1. CASE: 9401
2. PROPERTY NAME: Niagara Frontier Transportation Authority (NFTA)
3a. ACCIDENT TYPE: Collision                  3b. Accident Severity Index: .25
4a. DATE: June 28, 2007                       4b. TIME: 11:15 a.m.
5. ACCIDENT LOCATION: Bailey Avenue & East Amherst Street
6. TOWN/CITY/BOROUGH: Buffalo
7. SUMMONS: None
8. BUS NUMBER: 2239                           8a. YEAR: 2002   8b. MAKE: Gillig
9. NUMBER OF INJURIES: 5                      10. FATALITIES: 0
11. HOURS OF SERVICE: 8 hrs/5 min in the last 24 hrs/ 41 hrs/ 7 min in last 7 days
12. SYNOPSIS:

At approximately 11:15 a.m., NFTA bus #2239 was traveling southbound on Bailey Avenue approaching East Amherst Street when the bus collided with an auto which was traveling eastbound on Amherst attempting to turn left (North) onto Bailey Avenue. The operator notified dispatch of the accident. Five passengers were transported to local hospitals treated and released. The Buffalo FD, and NFTA Transit PD responded to the scene. The bus was towed to NFTA Cold Springs bus garage and secured. The driver of the auto was issued a summons for unlicensed operation of a vehicle.

In the vicinity of the accident site, Bailey Avenue is a two way north/south roadway divided by a solid double yellow barrier pavement marking. Parking is permitted at the curbs. East Amherst is a one way eastbound road crossing through the intersection of Bailey Avenue. Both roadways are straight, level and asphalt paved. 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 #2239 is a 2006 forty-foot transit type bus with a seating capacity for forty passengers. Preventive Maintenance Inspections (PMI) are conducted every 6,000 miles in accordance with the NFTA's System Safety Program Plan and the manufacturer’s recommended service intervals. In addition, all NFTA buses undergo a critical safety inspection every 3,000 miles. The last PMI was completed on June 14, 2007 and the bus had traveled 1,519 miles at the time of the accident.

A post accident inspection of bus #2239 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NFTA maintenance staff on July 7, 2007. No defects were found that would be considered causative to the accident. Decelerometer tests were performed on the braking system resulting in stopping distances that met the NFTA adopted standards for passenger vehicles of the NYSDOT Regulations (Title 17 of NYCRR, Article 3, Part 720).
The bus operator was hired by NFTA on December 17, 1985 and completed the standard bus operator and defensive driving training. A review of the driver's New York State Department of Motor Vehicle's records showed no violations or suspensions. Article 19-A records were found in order and up to date. A review of the driver's NFTA record for the last three years revealed one non-preventable accident on 03/17/2006 (Owner of vehicle opened door into side of bus). A post accident drug and alcohol test was administered to the bus operator 1 hr and 45 minutes after the accident. The results were negative.

In an interview with the PTSB Staff, the bus operator indicated he was traveling southbound on Bailey Avenue when he pulled into a bus stop to drop off passengers. The overhanging light on Bailey Avenue turned green and the bus operator continued to the intersection of East Amherst Street (East Amherst is a one way street crossing Bailey Avenue) an auto was making a left turn on East Amherst. The bus operator stated he could not see the auto at the corner of Bailey and East Amherst. The bus operator stated he was traveling approximately 10-15 mph before impact with the auto. The bus operator stated the auto was traveling at a high rate of speed when he struck the left front corner of the bumper. The operator stated he could not take evasive action.

The overhanging traffic signals on Bailey Avenue and East Amherst had no delay in sequencing. The City of Buffalo DOT corrected the sequencing issue.

The investigation further revealed reviewing an onboard camera that prior to the accident the bus operator should have seen the auto at the corner of East Amherst. There were no obstructions blocking his view.

The Public Transportation Safety Board staff finds that the most probable cause of the bus accident was the auto driver failed to yield the right of way to oncoming perpendicular traffic.

Contributing to the accident was the failure of the bus operator to utilize his defensive driving skills and training.

NFTA safety committee reviewed the accident on June 28, 2007, and found it to be preventable. In accordance with NFTA’s internal accident rating policies, the bus operator received a total of 4 points plus a 1 day re-training in the Smith System.

Based on the actions taken by NFTA in this case, the Public Transportation Safety Board staff makes no further recommendations.

INVESTIGATOR: Mike Gluskin

CHIEF, ACCIDENT INVESTIGATION SECTION

DIRECTOR, PCSB, NYS DOT

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