April 18, 2007

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

RE: PTSB CASE #8920

Dear Mr. Roberts:

The Public Transportation Safety Board received notice of a multiple injury bus accident involving the MTA New York City Transit, which occurred on Cooper Street at Central Avenue, on April 24, 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
PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 8920
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Multiple Injury
3b. Accident Severity Index: 0.95
4a. DATE: April 24, 2006
4b. TIME: 6:32 pm
5. ACCIDENT LOCATION: Cooper Street at Central Avenue
6. TOWN/CITY/BOROUGH: Brooklyn
7. SUMMONS: Yes
8. BUS NUMBER: 9030
8a. YEAR: 1996
8b. MAKE: RTS
9. NUMBER OF INJURIES: 10
10. FATALITIES: 0
11. HOURS OF SERVICE: 2 hrs and 23 min in last 24 hrs/38 hrs and 40 min in last 7 days
12. SYNOPSIS:

At approximately 6:32 pm MTA New York City Transit (NYCT) bus #9030 traveling southbound on Cooper Street was approaching the intersection with Central Avenue on a green traffic signal. At the same time an auto moving westbound on Central Avenue, from the bus driver’s left to right, entered the intersection on a red traffic signal. In an attempt to prevent a collision the bus driver applied the brakes, however, the front of the bus struck the right side of the van. The bus driver, 7 bus passengers and 2 occupants from the van claimed various injuries, were transported to local hospitals, treated and released. The bus sustained moderate damage with extensive damage to the auto. NYC Police responded to the accident and issued a summons to the auto driver for operating a vehicle without a license.

In the vicinity of the accident site, Cooper Street is a 30 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one southbound and one northbound travel lane. Central Avenue (east of Cooper Street) is a 34 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. The other part of Central Avenue (west of Cooper Street) is a 34 foot wide, one-way road, accommodating one eastbound travel lane. Both roadways are straight, level and asphalt paved. Parking is permitted at the curbs. At the time of the accident it was daylight and the weather was dry and clear. The posted area speed limit is 30 mph. The traffic at the intersection is controlled by 4 traffic signals.

Bus #9030 is a 1996 RTS transit bus with a seating capacity of 40 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) are performed at the East New York Depot at regular 4,000 mile intervals, with the most recent completed on March 15, 2006. The bus had traveled 3,332 miles at the time of the accident. A post accident inspection of bus #9030 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT personnel on April 25, 2006. No defects were found that would be considered as causative factors in the 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 NYCCRR, Article 3, Part 720).

The bus driver was hired by the MTA NYCT on August 11, 2003, 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 record for the time since he was hired revealed no collision accidents. A post accident drug and alcohol test administered to the bus driver 3 hours and 51 minutes after the accident was negative. The delay in administering the drug and alcohol test was due to the bus driver being transported to a local hospital and treated.

In an interview with the PTSB staff the bus driver indicated that he was driving the bus southbound on Cooper Street and entered the intersection on a solid green traffic signal with an approximate speed of 10-15 mph when he observed the van entering the intersection on a red traffic signal. The bus driver stated that he applied the brakes, however, the front of the bus struck the right side mid-section of the van.

In an interview with the PTSB staff the driver of the van stated that she entered the intersection on a green traffic signal intending to make a left turn into Cooper Street. She indicated that she observed the bus approaching and entering the intersection, realized that the bus was not stopping and decided to speed up straight through the intersection to avoid an impact with the bus.

Two witnesses from the bus seated on the right side of the bus indicated that the bus was entering the intersection on a green traffic signal and the van ran a red traffic signal.

Another witness who was driving his auto directly to the rear of the bus stated that the bus was moving through the intersection on a green traffic signal with an approximate speed 25-30 mph.

The investigation showed that according to the skidmarks and final rest positions of both vehicles, the statements of the bus driver and the van driver, the statements of three witnesses, it is most likely that the bus traveling southbound on Cooper Street, with a minimum initial speed of 33 mph, entered the intersection with Central Avenue on a green traffic signal. The auto traveling westbound on Central Avenue, from the bus driver’s left to right, entered the intersection on a red traffic signal.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the van driver to stop on a red traffic signal.

Contributing to the accident was the bus driver who drove the bus above the speed limit and failed to utilize his training in defensive driving techniques while driving through an intersection.

The MTA NYCT reviewed the accident on June 9, 2006, and found it to be preventable. The bus driver was issued a 30 day suspension, which he appealed. The discipline was downgraded to a 10 day suspension and was accepted. The bus driver was retrained, his performance was evaluated as satisfactory and he was returned to passenger service.
Based on the action taken by MTA NYCT regarding this accident, the Public Transportation Safety Board staff makes no recommendations.

INVESTIGATOR: Mikhail Palanker

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CHIEF, ACCIDENT INVESTIGATION SECTION

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DIRECTOR, PCSB, NYSDOT

CASE #8920