

FTA

FEDERAL TRANSIT ADMINISTRATION

APTA Listening Session: Public Transportation Agency Safety Plan and Public Transportation Safety Certification Program Final Rules

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U.S. Department of Transportation
Federal Transit Administration

September 25, 2018

Today's Presentation

- Overview of Safety Rulemakings
- Public Transportation Agency Safety Plan (PTASP)
 - PTASP Background
 - PTASP Revisions from NPRM to Final Rule
 - Overview of the PTASP Final Rule
 - Performance Management Framework and the Planning Process
 - Safety Management Systems (SMS)
- Public Transportation Safety Certification Program (Training Rule)
 - Safety Certification Training Rule Background
 - Safety Certification Training Rule Revisions from NPRM to Final Rule
 - Safety Certification Training Rule Overview
- Outreach and Technical Assistance
- Questions

Overview of Safety Rulemaking

Regulation	Rule Overview	Status
Interim Safety Certification Training Program Provisions	Fills gap in training needs until the PTSCPT Final Rule is published	Final Provisions Published: 2/27/2015 Effective: 5/28/2015
State Safety Oversight 49 C.F.R. Part 674	Strengthens State oversight of rail transit systems	Final Rule Published: 3/16/16 Effective: 4/15/16
Public Transportation Safety Program 49 C.F.R. Part 670	Establishes the procedural rules for enforcement of FTA's safety programs	Final Rule Published: 8/11/2016 Effective: 9/12/2016
National Public Transportation Safety Plan	Sets safety performance measures for PTASP performance targets	Final Guidance Published: 1/17/17
Public Transportation Agency Safety Plan 49 C.F.R. Part 673	Requires transit agencies to develop and implement safety plans based on SMS principles	Final Rule Published: 7/19/2018 Effective: 7/19/2019 Compliance: 7/20/2020
Public Transportation Safety Certification Training Program 49 C.F.R. Part 672	Establishes training curriculum to ensure basic level of safety-related competency for rail transit system auditing and oversight	Final Rule Published: 7/19/2018 Effective: 8/20/2018
Preventing Transit Worker Assault NPRM	FAST Act requirement	NPRM in Development

