PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE#: 9186
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Sideswipe
3b. Accident Severity Index: 0.25
4a. DATE: November 27, 2006
4b. TIME: 5:40 p.m.
5. ACCIDENT LOCATION: Pennsylvania Avenue at Atlantic Avenue
6. TOWN/CITY/BOROUGH: Brooklyn, NY
7. SUMMONS: No
8. BUS NUMBER: 4983
8a. YEAR: 1999
8b. MAKE: Nova/RTS
9. NUMBER OF INJURIES: 5
10. FATALITIES: 0
11. HOURS OF SERVICE: 8 hr 8 min in last 24 hrs/44 hrs 29 min in last 7 days
12. SYNOPSIS:

At approximately 5:40 p.m., MTA New York City Transit (NYCT) bus #4983 was turning left from southbound Pennsylvania Avenue onto eastbound Atlantic Avenue when a pipe protruding from the left rear corner section of a passing northbound truck collided with the left center of the bus breaking side windows. Five of the 20 bus passengers claimed various injuries and were transported to a local hospital where they were all treated and released. The bus sustained moderate damage while the truck was undamaged from the collision.

In the vicinity of the accident site Pennsylvania Avenue is a 61 foot wide two-way north/south roadway divided by a solid double yellow barrier pavement marking into two northbound travel lanes and three southbound lanes (two travel, one dedicated left turn). Parking is not permitted at either curb. Atlantic Avenue, in the eastern direction, is a 90 foot wide two-way roadway divided by a ten foot wide raised concrete median into three travel lanes in each direction. Parking is allowed at both curbs. Both roadways are asphalt paved, straight, level and in good condition. The intersection is controlled by standard traffic signals which, at the time of the accident investigation, were functioning as designed. The dedicated left turn lane on Pennsylvania Avenue provides southbound traffic with 8 seconds of unimpeded left turns when the arrow is lit. The roadways are illuminated by standard overhead luminaires which, at the time of the accident investigation, were all functioning as designed. At the time of the accident it was dark, the weather was clear and the pavement was dry. The area speed limit is 30 mph.

Bus #4983 is a 1999 Nova/RTS-06 transit type bus housed and maintained at the East New York Depot with a seating capacity of 40 passengers. A review of the bus records showed that Preventive Maintenance Inspections are performed at regular 4,000 mile intervals (±500 miles), the most recent was completed on November 11, 2006 and the bus had traveled 1,402 miles since then. There were no safety or recurring defects noted in the 45 days prior to the accident. Physical inspection of the bus on November 28, 2006 found no defects that could be considered a causative factor in the accident. The inspection showed collision damage (windows broken) to two of the left side windows. Decelerometer tests were performed on the bus’ 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 October 15, 2006 and completed the New Bus Operator Training Program. At the time of the accident the bus driver was still on probation. A review of the driver’s Department of Motor Vehicles records for the past three years showed one conviction for “disobeying a traffic control device” (03/12/03). NYS Vehicle & Traffic Law, Article 19-A records were reviewed and found to be complete, in-order and up-to-date. A review of the driver’s NYCT accident record since his date of hire showed no collision accidents. Post accident drug and alcohol tests performed on the bus driver upon his release from the accident scene, 3 hours from the time of the accident, were negative.

In an interview with the MTA NYCT Department of Buses (DOB) Supervisor the bus driver stated that he was stopped on southbound Pennsylvania Avenue waiting to turn left (east) onto Atlantic Avenue, when a truck that was very close to the bus with a pole sticking out of the back into traffic struck the bus, breaking the glass. When the bus driver was interviewed by investigative personnel a short time later the driver made a different version of what had happened by indicating that he had passed very closely (one foot away) by the side of a stopped truck that was in the middle of the intersection and as he brought the bus to a stop to yield to oncoming traffic he heard the sound of breaking glass and observed pieces of glass entering the interior of the bus.

The truck driver indicated in an interview at the accident scene that he was traveling in the second lane on northbound Pennsylvania Avenue and crossing Atlantic Avenue when he heard a scratching and stopped the truck. The driver said that he then observed in his mirror that the side of a bus had struck the metal pipe sticking out of the back of his truck.

A female bus passenger seated in the middle of the left side of the bus indicated that the bus had been moving on a left turn when the left side of the bus hit a pipe sticking out of the back of a truck, the bus driver braked very hard and stopped the bus.

Additional facts:
- The New York City Police Department (NYPD) report indicated that the bus driver claimed that he was making a left turn when a pipe in the bed of the truck collided with his bus windows and that the truck driver indicated that this occurred while changing lanes to avoid a speeding car he collided with the bus.
- Inspection of the truck showed two metal pipes that were properly secured in the left side bed of the truck. The pipes protruded approximately 20 inches from the rear of the truck bed. Red flagging on the pipes would only be required by NYS VTL for anything protruding greater than four feet.

The MTA NYCT trains all bus drivers in defensive driving techniques for safely approaching and traversing intersections, statistically one of the most hazardous points in a driver’s route. These techniques include, but are not limited to, reducing speed, scanning for hazards, identifying and anticipating potential hazards – particularly those hazards presented by the unanticipated actions of other motorists and pedestrians. In addition, bus drivers are trained to utilize and monitor all of the bus mirrors to insure that the area around the bus is clear of hazards while the bus is in motion.
Public Transportation Safety Board staff finds that the probable cause of this accident was the failure of the bus driver to adhere to his training by not properly monitoring surrounding traffic conditions while progressing on a left turn.

On January 21, 2007 the MTA NYCT DOB, after reviewing the facts concerning the accident, dismissed the probationary bus driver.

Based on the action taken by the MTA New York City Transit regarding this accident, the Public Transportation Safety Board staff makes no recommendation in this case.

INVESTIGATOR: Harry W. Gerham

CHIEF, ACCIDENT INVESTIGATION SECTION           DATE

DIRECTOR, PCSB, NYSDOT                      DATE