APTA BUS SAFETY PROGRAM MAP-21 ASSESSMENT

Program Description and Participant Guidelines

DRAFT

A Service of the
American Public Transportation Association provided through
the North American Transit Services Association
(A wholly owned subsidiary of the American Public Transportation Association)

1666 K Street, NW
Suite 1100
Washington, DC 20006

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APTA BUS SAFETY PROGRAM MAP-21 ASSESSMENT

Table of Contents

1 Introduction 4
2 Framework 5
2.1 SMS Approach 5
2.2 The Assessment 5
2.2.1 Formal Request 5
2.2.2 Coordination 5
2.2.3 Elements 6
2.2.4 Duration 7
2.2.5 Debrief Meeting 7
2.2.6 Deliverables 7
2.2.7 Cost Options 7
2.3 Option to join APTA Bus Safety Management Program 8
2.4 Flowchart 9
2.5 Flowchart of Agency Choosing Option to Join BSMP 10
3 Guidelines for Participants 11
3.1 ASSESSMENT REQUEST 11
3.1.1 Request Letter 11
3.1.2 Letter of Indemnification 11
3.1.3 APTA Response 11
3.2 APTA STAFF SUPPORT 11
3.2.1 Staff Advisor 11
3.2.2 Invoice 12
3.3 SELECTION OF ASSESSMENT PANEL MEMBERS 12
3.3.1 Panel Composition 12
3.3.2 Panel Member Selection 12
3.3.3 Panel Member Invitation 12
3.4 ASSESSMENT EXPENSES 12
3.4.1 Travel Expenses 12
3.4.2 Accounting (APTA) 13
3.5 SCHEDULE AND AGENDA 13
3.5.1 Scheduling 13
3.5.2 Agenda 13
3.5.3 Interview List Sample 13
3.6 DOCUMENTATION / INFORMATION RELEASE 14
3.6.1 Document List 14
3.6.2 Document Control 15
3.6.3 Information Release 15

4 For More Information ☏ 16
APPENDIX A – 26 ELEMENTS FROM APTA BSMP 17
APPENDIX B – BSMP OVERVIEW (Rev. 3/2013) 18
APPENDIX C – UNOFFICIAL SUMMARY OF MAP-21 REQUIREMENTS PERTAINING TO SAFETY – For Reference Only 23
APPENDIX D – APTA PEER REVIEW GUIDELINES (Rev. 2/2012) 24
APPENDIX E – GLOSSARY OF TERMS 32

1 Introduction

As an extension of APTA's successful peer review program, and to broaden its efforts to aid members in their development and enhancement of system safety management programs, APTA offers a new Bus Safety Program Assessment peer review to complement its existing Bus Safety Management Program (BSMP) services. The main purpose of this bus safety peer review is to provide properties with a short and focused onsite review resulting in a foundational assessment of their current safety program, establishing a framework from which they can meet the Federal Transit Administration's MAP-21 safety plan regulations. Secondary benefits of this peer review are to identify any gaps in agency safety programs, opportunities to enhance existing safety efforts, information sharing with peers on industry practices, and benchmarking best practices. Furthermore, this program gives transit agencies the option of moving beyond regulatory compliance of MAP-21 to ensure the long term viability of its safety programs by initiating a safety management "systems" approach following the APTA model.

The need for an independent peer review has developed because many APTA bus transportation systems ranging from small to large, want to know that their programs are relevant and fine-tuned enough to meet minimum requirements of MAP-21 and strong enough to demonstrate due diligence in their safety program to their governing boards, their communities and within the industry.

The peer review program is based on the concept of providing an assessment to assist the requesting agency in addressing issues using subject matter experts from within the transit industry, in this case with a focus on safety management. Through coordination by APTA and its wholly-owned subsidiary, North American Transit Services Association (NATSA), and with the support of APTA member organizations, the subject matter experts will convene at the requesting agency and conduct an intensive review of safety management programs and practices of the requesting agency. Upon the conclusion of the review, the assessment panel will provide a summary of findings and recommendations in the form of an exit briefing, written summary, and a prioritized checklist for the agency's consideration. The assessment and all associated deliverables are provided on a confidential basis and are treated as proprietary to the agency.