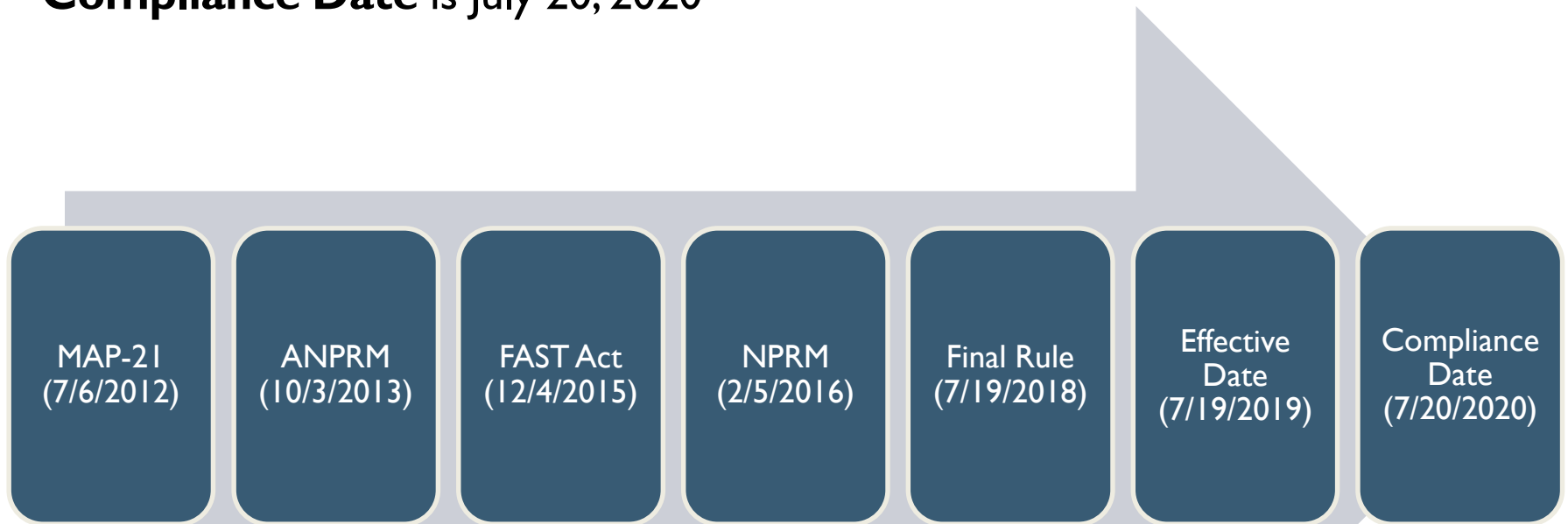
PTASP Background

The PTASP Process

Final Rule Published on July 19, 2018

Effective Date is July 19, 2019

Compliance Date is July 20, 2020



Congress required operators of public transportation systems that receive FTA funds to develop and implement a Public Transportation Agency Safety Plan (49 U.S.C. § 5329(d))

Revisions from PTASP NPRM to PTASP Final Rule

PTASP NPRM Changes

NPRM Comments

- 646 comments from 77 individual commenters.
- The majority of commenters were supportive of Safety Management Systems (SMS).

Major Issues Discussed by Commenters		
Comment Category	FTA Response	Reduction in Burden/Cost*
Applicability	Final rule defers applicability to 2,000 small and rural operators under Sections 5310 and 5311.	\$26 million
SMS Requirements	Final rule reduces SMS requirements for small operators.	\$8.4 million
Record Keeping	Final rule reduces overall record keeping burden.	\$6.4 million

*In relation to the costs calculated in the Notice of Proposed Rulemaking (NPRM)

Overview of the PTASP Final Rule

PTASP Final Rule: Table of Contents

Title 49—Transportation

PART 673—PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

Subpart A—General

Sec.

673.1 Applicability

673.3 Policy

673.5 Definitions

Subpart B—Safety Plans

673.11 General requirements

673.13 Certification of compliance

673.15 Coordination with metropolitan, statewide, and non-metropolitan planning processes

Subpart C—Safety Management Systems

673.21 General requirements

673.23 Safety management policy

673.25 Safety risk management

673.27 Safety assurance

673.29 Safety promotion

Subpart D—Safety Plan Documentation and Recordkeeping

673.31 Safety plan documentation

673.33 Safety plan records

PTASP Applicability and Requirements

Applicability	Requirements
<p>Would Apply to:</p> <ul style="list-style-type: none"> Operators of transit systems that receive FTA funds (Section 5307) and all rail transit operators (regardless of funding source). 	<pre> graph TD A[Public Transportation Agency Safety Plan] --- B[Safety Management System (SMS)] A --- C[Safety Performance Targets] A --- D[Rail Agencies Only: Emergency Preparedness Plan] A --- E[Employee Reporting Program] A --- F[Approved by Accountable Executive and Board of Directors (and SSOA for rail transit agencies)] A --- G[Annual Review/Update] A --- H[Compliance with Public Transportation Safety Program/National Safety Plan] A --- I[Assignment of Chief Safety Officer] </pre>
<p>Would Not Apply to:</p> <ul style="list-style-type: none"> FTA recipients that do not operate transit systems. Commuter rail service regulated by FRA. Passenger ferry service regulated by USCG. Deferring applicability for operators that only receive Section 5310 and Section 5311 funds (both recipients and sub-recipients). 	

Safety Plan Development and Implementation

- Rail transit agencies and large bus operators must develop and implement their own safety plans.
 - SSOAs **cannot** draft safety plans for the RTAs in their jurisdiction.
- A State must develop a safety plan for small transit agencies within the State that receive Urbanized Area Formula Program funds (49 U.S.C. § 5307) and operate 100 or fewer vehicles in peak revenue service, unless the transit agency chooses to develop its own safety plan. In either case, small bus operators must implement their own safety plans.
- No requirement to draft plans in a particular way.
- Multimodal systems can have one plan or separate modal plans.
- Rail safety plans must also follow the SSOA's Program Standard.
- SSPP stays in effect until July 20, 2020, the compliance date of this rule (one year after effective date).

