At approximately 6:20 am, MTA New York City (NYCT) bus #9379 was moving in reverse from a loading spot within the 165th Street Bus Terminal. The rear bumper of the bus struck a female pedestrian walking from the bus driver’s left to right on the sidewalk, adjacent to the terminal boundaries. Subsequently, she fell to the sidewalk into the path of the bus and was run over by the right rear wheels. The bus driver being unaware of what happened stopped the bus and then moved forward running over the injured pedestrian again. At that time an unidentified motorist knocked on the front doors and notified the bus driver that there is a female under the bus. The bus driver stopped the bus and notified the Command Center. The injured pedestrian was transported to a local hospital where she expired at 07:50. NYC Police responded to the accident and no summonses were issued. The bus sustained no damage.

In the vicinity of the accident site, the 165th Street Terminal is located at the corner of Merrick Boulevard and 89th Avenue. The terminal contains an adjacent flat, level loading rectangular lot (86 feet by 168 feet). There are eight parking slots for MTA NYCT buses and six parking slots for MTA Long Island Bus (LIB). The slots are concrete paved and divided by yellow marking lines. A 15 feet wide concrete paved sidewalk is surrounding the terminal. At the time of the accident it was daylight and the weather was dry and clear. The speed limit at the lot is 5 mph.

Bus #9379 is a 1998 RTS transit type bus with a seating capacity of 40 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at Queens Village Depot are performed at regular 3,500 mile intervals, and the most recent was completed on April 26, 2006. The bus had traveled 3,133 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 #9379 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on June 2, 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 NYCT on July 8, 1991, and completed the “Standard New Bus Operator Training Program”. A review of the bus driver’s Department of Motor Vehicles records for the last three years 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 last three years revealed one preventable collision accident on 09/01/04, resulting in a warning and one non-preventable collision accident on 01/10/05.

A post accident drug and alcohol test administered to the bus driver 5 hours and 5 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 scene for the purpose of investigation.

In an interview with the PTSB staff the bus driver indicated that he arrived to the terminal at approximately 06:16 am and after boarding several school aged children he prepared to depart the terminal. The driver stated that he checked his mirrors, sounded the horn a few times and after observing no one around started to slowly back up the bus. After backing he shifted gears and started to move forward when he was notified by an unidentified motorist that the bus struck a pedestrian. The bus driver stated that he did not hear or feel anything happen.

In an interview with an MTA NYCT road supervisor, a witness indicated that he was stopped for a red traffic signal on Merrick Boulevard and 89th Avenue, facing south, when he observed the female walk northbound approaching the concrete surface of the sidewalk at an angle, from the bus driver’s left to right. She was struck by the right rear bumper of the bus when she reached the sidewalk. The impact knocked her to the ground, as the bus continued in reverse. The bus then moved forward and its right rear wheels rolled over her legs again. The auto driver pulled into the terminal and banged on the doors to stop the bus.

The Department of Buses provides coverage commonly referred to as “Terminal Traffic” whose sole purpose is to safely facilitate the reverse movement of buses. This coverage commenced at approximately 6:50 am and ended at approximately 7:30 pm. The coverage consisted of restricted duty bus operators or bus operators assigned on overtime. During afternoon peak periods (4:10 pm to 6:10 pm), two bus drivers are scheduled to overlap, in addition to, a Surface Line Dispatcher assigned to the location between the hours 12:00 pm and 8:00 pm. It must be noted that bus drivers are instructed to obtain assistance, whenever possible, of a responsible person to assist in moving buses in reverse. When none is available, as in this case, they are required to exit the bus, visually inspect the area around and to the rear of their bus before moving in reverse. In addition they are to continually sound the horn and scan all mirrors. Safe operation of the bus is at all times the full responsibility of the bus driver.

The investigation showed that according to the final rest location of the bus, the location and position of the injured person, the statement of the bus driver and the witness, it most likely that the pedestrian was walking from the bus driver’s left to right to the rear of the bus moving in reverse. The pedestrian was struck and knocked down by the right side of the rear bumper of the bus and run over by the right rear wheels. Then after changing the gear and moving forward the bus ran over the pedestrian’s legs again, before coming to the final stop.
The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the bus driver to follow established procedures for the reverse movement of buses and utilize his training in defensive driving techniques while driving in a bus terminal area.

The MTA NYCT reviewed the accident on August 18, 2006, and found it to be preventable. The bus driver was issued a dismissal which he appealed. The dismissal was modified to a permanent demotion forthwith to Cleaner TA in the Queens Division at the appropriate cleaner rate of pay.

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, NYS DOT

DATE