

Schoharie limo crash that killed 20 caused by brake neglect, expert says

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ALBANY – The owner of the stretch limousine that crashed and killed 20 in Schoharie last year failed to maintain the vehicle over the years, leading to the "catastrophic brake failure" that caused the deadly wreck, according to a report by a state-hired expert.

The 83-page vehicle autopsy, made public Tuesday for the first time in a series of court filings, offers a detailed glimpse of the condition of the 2001 Ford Excursion limo, which sped through a T intersection and into the parking lot of the Apple Barrel Country Store on Oct. 6, 2018, [killing its driver, 17 passengers and two bystanders](#).

The report, prepared by New Hampshire-based [vehicle forensics expert Brian Chase](#), found the limo's rear brakes to be in poor condition at the time of the crash, hampered by an inoperable right-rear brake and severely corroded brake tubing.

The corroded tubing burst when the driver, Scott Lisinicchia, heavily applied the brake pedal as he drove down the steep hill leading to the intersection, leaving the limo to rely on the front brakes, which quickly became too hot to stop the vehicle, according to Chase's report.

Chase's report was attached to filings made last week by District Attorney Susan Mallery in Schoharie County Court, where Nauman Hussain — the 29-year-old who ran the day-to-day operations of Prestige Limousine, the limo's owner — awaits trial on manslaughter and criminally negligent homicide charges.



The 2001 Ford Excursion limousine that crashed in Schoharie, New York, on Oct. 6, 2018, killing 20. (Photo: NTSB)

The expert was hired by State Police and Mallery's office as they investigated the crash.

The crash was "the unfortunate result of catastrophic brake failure due to the neglect of mandated commercial vehicle inspections and maintenance by company personnel," Chase wrote in the report, which is dated April 26, 2019.

Brake condition big part of trial

The dense report looms large in Hussain's trial, which is scheduled to begin in March in the small, rural county 30 miles west of Albany.

The limo was hired by a group of friends to transport them to a brewery in Cooperstown for the 30th birthday of Amy Steenburg, one of the limo passengers. Steenburg and her three sisters were [among the 20 killed in the crash](#), the deadliest transportation wreck in the U.S. since 2009.

In a series of back-and-forth court filings in recent week, Hussain's attorneys and Mallery have sparred over who is to blame for the condition of the limo's brakes.

Hussain's legal team, which includes high-profile defense attorney Joseph Tacopina, have latched on to comments made by an ex-manager of a Mavis Discount Tire shop in Saratoga Springs, which performed work on the brakes after the limo failed a state Department of Transportation inspection in March 2018.

The former manager, Virgil Park, [told prosecutors the shop had billed Hussain's company for brake work](#) that was never performed, including the installation of a brake master cylinder. Such falsified billing was common at the shop as a way to meet corporate sales quotes, Mallery's office says Park told them.

Mavis has denied any legal blame for the crash and said Park's statements were misleading.

In a statement Tuesday, Tacopina accused Mallery of trying to "pin the blame" on Hussain when Mavis had serviced and inspected the brakes.

"Unfortunately, the District Attorney's knee-jerk impulse to find a scapegoat led it to arrest and charge Mr. Hussain only four days after the accident, before knowing all the facts," Tacopina said. "Now that it does so, it remains blindly wedded to a theory that is belied by the evidence."

Out-of-service sticker removed



First responders look over the Reflections Memorial after a unveiling ceremony, on the one year anniversary of the Schoharie limousine crash that killed 20 people next to the Apple Barrel Restaurant Saturday, Oct. 5, 2019, in Schoharie, N.Y. (AP Photo/Hans Pennink) (Photo: Hans Pennink, AP)

Mallery [pushed back last week](#), noting that Chase's report did not find fault with the brake master cylinder and instead pointed the finger at the issues with the rear brakes that would have been avoided with regular maintenance.

Prosecutors have accused Hussain of knowingly putting the limo back on the road after it failed inspection by the state DOT, which placed an out-of-service sticker on the vehicle earlier in 2018 that was meant to keep it off the road.

Scrapings from a red-and-white sticker consistent with the one peeled off the limo were later found in Hussain's car and matched his DNA, according to Mallery's office.

Hussain is trying to get the 40 charges against him — one second-degree manslaughter and criminally negligent homicide count for each victim — thrown out, which Mallery opposes.

The Mavis manager's statement to prosecutors "does not remotely exonerate" Hussain, Mallery wrote in a court filing last week.

The [National Transportation Safety Board](#), meanwhile, continues to put together its official report on the cause of the accident.

Earlier this month, the board recommended stronger seat belt laws for limousines, finding some of the rear passengers may have survived the crash if they were wearing a safety belt.