Use of Grant Funds for Safety Plan Development and Implementation

- No additional funding provided to grantees for compliance with the PTASP Final Rule
- Federal funds may be used to develop and implement a safety plan:

- | | |
|--------|--------|
| • 5303 | • 5309 |
| • 5304 | • 5337 |
| • 5307 | • 5339 |

- SSOA funds may **not** be used for any bus activities
- SSOA funds may only be used to develop and implement a state safety oversight program for rail transit

Safety Plan Approval

- Safety plan must be signed by agency's Accountable Executive.
- Safety plan must be approved by agency's Board of Directors or an equivalent authority (such as a mayor, county executive, or grant manager).
- A State Safety Oversight Agency must review and approve the safety plan for a rail transit agency for which it has responsibility.
 - **For multimodal agencies that choose to draft one plan for the entire agency, SSOAs are only required to review the rail portions of the plan**

Safety Plan Certification

- Transit agencies, and States that draft plans on behalf of small operators, must initially self-certify through FTA's Certifications and Assurances process that they have established a Safety Plan by one year after the effective date of the rule.
- Annually, transit agencies and States self-certify that they are meeting the requirements of the rule.

Record Keeping

Transit agencies must keep records related to their safety plan for three years.

- Documents related to the implementation of its Safety Management System (SMS) and results from SMS processes and activities.
- Documents, in whole or by reference, that describe the programs, policies, and procedures for carrying out the Public Transportation Agency Safety Plan (PTASP).

Documents must be made available upon request by FTA, other Federal entity, or a SSOA.

PTASP Rule Oversight Framework

FTA Role

- Guidance
- Technical assistance
- Triennial reviews

Transit Agency Role

- Develop and implement PTASP
- Annual self-certification

SSO Agency Role

- Review and approve PTASP
- Oversees RTA compliance

Performance Management Framework and the Planning Process

FTA's Safety Performance Measures (by Mode)*

Injuries

- Total amount and rate per total vehicle revenue miles.

Fatalities

- Total amount and rate per total vehicle revenue miles.

Safety Events

- Total amount and rate per total vehicle revenue miles.

