



Office of Transport Safety Investigations

BUS SAFETY INVESTIGATION INTERIM FACTUAL STATEMENT

RUNAWAY BUS MO 5086

CAMPBELLTOWN, SYDNEY

9 JUNE 2017



THE OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

The Office of Transport Safety Investigations (OTSI) is an independent NSW agency whose purpose is to improve transport safety through the investigation of incidents and accidents in the rail, bus and ferry industries. OTSI investigations are independent of regulatory, operator or other external entities.

Established on 1 January 2004 by the *Transport Administration Act 1988 (NSW)*, and confirmed by amending legislation as an independent statutory office on 1 July 2005, OTSI is responsible for determining the contributing factors of accidents and to make recommendations for the implementation of remedial safety action to prevent recurrence. Importantly, however, OTSI does not confine itself to the consideration of just those matters that contributed to a particular accident; it also seeks to identify any transport safety matters which, if left unaddressed, might contribute to other accidents.

OTSI's investigations are conducted under powers conferred by the *Transport Administration Act 1988 (NSW)* and *Passenger Transport Act 1990 (NSW)*. Additionally, all OTSI publications that are considered investigation reports are also conferred by these Acts. OTSI also conducts rail investigations on behalf of the Australian Transport Safety Bureau under the *Transport Safety Investigation Act 2003 (Cwlth)*. OTSI investigators normally seek to obtain information cooperatively when conducting an accident investigation. However, where it is necessary to do so, OTSI investigators may exercise statutory powers to interview persons, enter premises and examine and retain physical and documentary evidence.

It is not within OTSI's jurisdiction, nor an object of its investigations, to apportion blame or determine liability. At all times, OTSI's investigation reports strive to reflect our balanced approach to the investigation, in a manner that properly explains what happened, and why, in a fair and unbiased manner.

Once OTSI has completed an investigation, its report is provided to the NSW Minister for Transport and Infrastructure for tabling in Parliament. The Minister is required to table the report in both Houses of the NSW Parliament within seven days of receiving it. Following tabling, the report is published on OTSI's website at www.otsi.nsw.gov.au.

Overview

At 0956 on Friday, 9 June 2017, a Busabout bus MO 5086, rolled into roadside guard railing unmanned. Previously the driver of the bus had experienced technical difficulties in relation to the brakes of the bus locking on. As the driver approached the intersection of Gilchrist Drive and Kellicar Road in the suburb of Campbelltown, the rear brakes of the bus locked on. In order to circumvent the bus's management control system, the driver isolated power from the battery to the bus. Unbeknownst to the driver, by doing so, this also disengaged the rear brakes of the bus. The driver had forgotten to apply the park brake, which allowed the bus to roll across the intersection and into a guard rail in an unmanned state. The driver immediately alerted people in the vicinity of the runaway bus of the impending danger.

Notification and Response

Busabout reported the incident to the OTSI Duty Officer. An OTSI investigator was deployed to the Busabout depot to initiate a preliminary investigation.

Based on the information from that preliminary investigation, the OTSI Chief Investigator determined that the incident warranted formal investigation in accordance with Section 46BA of the *Passenger Transport Act 1990*.

Terms of Reference

The Terms of Reference established by the Chief Investigator require OTSI's Investigator in Charge to:

- a. identify the factors, both primary and contributory, which led to the incident;
- b. advise whether the incident may have been anticipated,
- c. report on the effectiveness of any strategies that were in place to manage the related risks; and,
- d. advise on any matters arising from the investigation that would enhance the safety of bus operations.

Status of the Investigation

OTSI's investigation has commenced. During the course of the investigation, all Directly Involved Parties (DIPs) will be consulted and will be afforded the opportunity to provide information and commentary, which will contribute to ensuring that the investigation and its report are inclusive and comprehensive.

Once completed, OTSI's investigation report will be tabled in both Houses of the NSW Parliament by the Minister for Transport and Infrastructure in accordance with Section 46D of the *Passenger Transport Act 1990*. When the report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.