PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE#: 9557
2. PROPERTY NAME: MTA NYCT
3a. ACCIDENT TYPE: Angle Collision
3b. Accident Severity Index: 0.30
4a. DATE: November 5, 2007
4b. TIME: 8:30 p.m.
5. ACCIDENT LOCATION: Gates Avenue at Marcus Garvey Boulevard
6. TOWN/CITY/BOROUGH: Brooklyn, NY
7. SUMMONS: No
8. BUS NUMBER: 9470
8a. YEAR: 1998
8b. MAKE: Nova/RTS-06
9. NUMBER OF INJURIES: 6
10. FATALITIES: 0
11. HOURS OF SERVICE: 04 hr 0 min in last 24 hrs/04 hrs 0 min in last 7 days
12. SYNOPSIS:
At approximately 8:30 p.m., MTA New York City Transit (NYCT) bus #9470 was traveling east on Gates Avenue and entering the intersection with Marcus Garvey Boulevard on a green traffic signal when the driver of a van, traveling south on Marcus Garvey Blvd., failed to stop for the red traffic signal and entered the path of the bus. The bus driver braked heavily but could not avoid colliding with the right (passenger) side of the van. Five of the 16 bus passengers and the van driver claimed various minor injuries. All of the injured were transported to local hospitals where they were treated for their injuries and released following treatment. The bus sustained slight and the van moderate damage from the collision.

In the vicinity of the accident site Gates Avenue is a 40 foot wide two-way east/west roadway divided by solid double yellow pavement markings into two travel lanes in each direction. Parking is allowed at both curbs. Marcus Garvey Boulevard is a 40 foot wide one-way southbound roadway divided by dashed white pavement marking into two travel lanes. Both roadways are asphalt paved, straight, level and in good condition. The intersection is controlled and illuminated with standard traffic/pedestrian signals and overhead lighting which, at the time of the accident investigation, were all functioning as designed. At the time of the accident it was dark, the weather was clear and the roadway was dry. The area speed limit is 30 mph.

Bus #9470 is a 1998 Nova/RTS-06 transit type bus housed and maintained at the Fresh Pond Depot with a seating capacity of 40 passengers. A review of the bus records showed that Preventive Maintenance Inspections are performed at regular 4,000 mile intervals, the most recent was completed on September 9, 2007 and the bus had traveled 3,396 miles since then. There were no safety or recurring defects noted in the 45 days prior to the accident. Physical inspection of the bus on May 21, 2007 found no defects that could be considered a causative factor in the accident. The inspection showed minor collision damage to the front bumper of the bus. Decelerometer tests were performed on the bus’ braking system 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 the MTA NYCT on May 15, 2006 and completed the New Bus Operator Training Program. A review of the driver’s Department of Motor Vehicles records for the past three years showed no violations or convictions.
NYS Vehicle & Traffic Law, Article 19-A records were reviewed and found to be complete, in-order and up-to-date. A review of the driver’s NYCT accident record showed no collision accidents since his date of hire. Post accident drug and alcohol tests performed on the bus driver upon his release from the accident scene, 3 hours and 27 minutes from the time of the accident, were negative.

In an interview the bus driver indicated that he was traveling east on Gates Avenue and was approaching the intersection with Marcus Garvey Boulevard on a green traffic signal. The bus driver stated that just when he was about to enter the intersection he observed a van, moving from his left to right on Marcus Garvey Boulevard, already in the intersection. The bus driver said that he braked heavily but could not avoid colliding with the rear side (passenger) side of the van.

In a statement given to MTA NYCT personnel at the hospital the van driver said that he did not recall the color of the light when he entered the intersection but he observed the bus approaching from his right out of the corner of his eye. The van driver indicated that he accelerated in an attempt to avoid the accident but the collision occurred anyway.

Two of the injured bus passengers, when interviewed at the hospital, indicated that the light was green as the bus approached and entered the intersection.

There was no evidence of pre collision braking on the part of the van driver. The bus, however, left pre collision skid marks on the pavement for all four wheels. The Public Transportation Safety Board (PTSB) staff, utilizing accepted accident reconstruction formulas calculated that the pre braking speed of the bus was between 11 and 13 mph. In addition, based on the final rest position of each vehicle and debris from the collision it was determined that the bus had traveled approximately 14 feet and the van 32 feet into the intersection when the collision occurred.

The MTA NYCT trains all bus drivers in defensive driving techniques for safely approaching and traversing intersections, statistically one of the most hazardous points in a driver’s route. These techniques include, but are not limited to, reducing speed, scanning for hazards, identifying and anticipating potential hazards – particularly those hazards presented by the unanticipated actions of other motorists, such as failing to stop for traffic control devices. By his own admission, the bus driver stated that he did not observe the van until it was well into the intersection – a clear failure to adhere to his training.

Public Transportation Safety Board staff finds that the most probable cause of this accident was the failure of the van driver to stop for the red traffic signal on southbound Marcus Garvey Boulevard. Contributing to the accident was the failure of the bus driver to adhere to his defensive driving training by not observing the van until it had traveled well into the intersection.

MTA NYCT Department of Buses, after reviewing the facts concerning the accident found the accident to be preventable. By contract, no discipline was assessed to the bus driver as this being was bus driver’s first non major preventable collision accident within the last 12 months.
The bus driver’s driving skills were evaluated, he was retrained and it was recommended that he be returned to passenger service.

Based on the action taken by the MTA New York City Transit regarding this accident, the Public Transportation Safety Board staff makes no recommendation in this case.

INVESTIGATOR: Harry W. Gerham

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CHIEF, ACCIDENT INVESTIGATION SECTION     DATE

__________________________________________  ____________________
DIRECTOR, PCSB, NYSDOT                DATE