Assessment participation by both the peer review participants and the requesting agency is conducted by mutual consensus that this service is a valuable resource to strengthening and enhancing organizational and operational effectiveness, efficiency and safety, and to growing the industry's safety basis as a whole.

2 Framework

2.1 SMS Approach

The assessment framework was designed, and is to be carried out, with the understanding that the evolving regulatory environment afforded by MAP-21 and the willingness of the industry to achieve continual improvement in safety management, present an opportunity for all transit agencies to move toward a holistic, proactive and performance-based approach to safety management. The aim of a *Safety Management System (SMS)* approach is to enhance safety of transit systems by proactively identifying, assessing and controlling risks. As reflected in both the Public Transportation Agency Safety Plan (PTASP) requirements of MAP-21 and the well-established criteria and methodology of the APTA BSMP, the SMS approach requires, at a minimum:

- Clear lines of authority, responsibility and accountability for safety;
- Safety performance goals and measures;
- Formal processes to systematically identify, assess, communicate and control safety risks;
- A workforce that is capable of (trained) and committed to improving safety; and
- Designated financial and personnel resources to achieve safety goals.

As such, the degree to which the participating transit agency achieves these general SMS indicators, as well as the "health" of the plan relative to MAP-21 requirements and industry best practices in SMS will drive the scope of the assessment. For more information, see 2.2.3 – Elements.

2.2 The Assessment

The assessment would consist of a one-time, independent, on-site assessment by two bus industry peer reviewers, facilitated by either an APTA or NATSA staff advisor. Depending upon the size of the agency, the review normally takes two days, concluding in an exit briefing and delivery of a prioritized checklist for addressing opportunities for improvements.

2.2.1 Formal Request

With a minimum 3 months advance notice, a CEO/GM of a requesting agency would formally request a peer review for bus safety management assessment.

2.2.2 Coordination

Once accepted by APTA, the staff advisor would coordinate with the requesting agency to schedule the review and build an independent panel consisting of at least one staff system safety specialist and at least two peer review panelists selected from the industry (minimum= 3 person teams).

2.2.3 Elements

The assessment will follow the format provided by the existing BSMP, which serves the purpose of normalizing the findings so they can be compared to both the MAP-21 requirements and also to industry criteria. A 26 item checklist and written summary of the panel's findings and recommendations will assist the agency in consolidating its various safety practices and procedures into an effective plan to meet their own goals consistent with industry practice as well as minimum requirements.

1. **MAP-21 Elements**
   The development of a public transit agency safety plan is a specific requirement of the MAP-21 regulations. For reference, some of the explicitly required elements of such a plan include:

   - Board of directors (or equivalent) approves the agency safety plan and any updates;
   - Methods for identifying and evaluating safety risks throughout all elements of the public transportation;
   - Strategies to minimize the exposure of the public, personnel and property to hazards;
   - A process and timeline for conducting an annual review and update of the safety plan;
   - Performance targets based on the safety performance criteria and state of good repair standards established in the national plan;
   - Assignment of an adequately trained safety officer who reports directly to the general manager/ CEO; and
   - A comprehensive staff training program for the operations and safety personnel, that includes-
     - The completion of a safety training program; and
     - Continuing safety education and training.

2. **APTA BSMP Elements**
   Notwithstanding the above, some of the other focus areas of the assessment which are derived from the existing BSMP and the industry-developed *Manual for the Development of Bus Transit System Safety Program Plans* include:

   - Accident & incident investigation and reporting;
   - Emergency response planning, training and coordination;
   - Safety data acquisition, analysis, and reporting;
   - Customer safety programs;
   - Inter-departmental coordination;
   - Employee safety programs;
   - Drug and alcohol abuse programs; and
   - Contractor safety coordination.

A listing of the BSMP elements is provided in APPENDIX A, for reference.

If the requesting agency has already prepared and implemented a safety plan, the assessment would aim to evaluate the "health" of the plan both in terms of compliance "readiness" and industry best practices in system safety.

