC Police responded to the accident and no summonses were issued. The bus sustained no damage.

In the vicinity of the accident site Ralph Avenue is a 64 foot wide, two-way road, divided by a full barrier yellow pavement marking, accommodating two northbound and two southbound travel lanes. Parking is permitted at the curbs. Glenwood Road is a 54 foot wide, two-way road, divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. Parking is only permitted at the south curb of Glenwood Road. Both roadways are straight, level and asphalt paved. The traffic at the intersection is controlled by four traffic signals. At the time of the accident it was daylight and the weather was dry and clear. The posted area speed limit is 30 mph.

Bus #9230 is a 1996 RTS transit type bus with a seating capacity of 40 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at Ulmer Park Depot are performed at regular 4,000 mile intervals and the most recent was completed on March 6, 2006. The bus had traveled 425 miles at the time of the accident. There were no safety or recurring defects noted in the 45 days prior to the accident. A post accident inspection of bus #9230 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on March 13, 2006 and no defects were found that would be considered causative factors in this accident. Decelerometer tests were performed on the 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 December 28, 1992, and completed the standard “New Bus Operator Training Program”. A review of the bus driver’s Department of Motor Vehicles records showed no violations or suspensions. New York State Vehicle & Traffic Law, Article 19-A records were complete and up-to-date.
A review of the driver’s MTA NYCT records for the last three years revealed one preventable non-
major collision accident on 07/05/05, resulting in no discipline (according to the contract) and two
non-preventable collision accidents on 04/21/04 and 10/06/04. A post accident drug and alcohol test
administered to the bus driver 3 hours and 21 minutes after the accident was negative. The delay in
administering the drug and alcohol test was due to the bus driver being detained at the accident scene
for the purpose of investigation.

In an interview with the PTSB staff, the bus driver indicated that he was driving north on Ralph
Avenue, attempting to make a left turn into Glenwood Road. He approached the intersection on a
green traffic signal and stopped second in line to allow the oncoming traffic to clear the intersection.
When traffic cleared, the signal was still green and he proceeded in the turn with a speed of 5 mph.
As he completed the turn and was slowing down within the bus stop a female passenger yelled that
there was a lady under the bus. The bus driver stopped the bus, went out to investigate and saw a
lady under the bus. Then he called the Command Center.

In an interview with the son of the deceased, he stated that his mother lived in the housing projects at
the corner of Ralph Avenue and Glenwood Road. Routinely on Saturday mornings she would walk
to the Arch Diner, which is located south of Glenwood Road on Ralph Avenue. He also indicated
that usually after having breakfast she used to go by bus to Macy’s. Then he added that his mother
always used a wooden cane while walking.

The investigation showed that according to the final rest location and position of the injured
pedestrian, the final rest location of the bus, the location of blood stains and other debris, it is most
probably that the pedestrian was walking in the crosswalk across Glenwood Road from north to
south, while she was struck by the front of the bus and became entangled by the bus’s undercarriage.

The Public Transportation Safety Board finds that the most probable cause of the accident was the
failure of the bus driver to identify the pedestrian walking in the crosswalk and yield right of way.
The driver also failed to use his defensive driving training while crossing intersections.

The MTA NYCT reviewed the accident on April 7, 2006, and found it to be preventable. The bus
driver was issued a penalty of dismissal which he appealed. After arbitration the driver was
permanently demoted to a non-safety sensitive position.

Based on the action taken by the MTA NYCT regarding this accident, the Public Transportation
Safety Board staff makes no recommendations.

INVESTIGATOR: Mikhail Palanker

__________________________________________  __________________
CHIEF, ACCIDENT INVESTIGATION SECTION  DATE

__________________________________________  __________________
DIRECTOR, PCSB, NYSDOT  DATE