System Reliability

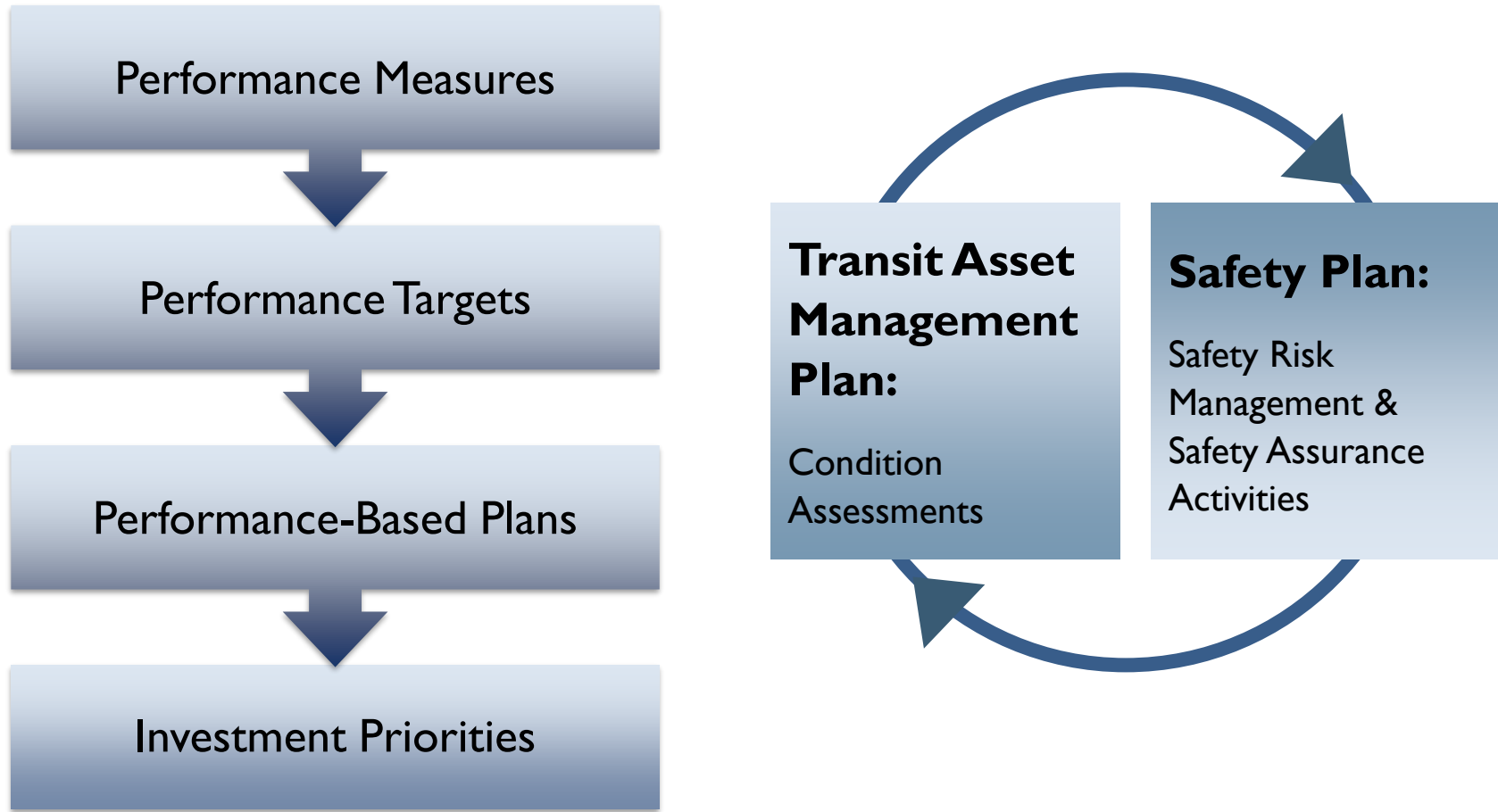
- Mean distance between major mechanical failures.

**Established in FTA's National Public Transportation Safety Plan*

Coordination with the Planning Process

- Transit agencies are required to make their safety performance targets available to States and Metropolitan Planning Organizations (MPO).
- This will assist with the selection of safety performance targets at the State and MPO levels.
- The safety performance targets will help States and MPOs develop their investment priorities for upcoming transit projects within their jurisdictions for at least the following four years.
- The FTA/FHWA Joint Rule on Planning (23 C.F.R. Part 450) provides more information on planning and coordination requirements.

Linking Safety, Transit Asset Management, and Project Planning



Safety Management Systems (SMS)

Safety Management System (SMS)



Safety Management Policy

Establish A
Written
Statement of
Safety Policy,
Communicated
Throughout the
Agency, that
Includes:

Safety objectives for the agency

A employee reporting program

Organizational
accountabilities
and safety
responsibilities
for:

1. Accountable Executive

2. Chief Safety Officer

3. Agency Leadership

4. Key Staff Responsible for Safety

Safety Risk Management

Establish A
Process For:

Identify safety hazards.

Assess the safety risks associated with the identified safety hazards.

Prioritize safety hazards based on the level of risk.

Implement safety risk mitigations.

Safety Assurance (All Transit Agencies)

Establish
Activities
For:

Safety
Performance
Monitoring and
Measurement

Monitor compliance with/sufficiency of operations and maintenance procedures.

Identify mitigation(s) that may be ineffective, inappropriate, or not implemented as intended.

Conduct investigations of safety events to identify causal factors.

Monitor safety-related information.

Safety Assurance (Rail/Large Bus Systems Only)

Establish Activities
For:

Management
of Change

Identify and assess changes that may introduce new hazards or impact safety performance.

Continuous
Improvement

Assess safety performance and correct safety deficiencies.

Safety Promotion

Elements:

Comprehensive safety training program for agency employees/contractors directly responsible for safety.

Communicate an agency's safety performance throughout the organization.

