PUBLIC TRANSPORTATION SAFETY BOARD  
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9436  
2. PROPERTY NAME: MTA NYCT  
3a. ACCIDENT TYPE: Mechanical Failure  
3b. Accident Severity Index: 0.0  
4a. DATE: July 27, 2007  
4b. TIME: 10:30 pm  
5. ACCIDENT LOCATION: Gates Avenue at Malcolm Boulevard  
6. TOWN/CITY/BOROUGH: Brooklyn  
7. SUMMONS: None  
8. BUS NUMBER: 9571  
8a. YEAR: 1998  
8b. MAKE: RTS  
9. NUMBER OF INJURIES: 1  
10. FATALITIES: 0  
11. HOURS OF SERVICE: 5 hrs and 42 min in last 24 hrs/39 hrs and 22 min in last 7 days  
12. SYNOPSIS:

At approximately 10:30 pm, MTA New York City Transit (NYCT) bus #9571 was traveling westbound on Gates Avenue when right side seat #6 collapsed. The female passenger from seat #6 fell to the floor of the bus. She claimed various injuries and was transported to a local hospital, treated and released. Two other females who were seated on seat #7 left the bus and then returned back, claimed to have been injured but refused medical assistance and left the scene unassisted. The bus driver claimed a mechanical failure. The bus sustained light damage.

In the vicinity of the accident site, Gates Avenue is a 44 foot wide, two way road divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. Malcolm Boulevard is a 48 foot wide, two way road divided by a full barrier yellow pavement marking, accommodating one northbound and one southbound travel lane. Both roadways are straight, level and asphalt paved. Parking is permitted at the curbs. At the time of the accident the weather was dry and clear. It was dark and the roads were lighted with standard street luminaries. The area speed limit is 30 mph.

Bus #9571 is a 1998 RTS transit type bus with a seating capacity of 40 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at Fresh Pond Depot are performed at regular 4,000 mile intervals and the most recent was completed on June 25, 2007. The bus had traveled 2,376 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 #9571 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with NYCT staff on August 30, 2007. The post accident inspection of the bus indicated that the #6 curbside passenger seat “T” blocks that secure the lower seat bracket to the seat track had slid out of the track causing the seat to collapse. Previously, on 5/17/07 this seat was repaired. During this repair the seat channel spacer plates that are mounted between the lower seat brackets and the seats tracks were not installed. As a result, the seat securement bolts bottomed out against the seat track, before a full clamp load was achieved, resulting in the subsequent failure.

The bus driver was hired by the MTA NYCT on May 14, 2007, and completed the standard “New Bus Operator Training Program”.
A review of the bus driver’s Department of Motor Vehicles records showed one “no seat belt” violation on 12/07/04, resulting in a $40 fine. New York State Vehicle & Traffic Law, Article 19-A records were complete and up-to-date. A review of the driver’s MTA NYCT records for the time since he was hired showed one collision accident on 06/20/07, resulting in a counseling (due to the contract with the Union). A post accident drug and alcohol test was not administered to the bus driver due to the nature of the accident.

In an interview with the PTSB staff, the bus driver indicated that he was driving westbound on Gates Avenue when he heard a noise in the mid section of the bus. Then he observed a female passenger lying on the floor of the bus. He stopped the bus and went to investigate what happened. He observed that the right side #6 seat collapsed, causing the passenger to fall to the floor. He reported the incident to the Command Center.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the failure of the maintainer to install the seat channel spacer plates between the lower seat brackets and the seat tracks.

The MTA NYCT reviewed the accident on September 4, 2007, and found it to be preventable. The bus maintainer was charged by the Depot Management with poor work performance, and issued one day suspension that was reduced to a warning at Step 1 Meeting, which was accepted.

INVESTIGATOR: Mikhail Palanker

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CHIEF, ACCIDENT INVESTIGATION SECTION

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DIRECTOR, PCSB, NYS DOT

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