



Key Regulatory Streamlining Proposals

May 17, 2025

APTA urges Congress to streamline regulatory and administrative requirements for public transit and passenger rail programs. Key regulatory streamlining proposals include:

Public Transportation Agency Safety Plan (PTASP)

The public transit agency CEO is responsible for the safety of the transit system. The Infrastructure Investment and Jobs Act requires public transit agencies that serve large urbanized areas to form a Safety Committee consisting of an equal number of management staff and front-line transit workers who are tasked with approving an Agency Safety Plan. FTA's April 2024 PTASP Final Rule includes provisions hindering the CEO's crucial safety role by preventing them from serving in a tiebreaking role as part of Safety Committee dispute resolution procedures and removing their decision-making authority regarding safety risk mitigations.

Eliminate "Under-the-Hood" CDL Requirements

The public transit industry continues to experience a severe shortage of drivers and is struggling to maintain its workforce. **APTA has identified the Federal Motor Carrier Safety Administration's (FMCSA) Commercial Driver's License (CDL) under-the-hood testing requirement as a significant impediment to hiring bus operators**, contributing to the nationwide shortage of drivers. This shortage leads to reduced transit service, missed trips, and higher costs for public transit agencies.

Certify Labs for Drug Testing

Under current drug testing protocols, public transit agencies must drug test employees using urine tests. **In May 2023, the Department of Transportation added oral fluid drug testing to the existing urine testing procedures. However, oral fluid testing cannot be implemented until the Department of Health and Human Services (HHS) certifies two laboratories to conduct the drug testing.** To date, HHS has not certified these laboratories. Oral fluid drug testing provides several key benefits, including a less invasive collection process, reduced risk of tampering, and a better measure of impairment given the shorter latency period for detection.

APTA urges Congress to:

- ✓ **Clarify in statute that the CEO is the final decision-maker in all matters concerning the PTASP Safety Committee.**
- ✓ **Eliminate the FMCSA CDL under-the-hood testing requirement for applicants seeking to operate vehicles in public transportation to alleviate the bus operator shortage; reduce costs and increase efficiency; and advance opportunity.**
- ✓ **Demand HHS take the necessary actions to certify laboratories needed to conduct oral fluid drug testing.**