The actual content of the assessment and associated deliverables will vary by agency, according to system size, complexity, and the extent to which any existing programs and practices reflect both: 1) MAP-21 plan requirements and 2) current industry best practices. While every attempt will be made to perform the assessment in accordance with these guidelines, any references made to the above MAP-21 and BSMP elements are at the discretion of assessment participants.

2.2.4 Duration

The review would normally take two (2) days, depending upon the size and complexity of the requesting agency.

2.2.5 Debrief Meeting

A final debrief meeting (Exit Conference) is provided to the requesting agency, presenting findings, specific thoughts and action items to consider.

2.2.6 Deliverables

A written executive summary along with a prioritized APTA safety management program checklist will be provided to the requesting agency, demonstrating areas of compliance and non-compliance to MAP 21 regulations, as well as conformance to APTA Standards, industry best practices, and the transit agency's own system safety plan requirements. As a resource tool to be used by the requesting agency, the panel will present findings and recommendations in a prioritized fashion where feasible.

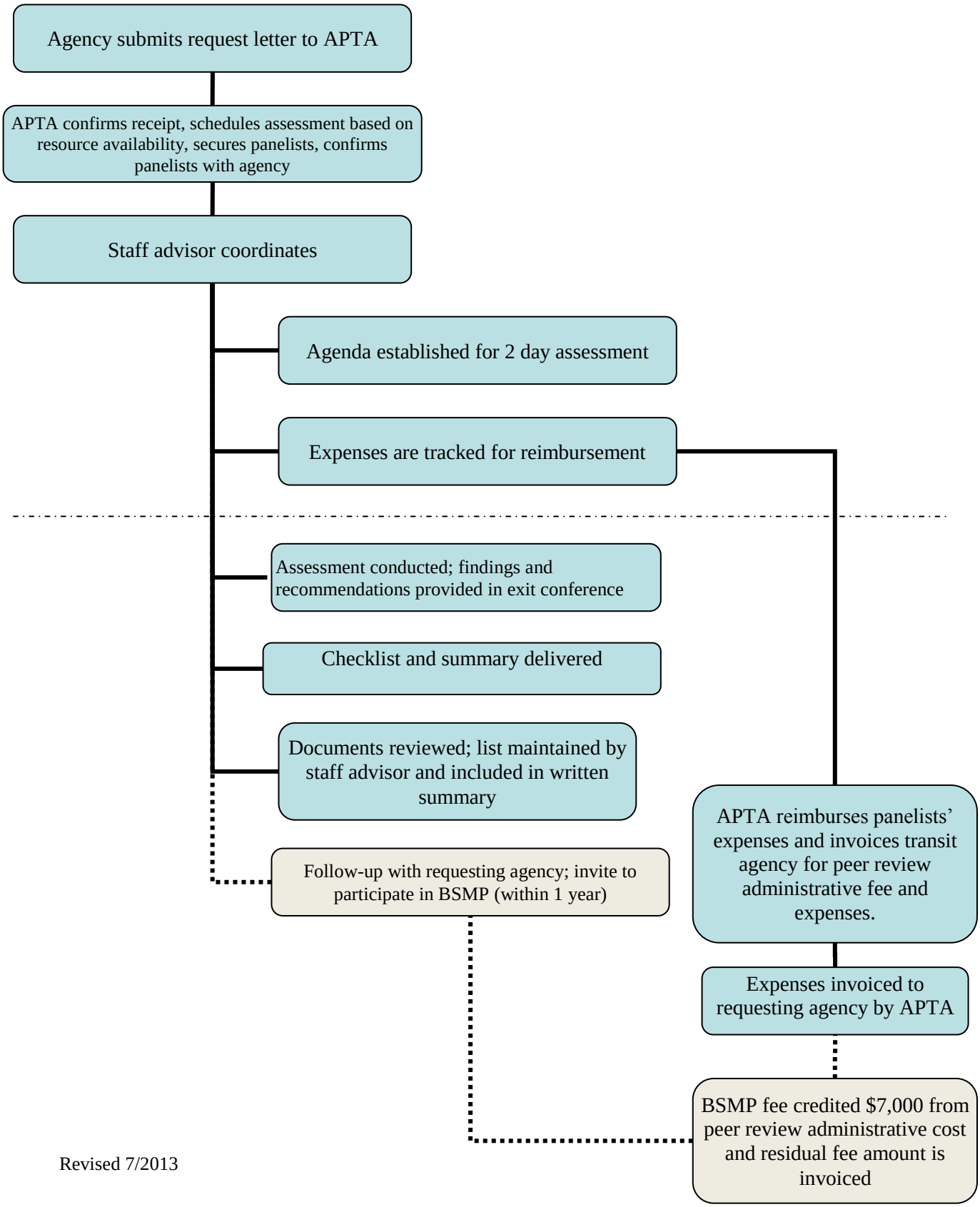
2.2.7 Cost Options

For requesting transit agencies, the standard APTA Peer Review administrative fee of $7,000 would be applied along with recollectable travel expenses as provided in the APTA Peer Review Guidelines (See APPENDIX D – APTA PEER REVIEW GUIDELINES (Rev. 2/2012)). However, unique to this peer review assessment, the transit agency can exercise an option to leverage the peer review fee against the cost of joining the APTA Bus Safety Management Program (BSMP). An agency choosing to exercise its option and join the APTA BSMP would be allowed to rollover the Peer Review administrative fee against the cost of the applicable BSMP fees which are scaled to the size of the system. Should an agency require additional information, please contact Ms. Sherry Brown, sbrown@apta.com.

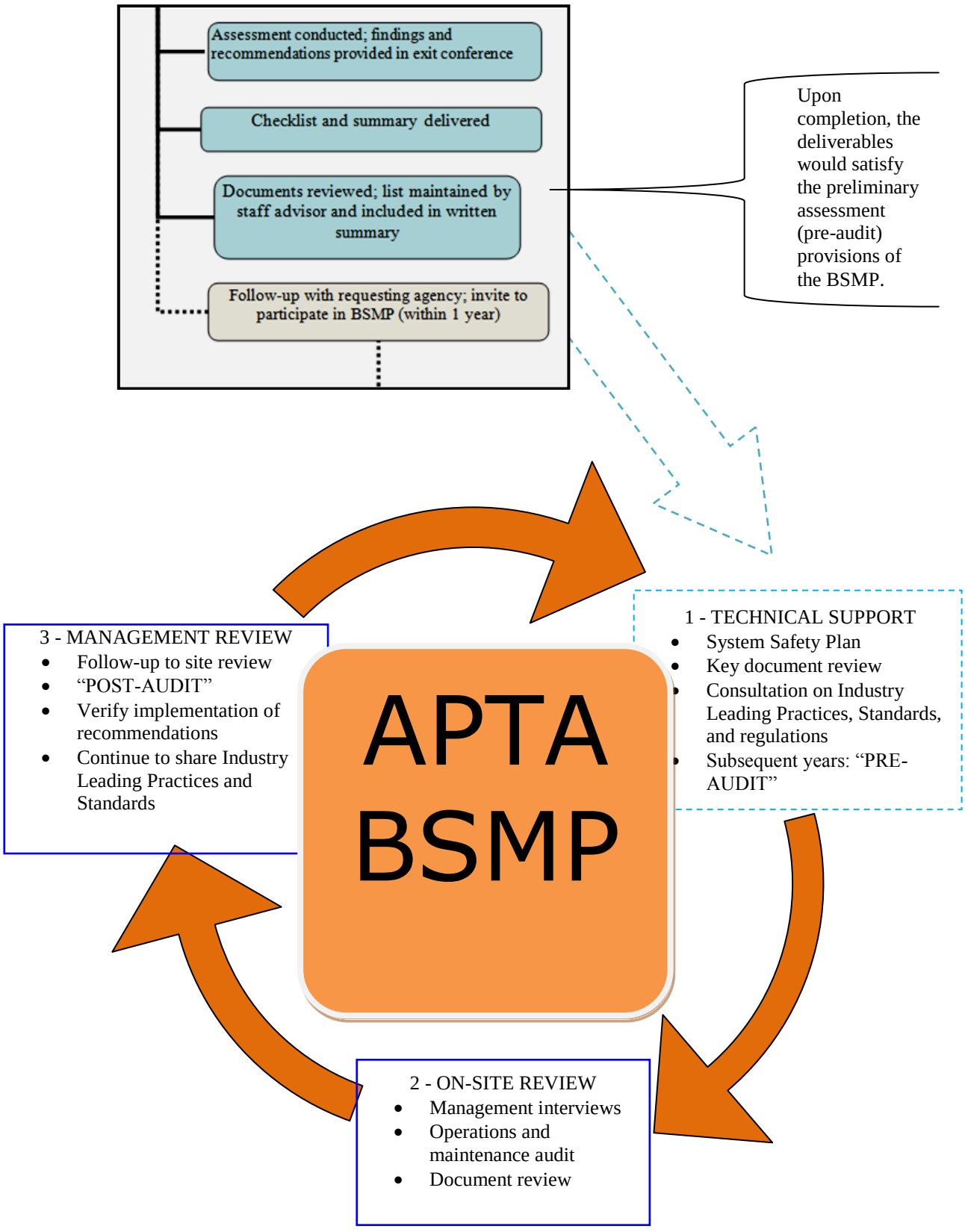
2.3 Option to join APTA Bus Safety Management Program

