At approximately 1:13 pm, MTA New York City Transit (NYCT) bus #9227 traveling westbound on Avenue U, after picking up and discharging two passengers at the near side bus stop, entered the intersection with West 8th Street on a red traffic signal (anticipating the change of the signal). At the same time a pickup truck moving southbound on West 8th Street, from the bus driver’s right to left, attempted to cross the intersection on a changing yellow to red traffic signal. In an attempt to prevent a collision the bus driver applied the brakes, however, the front of the bus struck the left side of the truck. The truck driver, two occupants from the truck and four bus passengers claimed various injuries, were transported to local hospitals, treated and released. The bus sustained slight damage with moderate damage to the truck. The NYC Police responded to the accident and no summonses were issued.

In the vicinity of the accident site, Avenue U is a 44.2 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. West 8th Street is a 30.6 foot wide, one-way northbound road with no pavement marking. Both roadways are straight, level and asphalt paved. Parking is permitted at the curbs. The traffic at the intersection is controlled by two 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 #9227 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 September 7, 2006. The bus had traveled 2,130 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 #9227 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on October 11, 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 April 3, 1989, 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 two non-preventable collision accidents on 09/02/04 and on 05/19/05. A post accident drug and alcohol test administered to the bus driver 2 hours and 17 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 she was driving westbound on Avenue U and, after making a near side service stop at the intersection with West 8th Street, was stopped for a red traffic signal. After the traffic signal changed the bus rolled into the intersection with her foot on the brake pedal. The bus driver claimed that she looked to her right, then to her left and proceeded into the intersection when she observed a pickup truck moving fast (approximately 30 mph) into the intersection, from her right to left, on a red traffic signal. The bus driver applied the brakes, however, the pickup truck hit the bus.

The truck driver, in an interview with the PTSB staff, stated that the traffic signal was yellow as he approached the intersection.

Both occupants from the truck claimed that the truck entered the intersection on a green traffic signal.

A witness who was seated on the right side of the bus, second forward facing seat stated that the traffic signal was green when the bus entered the intersection from a stopped position and the bus struck the auto.

Another witness, who was stopped for traffic on the left side of the bus waiting for the green signal, observed the bus move forward and enter the intersection on a red traffic signal and strike the pickup truck.

The investigation showed that according to the final rest positions of the bus, the pickup truck, the collision debris, the statements of the bus driver, the pickup driver and the witnesses it is most likely that the bus, moving westbound on Avenue U with an approximate speed of 10 mph, entered the intersection with 8th Street on a red traffic signal. The pickup truck entered the same intersection while the traffic light was changing yellow to red.

The Public Transportation Safety Board finds that the most probable cause of the accident was the failure of the bus driver to obey the traffic control device.

Contributing to the accident was the failure of the bus driver to utilize her training in defensive driving techniques while moving through an intersection.
The MTA NYCT reviewed the accident on November 21, 2006, and found it to be preventable. The bus driver was issued a 20 day suspension. The appeal is still pending. The bus driver was retrained, her performance was evaluated as satisfactory and she was returned to passenger service.

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

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DIRECTOR, PCSB, NYSDOT DATE