PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9170
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Fatality
3b. Accident Severity Index: 6.00
4a. DATE: November 8, 2006
4b. TIME: 6:14 am
5. ACCIDENT LOCATION: Gun Hill Road at Bainbridge Avenue
6. TOWN/CITY/BOROUGH: Bronx
7. SUMMONS: None
8. BUS NUMBER: 8834
8a. YEAR: 1996
8b. MAKE: RTS
9. NUMBER OF INJURIES: 0
10. FATALITIES: 1
11. HOURS OF SERVICE: 3 hrs and 17 min in last 24 hrs/48 hrs and 13 min in last 7 days
12. SYNOPSIS:

At approximately 6:14 am, MTA New York City Transit (NYCT) bus #8834 traveling in the #2 travel lane, northbound on Bainbridge Avenue, was making a left turn onto Gun Hill Road on a green traffic signal. At that time a female pedestrian shielding herself from rain with an umbrella was walking in the western crosswalk over Gun Hill Road, from the bus driver’s left to right. The left side of the bus knocked the pedestrian down to the pavement into the path of the bus. Subsequently, the pedestrian was run over by the left rear dual wheel of the bus. The injured pedestrian was transported to a local hospital where she was pronounced DOA at 6:30 am. NYC Police responded to the accident and the bus driver was issued a summons (OAC4746324) for “failing to yield to a pedestrian in the crosswalk”. The bus sustained no damage.

In the vicinity of the accident site East Gun Hill Road is a 62 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating two eastbound and two westbound travel lanes. Bainbridge Avenue is a 40 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one southbound and one northbound travel lane. Both roadways are straight, level and asphalt paved. Parking is permitted at the curbs. The traffic at the intersection is controlled by four traffic signals. At the time of the accident it was dark and the roads were lighted with standard street luminaries. It was raining and the pavement was wet and slippery. The posted area speed limit is 30 mph.

Bus #8834 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 Kingsbridge Depot are performed at regular 3,000 mile intervals and the most recent was completed on October 5, 2006. The bus had traveled 2,669 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 #8834 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on November 9, 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 June 24, 1994, 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 one non-preventable collision accident. A post accident drug and alcohol test administered to the bus driver 3 hours and 55 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 he stopped the bus at a red traffic signal before entering the intersection of Bainbridge Avenue with East Gun Hill Road. He stated that he scanned the intersection, saw one vehicle in the opposite direction and no pedestrians in all directions. After the signal turned green, the auto moved across the intersection. Then the driver stated that he proceeded in a left turn. While making the turn the bus driver heard a “thud” from the left side of the bus. He looked to the left and noticed an umbrella in the roadway, continued into the bus stop, secured the bus and then exited to inspect what happened. At that time the bus driver observed a female lying on the roadway behind the bus. He reported the accident to the Command Center.

An intending passenger who was standing in the bus stop on East Gun Hill Road stated that she had seen the female pedestrian walking in the crosswalk from south to north.

Two female bus passengers claimed that they were seated in the #1 and #2 left side forward facing seats and saw the pedestrian walk on an angle to the turning bus and was outside of the crosswalk when she was struck by the bus. They indicated that the contact occurred just below where they were seated. Both passengers stated that they did not hear any sound of the bus’s horn prior to impact.

The investigation showed that, according to the final rest location of the injured pedestrian, the final rest location of the bus, the location of blood stains and other debris, it is most likely that the pedestrian was walking in the crosswalk across East Gun Hill Road, from south to north, shielding herself with an umbrella, when she was struck by the left side panel of the bus and fell down to the pavement into the path of the bus. Subsequently, the pedestrian was run over by the left rear dual wheels.

The Public Transportation Safety Board finds that the most probable cause of the accident was the failure of the bus driver to identify the pedestrian walking in the crosswalk and yield right of way. The driver also failed to use his defensive driving techniques while crossing an intersection.

The MTA NYCT reviewed the accident on May 23, 2006, and found it to be preventable. The bus driver was issued a penalty of dismissal which he appealed. The case is still pending.
Based on the action taken by the 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