In developing this Bus Assessment Peer Review APTA staff was cognizant of the fact that bus operations across the country may not be fully prepared to deal with the full force and depth of federal safety regulatory requirements. Although we are committed to ensuring that the FTA regulations will be scalable to the size and resources of the bus properties, this will be new territory for everyone, including the FTA, and therefore, we saw the need for the APTA members to have access to assistance for building or enhancing their safety programs. This new Bus Assessment peer review is one step in providing that assistance. After going through the experience of a bus safety assessment, a transit agency may be completely satisfied with their safety program evaluation. However, what recourse would a transit agency have if they were not satisfied? To provide to transit agencies wishing to further improve and enhance their safety programs, we have added the option for transit agencies to use the bus safety assessment as a way to try out the APTA safety program at a low cost. This value added option would remain in effect for one year following the date of the assessment. Should a transit agency decide to exercise this option, the effect would be to rollover the work done during the assessment to constitute completion of the first step in the three year cycle, satisfying the Preliminary Assessment (pre-audit) provisions of the Bus Safety Program. Taking this action would ensure the on-going safety management systems program development (the "plan-do-check-act" process) and provide the support of APTA's safety management resources and staff. Further information on the APTA Bus Safety Management Program can be found in APTA program fact sheets "On the Road to Safety Excellence" and "System Safety Management Program Guidelines". Electronic copies are available from Ms. Sherry Brown; email sbrown@apta.com.

2.4 Flowchart



2.5 Flowchart of Agency Choosing Option to Join BSMP



3 Guidelines for Participants

3.1 ASSESSMENT REQUEST

3.1.1 Request Letter

The assessment module would be carried out in the same manner as all other APTA peer reviews. A request for an assessment is made in writing by the senior official of the requesting agency to the President/ CEO of the American Public Transportation Association (APTA). The letter should specifically request the Bus Safety Management Assessment module. The letter should also note a staff liaison for the requesting agency who will be assigned to assist with the logistics coordination.

3.1.2 Letter of Indemnification

As included within the Peer Review Guidelines, the requesting agency will also provide APTA and NATSA with a signed "Letter of Indemnification" to confirm that the requesting agency will hold APTA and NATSA and the review participants harmless in providing this support to their agency.

3.1.3 APTA Response

Upon receipt of an assessment request, APTA will acknowledge receipt of the request and will assign staff support through its wholly owned subsidiary, NATSA.

3.2 APTA STAFF SUPPORT

3.2.1 Staff Advisor

For each peer review assessment, an APTA staff advisor will be assigned to coordinate the review. The staff advisor will be responsible for the following logistics:

1. Liaise with the requesting agency to arrange a schedule, agenda, and hotel accommodations.
2. Contact prospective panel members and send out formal letters of invitation.
3. Acquire any relevant background documentation and disseminate that information to the panel members (i.e., reports, organization charts, etc.)
4. Assist the panel on-site to guide the process and information gathering.
5. Assist in compiling review findings into an organized format for the exit conference and subsequent report.
6. Expense reimbursements to panel members.

