**PUBLIC TRANSPORTATION SAFETY BOARD**  
**ABBREVIATED BUS ACCIDENT REPORT**

1. **CASE#:** 9558  
2. **PROPERTY NAME:** MTA NYCT  
3a. **ACCIDENT TYPE:** Multiple Injury  
3b. **Accident Severity Index:** 0.65  
4a. **DATE:** November 6, 2007  
4b. **TIME:** 6:35 p.m.  
5. **ACCIDENT LOCATION:** S/B FDR Drive approaching the Battery Park Overpass  
6. **TOWN/CITY/BOROUGH:** New York, NY  
7. **SUMMONS:** Yes (Auto #1)  
8. **BUS NUMBER:** 2917  
8a. **YEAR:** 2002  
8b. **MAKE:** MCI DL-3  
9. **NUMBER OF INJURIES:** 13  
10. **FATALITIES:** 0  
11. **HOURS OF SERVICE:** 11 hr 39 min in last 24 hrs/61 hrs 59 min in last 7 days  
12. **SYNOPSIS:**

At approximately 6:35 p.m., MTA New York City Transit (NYCT) bus #2917 was traveling in the left lane on the southbound section of FDR Drive when an auto (#1) illegally entered the roadway (over the crosshatching from the service road) to the right of the bus. A chain reaction collision then occurred with auto #1 colliding with a second auto #2 which was traveling immediately in front of the bus. After the initial collision, auto #1 moved to the right and collided with and coming to rest against the concrete barrier wall separating South Street from the FDR Drive. As auto #2 dramatically slowed, it was rear ended by the bus which propelled it into the rear of an SUV traveling in front if it. The SUV struck a light pole located in the center divider separating the north/south roadways of the FDR Drive. The bus, after colliding with auto #2, moved to final rest in the right travel lane of FDR Drive parallel to the concrete barrier separating the roadway from South Street. The accident scene, from the point of the first collision to final rest of the SUV covered a distance of approximately 357 feet. Ten bus passengers, the driver and passenger in auto #2, and the SUV driver claimed various minor injuries and were transported to local hospitals where they were all treated and released. Six bus passengers and the driver of auto #1 were examined by EMS personnel and released at the scene. The vehicles involved received moderate to extensive damage from the various collisions. The driver of auto #1 was cited for disobeying a traffic control device (lane marking stripes).

The top photo is an overhead view of the accident scene. Note the white van in the smaller striped area. The lower photo a street level view of the accident scene. The black truck in the left lane is most likely close to where the bus would have been at the start of the accident. In the vicinity of the accident site FDR Drive is a one-way roadway consisting of three southbound travel lanes. As the roadway approaches the underpass for Battery Park pass, the right lane becomes the exit/entrance lane for the service road. South Street, which parallels the FDR Drive, continues as a two lane roadway to its conclusion at West Street.
South Street is a one-way two lane southbound roadway that parallels FDR Drive. The right/exit lane of FDR Drive and left lane of South Street are separated by white crosshatching which, according to NYS Vehicle and Traffic Law, are considered to be a traffic control device and, as such, it is illegal for any vehicle, other than emergency or police vehicles, to enter or cross them - unless directed to do so be law enforcement/emergency personnel. Both roadways are asphalt paved, have a significant downgrade, are fairly straight, and are in good condition. At the time of the accident it was dark, the weather was clear and the pavement was dry. The posted speed limit is 40 mph.

Bus #2917 is a 2002 MCI DL-3 over-the-road type bus housed and maintained at the East Ulmer Park Depot and has a seating capacity of 57 passengers. A review of the bus records showed that Preventive Maintenance Inspections are performed at regular 6,000 mile intervals, the most recent was completed on September 9, 2007 and the bus had traveled 1,129 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 November 7, 2007 found no defects which could be considered a causative factor in the accident. The inspection also showed that the bus sustained slight collision damage to the front bumper/body panel. Decelerometer tests were performed on the bus braking systems and the service brake 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 parking brake minimally exceeded the required stopping distance and, after a slight adjust to the application valve, the parking met the required standard. The download of the bus Electronic Control Module (ECM) showed that the speed of the bus was 52 mph (while in a 40mph zone), with a throttle application of 65% 20 seconds before hard braking, that at the time of the collision with auto #2 the bus was moving at approximately 37 mph (with no throttle). At the time of the hard brake application the speed of the bus was 20 mph and after the brake application the bus took three seconds to come to final rest.