How is PTASP Different from SSPP?

SSPP	PTASP
21 fixed program elements	<p>SMS components are scalable and flexible.</p> <p>Performance-based regulation.</p>
Integrates risk management into the overall system design and engineering process	<p>Focuses on management of safety risk through all aspects of a transit agency's operations by addressing hazards as a day-to-day operational consideration.</p> <p>Encourages a more integrated and multi-disciplinary approach to identifying hazards and assessing safety risk.</p> <p>Specifies management accountability for resource decisions to resolve safety risk at all lifecycle stages.</p>
Assumes that technical compliance with engineered solutions will result in safe operations	<p>Promotes the collection and analysis of information from the frontline, supervisors, automated systems, customers, audits of normal operations, and other activities to help the rail transit agency:</p> <ol style="list-style-type: none"> 1) identify changes from the safety baseline, 2) evaluate and mitigate associated safety risks, and 3) regularly monitor the effectiveness of safety risk mitigations.

PTASP Effective Date

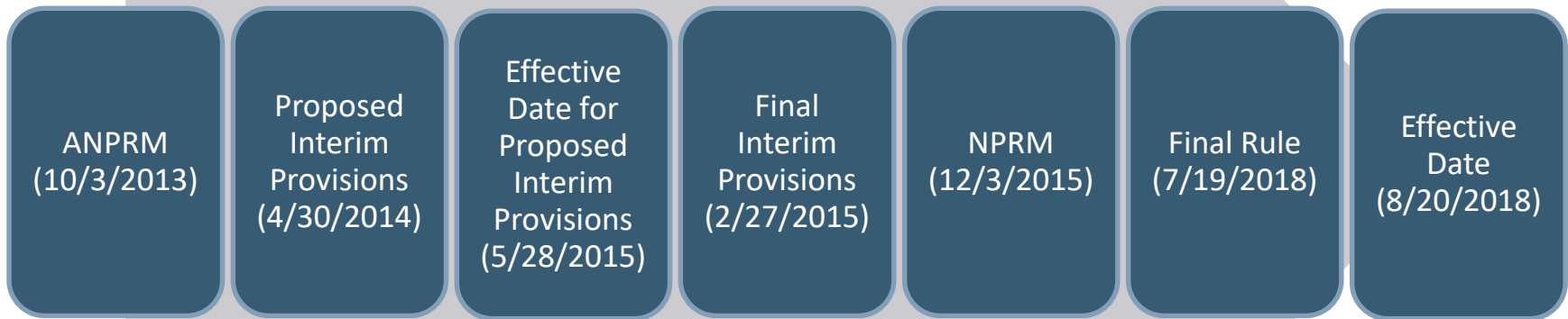
The rule is effective on **July 19, 2019**. Transit agencies must develop, certify, and implement an agency safety plan by **July 20, 2020**.

Please do not wait to begin development of your agency safety plan. FTA cannot waive or extend the compliance deadline.

Public Transportation Safety Certification Training Rule Background

The Safety Certification Training Rule Process

Final Rule Published on July 19, 2018
Effective Date is August 20, 2018



Congress directed FTA to establish a comprehensive training program for (1) Federal and State employees who conduct safety audits and examinations of public transportation systems, and (2) Employees of public transportation systems directly responsible for safety oversight.

Revisions from Public Transportation Safety Certification Program NPRM to the Final Rule

Safety Certification Training Rule

NPRM Changes

NPRM Comments

- 19 comments, including one letter representing five state DOTs.
- The majority of commenters were supportive of FTA establishing a training curriculum to ensure basic level of safety-related competency.

Major Issues Discussed by Commenters

Comment Category	FTA Response	Reduction in Burden*
Course Requirements	Final rule does not require security or SMS gap course.	<ul style="list-style-type: none"> • Total reduction in 38 course hours • Approximate total reduction of up to \$565,000
Equivalency Credit	Final rule provides process for obtaining credit for non-FTA sponsored courses.	

