PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9344
2. PROPERTY NAME: MTA BC
3a. ACCIDENT TYPE: Multiple Injury
3b. Accident Severity Index: 4.25
4a. DATE: April 28, 2007
4b. TIME: 5:48 am
5. ACCIDENT LOCATION: 164th Street at Booth Memorial Avenue
6. TOWN/CITY/BOROUGH: Queens
7. SUMMONS: None
8. BUS NUMBER: 9827
8a. YEAR: 1998
8b. MAKE: Orion
9. NUMBER OF INJURIES: 18
10. FATALITIES: 0
11. HOURS OF SERVICE: 1 hr and 50 min in last 24 hrs/36 hrs and 4 min in last 7 days
12. SYNOPSIS:

At approximately 5:48 am, MTA Bus Company (BC) bus #9827 traveling northbound on 164th Street was approaching the intersection with Booth Memorial Avenue on a green traffic signal with an approximate speed of 25 mph. At the same time an auto without the headlights illuminated moving from the bus driver’s left to right, at a high rate of speed, ran the red traffic signal and entered the intersection. In an attempt to avoid a collision, the bus driver swerved to the right and applied the brakes. The auto driver realized the danger and made an attempt to swerve to the left. However, the left front of the bus broadsided the auto. The bus knocked down a light pole and a street side phone booth. Both vehicles mounted a curb and moved forward for approximately 100 feet from the point of impact, coming to the final rest against a tree. The bus driver, 12 bus passengers and three occupants from the auto claimed various injuries, were transported to local hospitals, treated and released except for the occupants from the auto, who were admitted. One of the occupants was in a critical condition. The auto driver was arrested for DWI (Q07624420). Both the bus and the auto sustained extensive damage.

In the vicinity of the accident site, 164th Street is a 70 foot wide, two-way road divided by a 4 foot wide elevated concrete median. The roadway accommodates two northbound and two southbound travel lanes. The cross road, Booth Memorial Avenue is a 38 foot wide two-way road divided by a full barrier yellow pavement marking accommodating one eastbound, one westbound and one left turn only travel lane. Both roadways are straight, level and asphalt paved. Parking is not permitted at either curbs of Booth Memorial Avenue. The traffic at the intersection is controlled by 5 traffic signals. At the time of the accident it was sunrise and the weather was dry and clear. The posted area speed limit is 30 mph.

Bus #9827 is a 1998 Orion transit type bus with a seating capacity of 38 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at College Point Depot are performed at 4,000 mile intervals (+/- 500 miles) or 90 days whichever comes first. The most recent PMI was completed on April 9, 2007. The bus had traveled 1,863 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 #9827 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with MTA BC staff on April 30, 2007 and no defects were found that would be considered causative factors in this accident.
No decelerometer tests were performed on the braking systems due to the extensive damage to the bus.

The bus driver was hired by Queens Surface Corporation on March 12, 2001, completed the company’s new bus operator training program and absorbed into MTA BC in 2005. A review of the bus driver’s Department of Motor Vehicles records showed one speed in zone violation (private vehicle) on 12/01/03, resulting in a fine of $90 and 4 points on the record, and a red light violation on 02/03/07, resulting in a fine of $50 and one day suspension. New York State Vehicle & Traffic Law, Article 19-A records were complete and up-to-date. A review of the driver’s MTA BC records for the last three years revealed two preventable collision accidents. A post accident drug and alcohol test administered to the bus driver 5 hours and 2 minutes after the collision was negative. The delay in administering the alcohol test was due to the bus driver being transported to a local hospital and treated.

In an interview with the PTSB staff, the bus driver indicated that his bus was moving with an approximate speed of 25 mph, northbound on 164th Street, approaching the near side bus stop. After noticing no intending passengers at the bus stop, he continued to move through the intersection. He also stated that when the front of the bus entered the intersection with Booth Memorial Avenue he observed a speeding auto (approximately 50 mph) disobeyed the red traffic signal and approach the bus from the bus driver’s left to right. The head lights of the auto were not illuminated. The bus driver applied the brakes and swerved to the right. He stated that the auto struck the bus first. The bus driver kept applying the brakes, however, there was no response and no steering. He indicated that after the impact the bus shut off.

A motorist traveling in the same direction to the left of the bus and approximately two bus lengths to the rear of bus stated that the traffic signal was green for the bus and red for the auto when the bus entered the intersection.

Three bus passenger witnesses stated to the MTA BC road supervisor that they observed the auto moving through the intersection on a red traffic signal.

New York Police Department (NYPD) report indicates that the bus was traveling northbound on a green traffic signal, when the auto driver failed to obey the red traffic signal causing the collision. The investigation showed that according to the final rest positions of the bus and the auto, the locations of the collision debris, the statements of the witnesses, the damage to both vehicles, it is most likely that the bus moving northbound on 164th Street with an approximate speed of 25 mph, entered the intersection on a green traffic signal.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the auto driver to stop for a red traffic signal.

Contributing to the accident was the bus driver who failed to utilize his training in defensive driving techniques while driving through an intersection.
The MTA NYCT reviewed the accident on May 18, 2007, and found it to be preventable. The bus driver was issued a warning. The bus driver was retrained, his performance was evaluated as satisfactory and he was returned to passenger service.

INVESTIGATOR: M. Palanker

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CHIEF, ACCIDENT INVESTIGATION SECTION  DATE

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DIRECTOR, PCSB, NYSDOT  DATE