April 18, 2007

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

RE: PTSB CASE #8959

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 the Gowanus Expressway at Prospect Expressway, Brooklyn, NY, on May 23, 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 8:15 pm, MTA New York City Transit (NYCT) bus #1894 was traveling to the rear of a van in the #1 travel lane westbound on the Gowanus Expressway at the Prospect Expressway merge. The van stopped abruptly. The bus driver applied the brakes, however, the front bumper of the bus struck the rear of the van. The van driver and its seven occupants claimed various injuries, were transported to local hospitals, treated and released. The bus sustained slight damage with moderate damage to the van. The NYC Police responded to the accident and no summonses were issued.

In the vicinity of the accident site, the westbound of Gowanus Expressway is a 52 foot wide elevated roadway accommodating four travel lanes. The expressway is slightly curved and has a downgrade of 4%. The roadway is concrete paved. At the time of the accident it was dusk and the weather was dry and clear. The posted area speed limit is 45 mph.

Bus #1894 is a 1998 MCI coach type bus with a seating capacity of 53 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) are performed at the Yukon Depot at regular 6,000 mile intervals, and the most recent was completed on April 25, 2006. The bus had traveled 2,553 miles at the time of the accident. A post accident inspection of bus #1894 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on May 24, 2006 and no defects were found that would be considered as 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 January 24, 2005 and he had completed the standard “New Bus Operator Training Program”. A review of the 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 revealed no collision accidents since being hired. A post accident drug and alcohol test administered to the bus driver 3 hours and 8 minutes after the accident was negative. The delay in administering the drug and alcohol test was due to the bus driver being detained for the purpose of investigation.
In an interview with the PTSB staff, the bus driver indicated that he was driving the bus westbound in the #1 travel lane on the Gowanus Expressway with an approximate speed of 35-40 mph., approximately 40 feet behind the van, when he observed the van’s activated brake lights. The bus driver applied the brakes. The van stopped, however, the front bumper of the bus struck the rear of the van. The bus driver stated that the bus brakes were not a factor in the collision.

The investigation showed that according to the final rest positions of both vehicles, the statements of both drivers, that the most probable cause of the accident was the failure of the bus driver to maintain a safe following distance to the vehicle moving in front of the bus.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the bus driver to adhere to his training by establishing and maintaining a sufficient following distance while driving on a highway.

The MTA NYCT reviewed the accident on June 12, 2006, and found it to be preventable. The bus driver was issued a 20 day suspension which he had appealed and this is still pending. 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   DATE

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DIRECTOR, PCSB, NYSDOT   DATE