**From requirements in the Interim Provisions*

Safety Certification Training Final Rule Overview

Safety Certification Training Final Rule

Table of Contents

Title 49—Transportation

PART 672--PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM

Subpart A – General Provisions

672.1 Purpose.

672.3 Scope and applicability.

672.5 Definitions.

Subpart B – Training Requirements

672.11 Designated personnel who conduct safety audits and examinations.

672.13 Designated personnel of public transportation agencies.

672.15 Evaluation of prior certification and training.

Subpart C – Administrative Requirements

672.21 Records.

672.23 Availability of records.

Subpart D – Compliance and Certification Requirements

672.31 Requirement to certify compliance.

Appendix to Part 672—Public Transportation Safety Certification Training Program Reference Document

Safety Certification Training Rule

Applicability and Requirements

Applicability	Requirements
<p>Mandatory</p> <ul style="list-style-type: none"> SSOA employees and contractors who have been designated to conduct safety audits and examinations. Rail transit agency employees and contractors who have been designated as directly responsible for the safety oversight. 	<ul style="list-style-type: none"> Designate employees and contractors who must take the Safety Certification Program courses Designated personnel must complete Safety Certification Program within 3 years <ul style="list-style-type: none"> Refresher training every 2 years SSOAs and RTAs must certify compliance as part of FTA's annual grant certification and compliance process
<p>Voluntary</p> <ul style="list-style-type: none"> Bus transit system personnel with direct safety oversight responsibility. State DOTs overseeing safety programs for sub-recipients of Federal financial assistance. 	<ul style="list-style-type: none"> None. Employees and contractors are encouraged to complete courses in the voluntary curriculum included in the rule.

Recordkeeping

- SSOAs and RTAs must ensure that their designated personnel are enrolled in training program.
- Designated personnel must update their individual training record as they complete applicable training requirements.
- SSOAs must retain a record of technical training completed by their designated personnel in compliance with this rule for at least five (5) years from the date record is created.

Safety Certification Training Rule Oversight Framework

FTA Role

- Curriculum and courses - enrollment and registrations
- Guidance
- Evaluate TTPs and equivalency requests
- State Safety Oversight (SSO) reviews

Rail Transit Agency Role

- Ensure participation of designated personnel
- Annual self-certification

SSO Agency Role

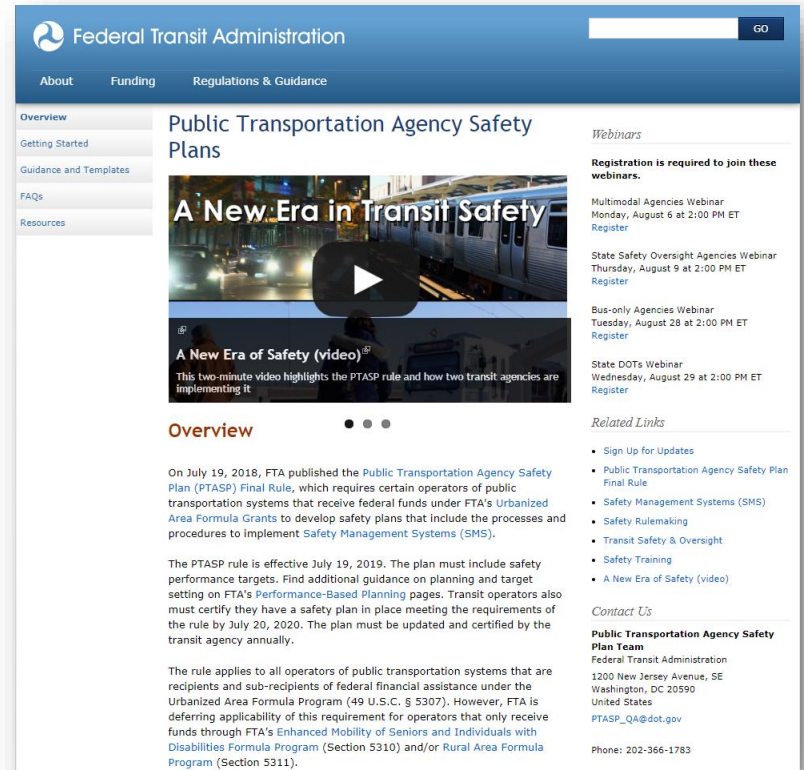
- Develop, implement, and update TTPs
- Ensure participation of designated personnel
- Annual self-certification
- Oversee RTA's compliance

