

# MAP-21

## NATIONAL PUBLIC TRANSPORTATION SAFETY AND TRANSIT ASSET MANAGEMENT REQUIREMENTS

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## **FTA Advanced Notice of Proposed Rulemaking (ANPRM):**

- National Public Transportation Safety Plan
- Public Transportation Agency Safety Plan
- Public Transportation Safety Certification Training Program
- Transit Asset Management

<http://www.apta.com/gap/fedreg/Pages/SafetySecurity.aspx>

OR

[http://www.fta.dot.gov/newsroom/12286\\_15694.html](http://www.fta.dot.gov/newsroom/12286_15694.html)



## Goals:

- Improve safety of nation's public transportation systems
- Ensure state of good repair
- Provide increased transparency into agencies' budgetary decision-making process

Safety programs apply to all modes EXCEPT those already subject to regulation by another federal agency – commuter rail, ferry

Transit asset management requirements will apply to all modes, including commuter rail and ferry



## **FTA seeks comment from industry:**

- Program requirements - interrelationships
- Requirements of National Transit Asset Management System
- How to define and measure state of good repair?
- Relationship between safety, transit asset management and state of good repair
- Safety Management System approach
- Relationship to statewide and MPO planning process



## FTA framework

- All hazards approach
- **Safety Management System (SMS)**
  - Policy: Define management and employee responsibilities
  - Risk management: Analyze risks, identify strategies to mitigate or eliminate
  - Assurance: Inspection and data to ensure performance of risk controls
  - Promotion: Create safety culture through communication and employee training



# *Programs*

## **National Public Transportation Safety Program**

- National Public Transportation Safety Plan
- Public Transportation Agency Plan – each agency must prepare its own
- Public Transportation Safety Certification Training Program
- State Safety Oversight Program





# *Programs*

## **National Public Transportation Safety Plan**

- Develop safety performance criteria for all modes of transportation
- Definition of state of good repair
- Public transportation safety certification program
- Minimum safety performance standards for transit vehicles





# Programs

## **Coordination with Statewide Planning (questions 116-121) –**

- Investment priorities in transit asset management plan to become essential components of the long-range transportation plan and TIP or STIP
- Future notice: joint FTA/FHWA notice to address combined performance management framework – stay tuned!
- At MPO and State level, funding allocation for surface transportation investments must weigh:
  - Transit safety and SoGR
  - Highway performance targets and objectives
  - Goals for expansion of transit network





# Programs

## **Public Transportation Agency Safety Plan –**

- Each agency must develop agency safety plan and certify that plan meets FTA requirements:
  - Requirement that board of directors or equivalent entity approve the plan and any updates
  - Strategies for identifying risks and mitigating or eliminating exposure to hazards
  - Performance targets based on national safety performance criteria
  - Trained safety officer to report directly to general manager
  - Comprehensive staff training and certification program





# Programs

## **Public Transportation Safety Certification Training Program (questions 48-55)**

- FTA to establish program
- Will apply to: (a) federal and state employees; (b) contractors who conduct oversight; (c) employees at transit systems who are responsible for safety oversight
- FTA plans to issue interim provisions in the near future for public comment – stay tuned!
  - Will remain in effect until FTA issues a final rule for the Safety Certification Training Program
- Training to focus on skills and competencies rather than fixed outcomes: <http://www.regulations.gov/#!documentDetail;D=FTA-2013-0030-0004>





## **Certification of Transit Agency Safety Plans and TAM Plans (questions 107-115)**

- Self-certification requirement
  - Recipients assure FTA of adherence to requirements for TAM Plan, and safety and transit asset management
  - Requires “rigorous review” by recipient in support of certification
- 49 USC 5329 defines “recipient” broadly
- For safety functions provided by a third-party vendor, be sure contract allocates obligations appropriately
- FTA anticipates incorporating this process into existing certification review through Triennial and State Management reviews





# *Related Questions*

- How should programs addressed in ANPRM accommodate the use of contractors to provide assets and operate those assets in revenue service?
- To what extent can data assembled for the purposes of identifying and analyzing risk be protected from discovery in litigation or disclosure through FOIA?
- Should simplified or streamlined standards apply to small recipients?





# QUESTIONS?

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