The bus driver was hired by the MTA NYCT on November 27, 1978 and completed the New Bus Operator Training Program. A review of the driver’s NYS Department of Motor Vehicles records for the past three years showed two convictions for “No Seat Belt” (06/05 & 10/07). NYS Vehicle & Traffic Law, Article 19-A records were reviewed and found to be NYCT complete, in-order and up-to-date. A review of the driver’s accident record for the past three years showed two non preventable (11/14/05 & 06/14/06) and two preventable (07/20/05-non major, no discipline & 02/14/07-non-major, no discipline) collision accidents. Post accident drug and alcohol tests performed upon his release from the accident scene, 3 hours and 8 minutes from the time of the accident, were negative.

The bus driver gave three different versions of the events of the accident to personnel at the scene (Bus driver’s written statement, MTA NYCT Department of Buses (DOB) supervisor and MTS NYCT Office of System Safety (OSS) investigator). The only parts of the bus driver’s statements that were consistent were that the bus was traveling in the left lane due to heavy traffic in the right lane and that auto #1 (a Mercedes) caused the accident by aggressive driving. The remainder of his statements were unclear as to who hit who and the sequence of the collisions.

Auto driver #1 (from MTA NYCT DOB supervisor’s report) indicated that he had been moving south on South Street when he crossed the zebra stripes while trying to enter FDR Drive and was hit by an unknown vehicle which caused him to hit the dividing concrete barrier.

The driver of auto #2 (according to information taken from the MTA NYCT DOB supervisor’s report) indicated that an auto (#1) attempted to enter the southbound right lane of FDR Drive, collided with his vehicle and then collided with the barrier. The driver further indicated that his vehicle then collided with the SUV and came to rest against a light pole. The driver also indicated that he did not know if the bus collided with his auto.
A female witness seated in the front seat of the bus (according to information from the MTA NYCT DOB supervisor’s report) indicated that she observed auto #1 cut in and collide with auto #2. The witness further indicated that auto #2 then collided with the SUV, came to a stop and that the bus could not stop in time and rear ended auto #2.

The New York City Police Department accident report indicated that auto #1 made an illegal lane change, by crossing over zebra striping, and collided with the rear of the SUV. The SUV driver then lost control and collided with a light pole, knocking it down. The report then indicated that auto #2 collided with the SUV, collided with the median barrier and came to rest and was hit from behind by the bus.

The Public Transportation Safety Board (PTSB) and MTA NYCT OSS staff analysis of the accident, by using the available data, determined that Auto #1 illegally entered southbound FDR Drive and collided with Auto #2, and that the bus then collided with the rear of Auto #2 propelling it into the rear of the SUV.

The MTA NYCT trains all bus drivers in “Space Cushion” driving techniques by keeping abreast of events and traffic around their bus. In addition, bus drivers who travel in heavy traffic highway/expressway conditions are trained in the special requirements of this type of driving – being especially alert to changing traffic conditions and maintaining a safe speed/following distance (1.5 bus lengths for each 10 mph) at all times. They are also trained to travel in the right travel lane unless it is not prudent or possible to do so.

Public Transportation Safety Board staff finds that the most probable cause of this accident was the actions of the driver of Auto #1 who, by his illegal and unsafe actions, initiated the chain reaction collision. Contributing to the accident was the failure of the bus driver to adhere to his defensive driving training for highway/expressway driving.

In a hearing, the MTA NYCT Department of Buses, after reviewing the facts concerning the accident found the accident to be preventable and issued the bus driver a 30 day suspension, which was appealed. On April 23, 2008 the bus driver accepted and served a 10 day suspension (after being held out of passenger service, no back pay or hearing pay). Prior to being returned to passenger service, 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

CHIEF, ACCIDENT INVESTIGATION SECTION

DIRECTOR, PCSB, NYSDOT