Outreach and Technical Assistance

FTA Technical Assistance

To assist with the implementation of these final rules and to reduce administrative and financial burdens, FTA is publishing templates, guidance and technical assistance, including:

- Rail
 - SSPP to PTASP Roadmap
 - Rail Guidance
- Bus
 - [PTASP Template](#)
 - [Bus Guidance](#)



The screenshot shows the Federal Transit Administration website page for "Public Transportation Agency Safety Plans". The page features a navigation menu with "About", "Funding", and "Regulations & Guidance". A sidebar on the left contains links for "Overview", "Getting Started", "Guidance and Templates", "FAQs", and "Resources". The main content area includes a video player titled "A New Era in Transit Safety" with a play button. Below the video is an "Overview" section with text explaining the PTASP rule, its effective date (July 19, 2019), and the requirements for operators. A "Webinars" section on the right lists several upcoming webinars with dates and registration links. A "Related Links" section provides additional resources like "Sign Up for Updates" and "Public Transportation Agency Safety Plan Final Rule". A "Contact Us" section at the bottom right provides the PTASP Plan Team contact information, including the address (1200 New Jersey Avenue, SE, Washington, DC 20590), email (PTASP_QA@dot.gov), and phone number (202-366-1783).

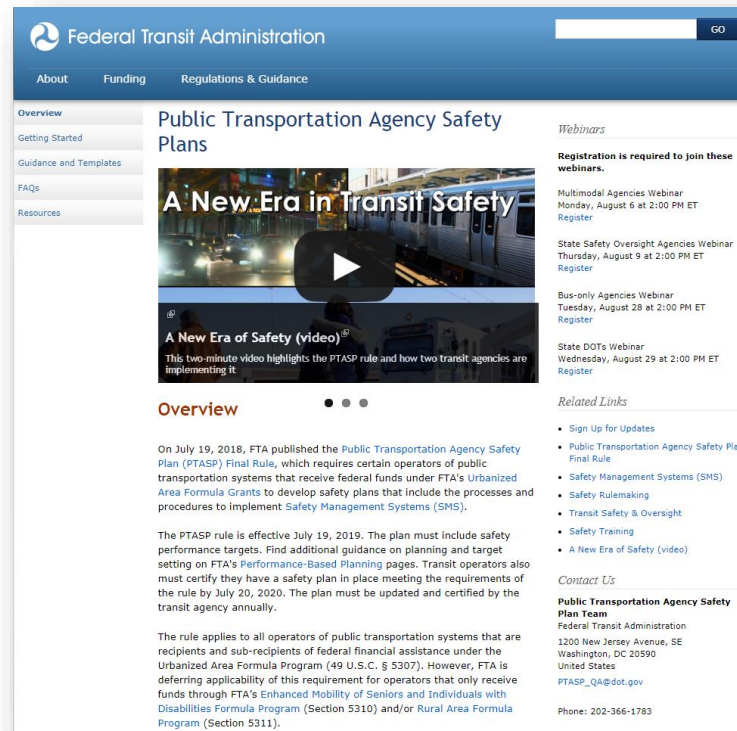
<https://www.transit.dot.gov/PTASP>

Upcoming Webinars and Events

Webinars	Public Dates
SSOA/RTA Workshop	Tuesday, October 23 – Thursday, October 25 Washington, DC
Public Transportation Agency Safety Plan Final Rule Questions and Answers	October 2018
PTASP Bus Template and Bus Guidance	October 2018
SSPP to PTASP Roadmap and Definitions Overview	Late October/Early November 2018
PTASP Planning and Performance Measure Requirements	November 2018
PTASP/TAM Nexus	November/December 2018

More Information and Follow-up Questions

- PTASP Questions: PTASP_QA@dot.gov
- Training Rule Questions: FTASafetyPromotion@dot.gov
- Other questions? Call the TSO Main Number at 202-366-1783



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<https://www.transit.dot.gov/PTASP>