November 20, 2006

Mr. Neil S. Yellin, President
MTA Long Island Bus
700 Commercial Avenue
Garden City, NY 11530

RE: PTSB CASE #9101

Dear Mr. Yellin:

The Public Transportation Safety Board received notice of a fatal bus accident involving MTA Long Island Bus, which occurred on South Middleneck Road at the intersection with Arbor Street, Great Neck, NY, on September 8, 2006.

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

Sincerely,

John F. Guinan
Executive Director
Public Transportation Safety Board.

Enclosure

PUBLIC TRANSPORTATION SAFETY BOARD
**CLOSE OUT BUS ACCIDENT REPORT**
(Form NR)

<table>
<thead>
<tr>
<th>BUS PROPERTY NAME: MTA Long Island Bus (LIB)</th>
<th>CASE NUMBER: 9101</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRITERIA CODE: Fatality</td>
<td>TYPE OF ACCIDENT: Angle Collision</td>
</tr>
<tr>
<td>DATE/TIME: September 8, 2006 at 10:12 a.m.</td>
<td>ACCIDENT SEVERITY INDEX: 8.70</td>
</tr>
<tr>
<td>DATE REPORTED: September 8, 2006</td>
<td>TIME REPORTED: 10:57 a.m.</td>
</tr>
<tr>
<td>VEHICLES INVOLVED: 2</td>
<td>NUMBER OF INJURIES: 3</td>
</tr>
<tr>
<td>NUMBER OF FATALITIES: 1</td>
<td>BUS NUMBER: 370</td>
</tr>
<tr>
<td>TYPE OF BUS: Orion</td>
<td>PASSENGERS: 32</td>
</tr>
<tr>
<td>OTHER: Auto</td>
<td>OCCUPANTS: 3</td>
</tr>
</tbody>
</table>

**ACCIDENT LOCATION:** South Middleneck Road at Arbor Street, Great Neck, NY

**ROADWAY TYPE:** Asphalt

**TRAFFIC CONTROL:** Stop Sign

**LIGHT CONDITIONS:** Daylight

**INVESTIGATOR:** Harry W. Gerham

**HOURS OF SERVICE:** 4 hrs 30 min in last 24 hrs/ 47 hrs 0 min in last 7 days

**ACCIDENT DESCRIPTION:** MTA LIB bus #370 was traveling north on S Middleneck Rd. and approaching the intersection with Arbor St. when an auto, stopped at the stop sign on westbound Arbor St., abruptly moved (R to L) into the path of the bus. The bus driver braked heavily and counter steered but could not avoid colliding broadside with the driver’s side of the auto. The bus driver, two of the 32 bus passengers, the auto driver and front seat passenger claimed minor injuries and were transported to local hospitals where they were treated and released. The rear seat auto passenger, who was not wearing safety belts, was transported to a local hospital where she expired due to extremely serious head injuries. Both vehicles sustained extensive damage from the collision. An alcohol test performed on the bus driver by police at the scene was negative. Post accident drug and alcohol tests performed on the bus driver upon his release from the accident scene, approximately 3 hours from the time of the accident, were negative. Bus and bus driver records were reviewed and found to be complete, in-order and up-to-date. Post accident inspection of the bus found no defects which could be considered causal to the accident. Decelerometer tests performed on the bus’ braking systems showed stopping distances which met the NYS DOT Regulations (Title 17 of NYCRR, Article 3, Part 720). The Public Transportation Safety Board staff finds that the most probable cause of the accident was the driver of the auto who abruptly moved into the path of the bus.

**IT HAS BEEN DETERMINED THAT THE BUS PROPERTY INVOLVED IN THIS ACCIDENT DID NOT CONTRIBUTE TO THE CAUSE OF THE ACCIDENT.**

**SUBMITTAL**

THE ABOVE ACCIDENT HAS BEEN INVESTIGATED AND MEETS ALL OF THE CONDITIONS IDENTIFIED IN PTSB RESOLUTION #1340 AND REQUIRES NO FURTHER ACTION.

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**CHIEF, ACCIDENT INVESTIGATION SECTION**

**DIRECTOR, PCSB, NYSDOT**

(FORM NR)