PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9430
3a. ACCIDENT TYPE: Multiple Injury
4a. DATE: July 21, 2007
5. ACCIDENT LOCATION: South Service Road at southbound Van Wyck Entrance Ramp.
6. TOWN/CITY/BOROUGH: Queens
8. BUS NUMBER: 5982
9. NUMBER OF INJURIES: 6
11. HOURS OF SERVICE: 9 hrs and 22 min in last 24 hrs/75 hrs and 56 min in last 7 days
12. SYNOPSIS:

At approximately 4:01 pm, MTA Bus Company (BC) bus #5982 traveling in the designated left turn only lane, southbound on South Service Road, was approaching the intersection with the southbound Van Wyck Expressway Entrance Ramp, attempting to make a left turn on a green traffic signal. The bus driver identified a mini van moving in the opposite direction at high rate of speed. At that time a Sport Utility Vehicle (SUV), moving in the same direction to the right of the bus, attempted to make an illegal left turn. The SUV stopped next to the bus, prior to crossing over the entrance ramp. The bus driver, being distracted by the SUV, applied the brakes, however, the bus entered the oncoming travel lane and blocked the path for any oncoming traffic. At that time the van entered the northbound travel lane of South Service Road (opposite direction to the bus) with an estimated speed of 40 mph (speed limit is 35 mph). Subsequently, the left front of the mini van collided “head on” with the left front of the bus. The bus driver and four bus passengers claimed various injuries, were transported to local hospitals, treated and released. The van driver was transported to the hospital and admitted in a critical condition where he died two weeks later. The bus sustained moderate damage, with extensive damage to the van. The Port Authority of NY & NJ Police Headquarters responded to the accident and no summonses were issued.

In the vicinity of the accident site, South Service Road is a 40 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one northbound, one southbound and one additional left turn only travel lane in the southbound direction. The entrance ramp to the Van Wyck Expressway is a 25 foot wide one-way road accommodating one eastbound travel lane. Both roadways are straight, level and asphalt paved. Parking is not permitted at the curbs. At the time of the accident it was daylight and the weather dry and clear. The posted area speed limit is 35 mph. The traffic at the intersection is controlled by four traffic signals.

Bus #5982 is 1997 Orion transit type bus with a seating capacity of 39 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at JFK Depot are performed at 4,000 mile intervals (+/- 500 miles) or 90 days whichever comes first. The most recent PMI was completed on June 21, 2007. The bus had traveled 2,807 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 #5982 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with MTA BC and NYCT staff on July 25, 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 BC adopted standards for passenger vehicles of NYS DOT Regulations (Title 17 of NYCRR, Article 3, Part 720).

The bus driver was hired by Green Bus Lines, on March 11, 2002, completed the company’s new bus operator training program. A review of the bus driver’s Department of Motor Vehicles records 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 MTA BC record revealed one non-preventable collision accident for the last three years. A post accident drug and alcohol test administered to the bus driver 1 hour and 29 minutes after the accident was negative.

In an interview with the PTSB staff the bus driver indicated that he was driving south on the South Service Road after serving a bus stop. As the bus entered the left turning lane the driver checked the mirrors and observed no vehicles moving in the same direction nor to the rear nor to the right of the bus. Then the traffic signal turned green and the bus approached the intersection to make the left turn. At that time the bus driver noticed an auto (not the van) moving in the opposite direction. He estimated that he had enough time to complete the turn. Then he suddenly observed a blue SUV passed the bus cutting him off and stopped right in front of the bus. The bus driver swerved to the left and stopped abruptly. A few seconds later a white van, moving in the opposite direction at a high rate of speed, struck the stopped bus “head on”. The driver of the SUV was released from the scene by Police without taking any information.

Two witnesses who were seated at the right side of the bus indicated that they saw the SUV moving around the bus.

Two other witnesses who were seated at the left side of the bus stated that they observed the van prior to the impact.

All four witnessed that the bus was stopped at the time of the impact.

The investigation showed that according to the location of debris from the impact, the final rest positions of the bus and the mini van, the skidmarks from the bus, the witnesses and the bus driver’s statements, it is most likely that the bus was moving southbound on South Service Road with an estimated speed of 10 mph, approaching the intersection when the bus driver identified the speeding white mini van. The bus driver, being distracted by the SUV, applied the brakes and stopped the bus, obstructing the northbound travel lane of the South Service Road and making the collision unavoidable for the van driver.
The Public Transportation Safety Board staff finds that the most probable cause of the accident was the bus driver, who entered the opposite traffic travel lane into the path of oncoming traffic and blocked the path for the mini van.

Contributing to the accident was the driver of the mini van who operated his vehicle above the posted speed limit.

The MTA NYCT reviewed the accident on January 24, 2008, and found it to be preventable. The driver was given retraining and returned to passenger service. He was also issued a final warning prior to dismissal, which the driver is appealing.

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

INVESTIGATOR: Mikhail Palanker