PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9631
2. PROPERTY NAME: NYCT
3a. ACCIDENT TYPE: Multiple Injury
3b. Accident Severity Index: 1.40
4a. DATE: January 9, 2008
4b. TIME: 6:31 am
5. ACCIDENT LOCATION: New York Avenue at Empire Boulevard
6. TOWN/CITY/BOROUGH: Brooklyn
7. SUMMONS: None
8. BUS NUMBER: 9656
8a. YEAR: 1998
8b. MAKE: RTS
9. NUMBER OF INJURIES: 19
10. FATALITIES: 0
11. HOURS OF SERVICE: 1 hr and 1 min in last 24 hrs/43 hrs and 45 min in last 7 days
12. SYNOPSIS:

On January 9, 2008, at approximately 6:31 am, MTA New York City Transit (NYCT) bus #8411 traveling northbound on New York Avenue was entering a nearside bus stop at Empire Boulevard, when another bus #9656 was moving in the same direction to the left of the first bus. Suddenly the driver of the second bus lost control (became incapacitated) and the right front of bus #9656 made contact with the left rear of bus #8411. After impact, bus #9656 continued forward through the intersection on a green traffic signal. Subsequently, the bus mounted the north curb of Empire Boulevard, knocked down a utility pole and a tree, and was stopped by the self activated emergency brakes. Both drivers and 17 passengers from bus #9656 claimed various injuries, four of them were treated at the scene and released. The remaining injured were transported to local hospitals, treated and released, except for the driver of bus #9656, who was admitted. Bus #9656 sustained extensive damage with moderate damage to bus #8411. NYC Police responded to the accident and no summonses were issued.

In the vicinity of the accident site, the southern part of New York Avenue is a 52 foot wide, one-way road, accommodating three northbound travel lanes. The northern part of New York Avenue is a 48 foot wide, one-way road, accommodating three northbound travel lanes, and is offset 35.5 feet in the westerly direction. The northbound direction of New York Avenue has an approximately 1% upgrade. Empire Boulevard is a 60 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating two eastbound and two westbound travel lanes. Both roadways are straight and asphalt paved. Parking is permitted at the curbs. At the time of the accident it was dark and raining. The roads were lighted with standard street luminaries. The pavement was wet. The area speed limit is 30 mph.

Bus #9656 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 Flatbush Depot are performed at regular 4,000 mile intervals and the most recent was completed on November 26, 2007. The bus had traveled 2,950 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 #9656 was not performed on the bus due to the overall total damage and management’s decision to scrap the bus. No defects were claimed by the bus driver that would be considered causative factors in this accident.
The bus driver was hired by MTA NYCT, on August 15, 1979, and completed the standard “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 NYCT records revealed no collision accidents for the last three years. The post accident drug and alcohol test administered to the bus driver 6 hours and 28 minutes after the accident was negative. The delay in administering the drug and alcohol test was due to the bus driver being transported to a local hospital and treated.

In an interview with the PTSB staff the driver of bus #9656 indicated that while he was driving the bus northbound on New York Avenue, approaching the bus stop at Empire Boulevard when he felt like he was choking and then he passed out. The bus struck the left rear of bus #8411 and continued forward through the intersection. The next thing the operator recalled was after the bus came to a stop. He stated that at the time the bus stopped he was conscious but unable to get out of the bus. The driver denied to eating anything (gum, candy etc) while driving.

In an interview with the PTSB staff the driver of bus #8411 indicated that he was pulling into the bus stop when he heard some noise and noticed bus #9656 passing him on his left making contact to the left rear of his bus. Bus #9656 continued forward on a green traffic signal through the intersection and came to rest on the northern sidewalk.

A female bus passenger who was seated in the first row forward facing seats stated that while driving the bus driver was eating a piece of candy and it sounded like he was choking. While he was choking he looked to his left. Then bus #9656 hit the rear of bus #8411 in the bus stop, sped up and went across Empire Boulevard onto sidewalk and over a pole. She thinks that the driver was unconscious at that time.

The New York City Police Department report indicates that the driver of bus #9656 stated that he lost control of his vehicle after choking on a piece of candy.

The investigation showed that according to the final rest position of the moving bus, the straight position of it’s steering wheels, the damage of both buses, the statements of both drivers and a witness, and the Police report, it is most likely that the driver of bus #9656 lost consciousness before hitting the stopped bus do to incapacitation most likely caused by choking from a piece of candy. Subsequent to that, the bus moved forward through the intersection to final rest.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the sudden incapacitation of the bus driver from choking on a piece of candy.

The MTA NYCT medical personnel performed a review of the bus driver’s records and revealed no medical conditions that could have caused or contributed to his incapacitation. NYCT forwarded the NYS DMV a written statement (MV-104), which included the description of what occurred (loss of consciousness by the bus driver). According to the DMV’s “Loss of Consciousness” regulations,
they must decide if his license should be suspended, and if so the length of any suspension. Based on that and without knowing the reason for the incapacitation, he is not permitted to operate a bus until he provides his physician’s findings that a loss of consciousness should not happen again.

Based on the action taken by NYCT regarding this accident, the Public Transportation Safety Board Staff makes no recommendations.

INVESTIGATOR: Mikhail Palanker

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CHIEF, ACCIDENT INVESTIGATION SECTION  

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DIRECTOR, PCSB, NYSDOT  

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