PUBLIC TRANSPORTATION SAFETY BOARD
ABBREVIATED BUS ACCIDENT REPORT

1. CASE: 9771
2. PROPERTY NAME: MTA BC
3a. ACCIDENT TYPE: Multiple Injury
3b. Accident Severity Index: 0.90
4a. DATE: June 1, 2008
4b. TIME: 7:20 pm
5. ACCIDENT LOCATION: Beach Channel Drive at Beach 43rd Street
6. TOWN/CITY/BOROUGH: Queens
7. SUMMONS: None
8. BUS NUMBER: 3590
8a. YEAR: 2007
8b. MAKE: ORION
9. NUMBER OF INJURIES: 9
10. FATALITIES: 0
11. HOURS OF SERVICE: 2 hrs and 15 min in last 24 hrs/43 hrs and 18 min in last 7 days
12. SYNOPSIS:

On June 1, 2008, at approximately 7:20 pm, MTA Bus Company (MTA BC) bus #3590 was traveling westbound on Beach Channel Drive with an approximate speed of 20 mph, when a female bicyclist (approximately 13 years old) moving east in the westbound direction suddenly entered into the path of the bus and stopped. Subsequently, in an attempt to avoid a collision, the bus driver swerved to the right and applied the brakes. The bus continued forward mounting a curb, knocking down a fence and coming to the final rest against the base of a vacant home. No contact occurred between the bus and bicyclist who fled the scene. The bus driver and eight bus passengers claimed various injuries, were transported to local hospitals, treated and released. NYC Police responded to the accident and no summonses were issued. The bus and the home sustained moderate damage.

In the vicinity of the accident site, Beach Channel Drive is a 50 foot wide, two-way road divided by a full barrier yellow pavement marking, accommodating one eastbound and one westbound travel lane. There is a designated bicycle lane (4.5 foot wide) in each direction positioned between the travel and the parking lanes. The roadway is straight, level and asphalt paved. Parking is permitted at the curbs. At the time of the accident the weather was clear and dry. The area speed limit is 30 mph.

Bus #3590 is a 2007 Orion VII Hybrid transit type bus with a seating capacity of 40 passengers. A review of the bus records indicated that Preventive Maintenance Inspections (PMI) at MTA BC are performed at 4,000 mile intervals. The most recent was completed on April 10, 2008. The bus had traveled 6,614 miles at the time of the accident. The bus exceeded the PMI mileage interval limit by approximately 2,000 miles. There were no safety or recurring defects noted in the 45 days prior to the accident. A post accident inspection of bus #3590 was conducted by the Public Transportation Safety Board (PTSB) staff in conjunction with MTA BC staff on June 2, 2008 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 NYCT adopted standards for passenger vehicles of NYS DOT Regulations (Title 17 of NYCRR, Article 3, Part 720).

The depot supervision reviewed the failure of the scheduled maintenance inspection of bus #3590. The Superintendent and General Superintendent have been re instructed regarding their responsibility to ensure that all buses operated out of the Far Rockaway Depot comply with SO Inspection mileage and time standards. Both managers were put on notice that another similar occurrence will cause for disciplinary action.

The bus driver was hired by Green Bus Lines on September 15, 2005, and completed the companies new bus driver training program. A review of the bus driver’s Department of Motor Vehicles records for the last three years showed no violations or suspensions.
New York State Vehicle and 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 since their acquisition on 01/06/06.

A post accident drug and alcohol test administered to the bus driver 2 hours and 45 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, treated and released.

In an interview with the PTSB staff, the bus driver stated that she was traveling westbound on Beach Channel Drive with an approximate speed of 20 mph, when she suddenly observed a girl on a bike moving from the bus driver’s right to left. The bus driver beeped the horn and applied the brakes. After the bus driver honked the horn the girl stopped and looked at the bus. The bus driver swerved to the right and the bus mounted the curb, continued forward and stopped against the corner of the house.

Another bus driver traveling eastbound on Beach Channel drive in the opposite direction to the bus, who had just pulled into the bus stop, stated she observed a young girl on a bicycle ride directly toward the front of the bus. The driver of bus #3590 steered to the right and went into the house.

Another witness, a bus passenger, indicated that he was seated at the left rear side of the bus and was looking forward. He stated that he saw a young girl ride directly into the path of the bus. The bus swerved to the right to avoid the girl and mounted the sidewalk and struck the house.

The investigation showed that according to the final rest position of the bus, the tire marks on the road, the bus driver’s and the two witness statements, and the damage of the bus and the house, it is most likely that the bus was traveling westbound on Beach Channel Drive with an approximate speed of 20 mph when the bicyclist entered the path of the bus and stopped. In an attempt to avoid a collision the bus driver beeped the horn, applied the brakes, swerved to the right and came to the final rest against the house without contacting the bicyclist. The bicyclist fled the scene.

The Public Transportation Safety Board staff finds that the most probable cause of the accident was the bicyclist, who failed to yield the right of way to the bus, entered it’s path and stopped. Contributing to the accident was the bus driver who failed to drive defensively.

MTA Bus Company reviewed the accident on July 30, 2008, and found it to be preventable. The bus driver was issued a 5 day suspension. The bus driver was retrained, her performance was evaluated as satisfactory and she was returned to passenger service.

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

INVESTIGATOR: Mikhail Palanker

CHIEF, ACCIDENT INVESTIGATION SECTION

DIRECTOR, PCSB, NYSDOT