PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE#: 9191
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Enter/Leave Bus Stop
3b. Accident Severity Index: 0.30
4a. DATE: December 4, 2006
4b. TIME: 2:43 p.m.
5. ACCIDENT LOCATION: Merrick Boulevard at Pineville Lane
6. TOWN/CITY/BOROUGH: Jamaica, NY
7. SUMMONS: No
8. BUS NUMBER: 8939
8a. YEAR: 1996
8b. MAKE: Nova/RTS-06
9. NUMBER OF INJURIES: 6
10. FATALITIES: 0
11. HOURS OF SERVICE: 8 hr 12 min in last 24 hrs/47 hrs 8 min in last 7 days
12. SYNOPSIS:

At approximately 2:43 p.m., MTA New York City Transit (NYCT) bus #8939 was departing the near side bus stop on eastbound Merrick Boulevard near the intersection with Pineville Lane when a van, traveling in the same direction to the left of the bus, attempted a right turn (into the parking lot of a supermarket) in front of the bus. The bus driver saw the van driver begin the turn and braked heavily but could not avoid a collision involving the right rear side of the van and the left front corner of the bus. Six of the 60 bus passengers claimed various injuries and were transported to a local hospital where they were all treated and released. Both vehicles sustained slight damage from the collision.

In the vicinity of the accident site Merrick Boulevard is a two-way east/west roadway divided by a two foot wide raised concrete median into two westbound travel lanes and three eastbound lanes (two travel, one dedicated left turn). Parking is not permitted at either curb. Pineville Lane, which played no part in the accident, is a two-way north/south roadway with one travel lane in each direction. Both roadways are asphalt paved, straight, level and in good condition. At the time of the accident it was daylight, the weather was clear and the pavement was dry. The area speed limit is 30 mph.

Bus #8939 is a 1996 Nova/RTS-06 transit type bus housed and maintained at the Jamaica Depot with a seating capacity of 40 passengers. A review of the bus records showed that Preventive Maintenance Inspections are performed at regular 3,500 mile intervals (±500 miles), the most recent was completed on November 2, 2006 and the bus had traveled 3,057 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 December 5, 2006 found no defects that could be considered a causative factor in the accident. The inspection showed slight collision damage to the left front corner of the bus. 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 January 15, 1996 and completed the New Bus Operator Training Program. A review of the driver’s Department of Motor Vehicles records for the past three years showed no violations or convictions. 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 for the last three years showed one non-preventable collision accident (06/17/04). Post accident drug and alcohol tests performed on the bus driver upon his release from the accident scene, 4 hours and 22 minutes from the time of the accident, were negative.
In an interview with the bus driver indicated that as he was preparing to depart the bus stop on eastbound Merrick Boulevard he observed a blue van in the left side travel mirror approaching (same direction of travel). The bus driver said that as he moved forward from the bus stop the van began to turn right in front of the bus causing him to brake hard. The bus driver said the van then made contact with the left front corner of the bus.

The van driver indicated that while making a right turn in front of the bus, the bus hit him.

Three bus passengers, in a statement to the MTA NYCT Department of Buses (DOB) Supervisor at the scene, said that the bus had stopped short because of the van turning in front of the bus.

Additional facts:
- Based on the type of damage to both vehicles, type and direction of scrape marks, it was determined that the van most likely collided with the bus.
- Using data collected from the accident scene, skid marks from the bus left front and left rear wheels, and accepted accident reconstruction formulas it was calculated that the maximum speed of the bus prior to hard braking was 10-12 mph.

The MTA NYCT trains all bus drivers in defensive driving techniques for safely servicing bus stops and to be especially vigilant and prepared to react to the actions of motorists when departing near side bus stops, especially for vehicles that may turn right in front of the bus.

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 for servicing near side bus stops. The bus driver, by being aware of the van approaching from the rear, should have held his position in the bus stop until the van passed his bus. Contributing to the accident was the van driver who turned right in front of the moving bus.

On January 3, 2007 the MTA NYCT DOB, after reviewing the facts concerning the accident rated the accident preventable. By contract, this being the bus driver’s first minor preventable accident, no discipline was accessed. The bus driver was retrained and returned to passenger service.

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