1. CASE: 9382
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Multiple Injury
3b. Accident Severity Index: 2.75
4a. DATE: May 30, 2007
4b. TIME: 3:12 pm
5. ACCIDENT LOCATION: 25th Avenue at Bath Avenue
6. TOWN/CITY/BOROUGH: Brooklyn
7. SUMMONS: None
8. BUS NUMBER: 8877
8a. YEAR: 1996
8b. MAKE: RTS
9. NUMBER OF INJURIES: 5
10. FATALITIES: None
11. HOURS OF SERVICE: 0 hrs and 16 min in last 24 hrs/36 hrs and 8 min in last 7 days
12. SYNOPSIS:

At approximately 3:12 pm, an MTA NYCT bus #8877 traveling northbound on 25th Avenue was entering the intersection with Bath Avenue on a green traffic signal, when an auto moving from the bus driver’s right to left, entered the same intersection on a red traffic signal. The front of the auto struck the right side of the bus in the area of the front doors and #1 side panel. After the impact the bus continued forward for approximately 167 feet to the final rest. The auto being redirected by the impact, mounted the curb and came to rest approximately 40 feet from the point of impact. The auto driver, the bus driver and three bus passengers claimed various injuries, were transported to local hospitals, treated and released, except the auto driver who was admitted to the hospital in serious condition. The bus sustained moderate damage with extensive damage to the auto. NYC Police responded to the accident and no summonses were issued.

In the vicinity of the accident site, 25th Avenue is a 43.8 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one northbound and one southbound travel lane. Bath Avenue is a 22.6 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. 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 #8877 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) are performed at Ulmer Park Depot at 4,000 mile intervals. The most recent PMI was completed on April 4, 2007. The bus had traveled 2,985 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 #8877 was conducted by the Public Transportation Safety Board staff in conjunction with MTA NYCT staff on May 31, 2007 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 NYCT on March 29, 1999, completed the standard “New Bus Operator Training Program”. A review of the bus driver’s Department of Motor Vehicles records for the last three years 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 NYCT record revealed one non-preventable collision accident for the last three years.

A post accident drug and alcohol test administered to the bus driver 5 hours and 27 minutes after the accident was negative. The delay in administering the drug and alcohol tests was due to the bus driver being transported to a local hospital, treated and released.

In an interview with the PTSB staff, the bus driver indicated that he did not observe any vehicles when he approached and entered the intersection with Bath Avenue at an approximate speed of 15 mph on a green traffic signal, covering the brake pedal. As the bus reached the far side of the intersection he observed an auto entering the intersection on a solid red traffic signal with a high rate of speed. The front of the auto struck the right front side of the bus. When the bus driver was asked why did the bus travel so far from the point of contact, he responded that the impact caused him to lose control of the bus, enter the opposite travel before bringing the bus to the stop.

A witness who was seated in the bus stated that the bus was moving through the intersection on a green traffic signal when she observed the auto moving fast and strike the bus.

The investigation showed that according to the final rest positions of the bus and the auto, the location of the collision debris, the statements of the both drivers and the witness, and the information downloaded from the Electronic Control Module of the bus, it is most likely that the bus moving northbound on 25th Avenue with a speed of 30 mph entered the intersection on a green traffic signal. The auto entered the same intersection on a red traffic signal, causing the collision.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the auto driver to stop his vehicle for a red traffic signal and yield the right-of-way to the bus.

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 August 15, 2007, and found it to be preventable. The bus driver was issued a thirty day suspension. The bus driver was retrained, his performance was evaluated as satisfactory and he was returned to passenger service.

Based on the action taken by MTA NYCT regarding this accident, the Public Transportation Safety Board staff makes no recommendations.

INVESTIGATOR: Mikhail Palanker

CHIEF, ACCIDENT INVESTIGATION SECTION

DIRECTOR, PCSB, NYS DOT

SIGNATURE

DATE