All staff advisors are well-versed in both the APTA Peer Review Program and BSMP and have received training in the specific requirements and methodology of this MAP-21-focused assessment.

A qualified BSMP system safety specialist may serve the role of *staff advisor* during the onsite portion of the assessment, with additional support of APTA staff where necessary.

3.2.2 Invoice

APTA will deliver an invoice for the total expenses to the requesting agency as soon as all expense reimbursements for the panel members have been finalized.

3.3 SELECTION OF ASSESSMENT PANEL MEMBERS

3.3.1 Panel Composition

An assessment panel will typically consist of two peer panelists plus the designated APTA staff advisor, but numbers can be fewer or greater depending on the needs of the requesting agency and the complexity of the issues to be addressed.

3.3.2 Panel Member Selection

Assessment panel members will be screened and selected based on their subject matter expertise relative to transit system safety management as well as their ability to address the specific concerns of the requesting agency. Panel members will participate in an orientation program on the specifics of Bus Safety Assessment criteria and methods used to conduct the review. Panel members are signatory to the confidentiality statement for peer reviews. The final determination of the prospective review panel composition will be approved by the requesting agency.

3.3.3 Panel Member Invitation

A letter of invitation to participate in the assessment will be sent by the staff advisor to the Chief Executive Officer (CEO) of each panel member's agency. The letter will confirm that the participating agency will be reimbursed for all travel expenses arising from the assessment. The staff advisor will serve as the facilitator. Where appropriate, the staff advisor will assist the panel in selecting one of the panel members to act as the chairperson for the review or it may be determined that the panel members will share the responsibility for jointly chairing the review panel process.

3.4 ASSESSMENT EXPENSES

3.4.1 Travel Expenses

Appropriate hotel accommodations will be arranged by the requesting agency or by APTA. Panel members will assume their own travel arrangements and arrange coach class fares as reasonable as possible or practical by booking fares in advance. Alternately, assessment panel members can elect to request that their air travel be arranged through APTA. Panel members will initially be responsible for their own travel

and hotel expenses and will submit travel expense report forms to the APTA staff advisor who will arrange for reimbursement through APTA.

3.4.2 Accounting (APTA)

The APTA Accounting Department will assign a specific program code for each assessment. Upon receipt of all travel expense reports, the APTA staff advisor will notify APTA's Accounting Department. APTA will then invoice the requesting agency for reimbursement to APTA for the total travel expenses of panel members and the staff advisor, as well as the association administrative fee ($7,000).

3.5 SCHEDULE AND AGENDA

3.5.1 Scheduling

The scheduled dates for the assessment review will be determined by APTA in consultation with the requesting agency and in consideration of the availability of panel members. A typical peer assessment will require two (2) full days but can be fewer or greater depending on the needs and issues.

3.5.2 Agenda

An agenda will be established through liaison with the staff advisor and the requesting agency, and will typically include the following:

1 Introductory meeting of the assessment panel and agency senior management to collect background on the review request and how management views the current "health" of the agency's safety program. (Usually the evening before the start of the review)
2 Opening briefing to review scope, identify deliverables, confirm schedule and receive any presentations by agency staff.
3 Interviews of agency management personnel and facility/equipment observations. See 3.5.3 – Interview List Sample, below.
4 Document review by the panel.
5 At the conclusion of the information gathering, the panel will caucus to organize its findings to be presented at the exit conference.
6 An exit conference will be conducted between the panel and the agency's senior management and a brief summary of findings and recommendations will be presented. The exit conference is intended to be interactive and therefore any questions and requests for clarification are invited.

3.5.3 Interview List Sample

Management of the following departments should be included in the interview portion of the assessment, as applicable and as schedule permits:

- Safety

- Human Resources (Risk Management/Benefits/Drug & Alcohol)
- Training
- Operations/Transportation
- Paratransit
- Vehicle Maintenance
- Facility Maintenance
- Security/Transit Police
- Procurement/Storerooms
- Customer Service / Marketing
- Media Relations
- Management Information Systems (IT) (Statistics, Data Analysis)
- Other Support Functions with a defined safety/security role

(Adapted from *BSMP Pre-Audit Guidelines*, Rev. 3/08)

3.6 DOCUMENTATION / INFORMATION RELEASE

3.6.1 Document List

A complete listing of all documentation reviewed (i.e., manuals, reports, etc.) will be maintained by the staff advisor and will be noted in the Appendix of the report.

For reference, it is recommended that the following documents are provided to the panel (through coordination with the staff advisor), as applicable and to the extent that they accurately represent the current status of the safety management system:

- System Safety Program Plan or agency safety plan
- Operational rules and procedures
- Documented maintenance procedures and/or checklists (vehicle, facilities)
- Training lesson outlines (for operational as well as safety training), plans and documentation (i.e. sign-up sheets, examination records, concurrence sheets)
- Safety data reports (all departments)
- Employee, passenger and public injury/accident reports
- Documentation of on-the-job training for all trades and professions
- Drug and Alcohol policy and policy statements
- Fitness-for-duty policies if available
- Security procedures, plans and policies
- Safety awareness programs for employee, passenger and public
- Safety meeting minutes
- Emergency response programs, plans, drill de-briefing
- Public relations plans and procedures, including media coverage of incidents

- Quality assurance policies, plans and procedures
- Configuration management policies or plans

3.6.2 Document Control

All documentation provided for the assessment review will be held in confidence and returned to the transit agency.

3.6.3 Information Release

The assessment review reports and other deliverables are proprietary to the public transportation organization that requested the review and as such will only be released by that organization. APTA, NATSA and assessment panel members will not release the report in whole or in part without the direction and permission of the organization for which the assessment was provided. As well, any comments regarding the assessment to any other sources (such as media, etc.) will only be provided by the organization for which the assessment review was provided, or as otherwise agreed upon by that organization.

4 For More Information ☎

Questions or requests for more information on the Bus Safety Program MAP-21 Assessment Program can be directed to:

Bill Grizard
Director – Safety Programs
wgrizard@apta.com
(202) 496-4878

Michael Smith
Sr. Specialist – Safety & Security
msmith@apta.com
(202) 496-4857

APPENDIX A – 26 ELEMENTS FROM APTA BSMP

1. POLICY STATEMENT AND AUTHORITY FOR SYSTEM SAFETY PROGRAM PLAN
2. DESCRIPTION OF PURPOSE FOR SYSTEM SAFETY PROGRAM PLAN
3. CLEARLY STATED GOALS FOR BUS SAFETY MANAGEMENT PROGRAM
4. IDENTIFIABLE AND ATTAINABLE OBJECTIVES
5. SYSTEM DESCRIPTION/ORGANIZATIONAL STRUCTURE
6. SYSTEM SAFETY PROGRAM PLAN CONTROL AND UPDATE PROCEDURES
7. HAZARD IDENTIFICATION/RESOLUTION PROCESS
8. ACCIDENT/INCIDENT REPORTING & INVESTIGATION
9. FACILITIES INSPECTIONS
10. VEHICLE MAINTENANCE AUDITS/INSPECTIONS
11. RULES/PROCEDURES REVIEW
12. TRAINING AND CERTIFICATION REVIEW/AUDIT
13. EMERGENCY RESPONSE PLANNING, COORDINATION, TRAINING
14. SYSTEM MODIFICATION REVIEW/APPROVAL PROCESS
15. SAFETY DATA ACQUISITION/ANALYSIS
16. INTERDEPARTMENTAL/INTERAGENCY COORDINATION
17. CONFIGURATION MANAGEMENT
18. EMPLOYEE SAFETY PROGRAM
19. HAZARDOUS MATERIALS PROGRAMS
20. DRUG AND ALCOHOL ABUSE PROGRAMS
21. CONTRACTOR SAFETY COORDINATION
22. PROCUREMENT
23. ALTERNATIVE FUELS & SAFETY
24. OPERATING ENVIRONMENT AND PASSENGER FACILITY MANAGEMENT
25. SECURITY
26. INTERNAL SAFETY AUDIT PROCESS

APPENDIX B – BSMP OVERVIEW (Rev. 3/2013)

On the Road

to

Safety Excellence

Invest In A More Successful System Safety Plan

Based upon the proven methodologies of APTA's well established and widely acknowledged Rail Safety Audit Program, APTA's Bus Safety Management Program provides you with a comprehensive, 26-point framework for instituting and complying with best system safety practices. You will receive the guidance, details and consultation you need to develop, institute and maintain a system safety plan designed for your unique system, plus triennial on-site audits to ensure compliance and develop your safety expertise. The Program format will also assist you to consolidate your various safety practices and procedures into a standardized plan. Some of the elements focused upon in the Program include:

- Hazard identification and resolution
- Accident & incident investigation and reporting
- Emergency response planning, training and coordination
- Safety data acquisition and analysis
- Configuration management
- Inter-departmental coordination
- Employee safety programs
- Drug and alcohol abuse programs
- Contractor safety coordination
- Security

Maximize Your Bus System's Safety with APTA

Safety is an integral part of the success of your bus transit system. And in bus transit management, it's always first in mind. With APTA's Bus System Management Program (BSMP), you can minimize your safety worries, focus on proactive safety practices, and protect your system, customers and employees.

Our comprehensive program will guide you through a series of safety management processes focused on your individual system and provide triennial audits to help you hone the quality of your safety practices. Plus, you'll be apprised of new techniques that evolve as a result of changes in our industry's best practices. Developed by transit safety experts, our BSMP is a proven tool for you to use in providing optimal safety practices for your system.

Application of a System Safety Program Plan and participation in the BSMP will also assist your system in demonstrating its diligence for safety.

Assess and Improve Your Overall Safety Plan

The APTA Bus Safety Management Program covers every aspect of system safety, such as management structure, training and implementation of a series of best-practice policies, identification of goals, security operations, configuration management, ADA compliance and proactive planning, and equipment to name a few. Triennial audits are performed to assess development of, compliance with, and implementation of program policies, as well as to recommend objectives for strengthening your safety programs.

During the initial three years in the program, APTA's system safety experts will meet with you three times, for a total of 6 days for small systems, 8 days for medium systems, and 12 days for large systems:

- **Introductory Visit** that includes familiarization of your operations, an audit program overview for your staff, and a preliminary evaluation of your system safety program readiness.

- **Site Safety Audit** that includes management interviews, random audits of operations and maintenance, document collection and review, configuration management system, and operational site inspections, as well as audit entry and exit conferences.

- **Follow-up Audit Visit** that verifies the implementation of recommendations made during the audit visit and critique of progress, as well as any new safety programs and management initiatives.

- **Off-Site Benefits** such as unlimited consultation on the industry's best practices; invitations to APTA system safety seminars; access to APTA peer reviews, technical evaluations, panels of inquiry, accident investigation; system safety publications.

PLUS A Regional Program For Small Systems

In response to the needs of the industry, the APTA Bus Safety Management Program has been adapted to a regionally based program that allows a fee structure that is more compatible with small system budgets and is specifically designed for systems with 50 or fewer vehicles. Within the Regional Program, a minimum of three such geographically located transit systems in close proximity will constitute a region and jointly attend preparatory/pre-audit meetings at a common, central location.

Participants within this Program will fulfill the same audit program standards and

requirements as larger systems in the APTA Bus Safety Management Program.

BUS SAFETY MANAGEMENT PROGRAM (BSMP)

Audit Program Structure and Costs

PROGRAM OVERVIEW

Audit Periods:
- Systems Operating 1-50 vehicles (Regional Program) …… 5 days total over three years
- Systems Operating 51-100 vehicles ……. 6 days total over three years
- Systems Operating 101-699 vehicles …… 8 days total over three years
- Systems Operating 700+ vehicles ……. 12 days total over three years

Introductory Visit: 1 - 2 days for all systems
- ♦ SSPP familiarization with management staff
- ♦ Audit program overview
- ♦ Training sessions for up to 25 system staff on configuration management, safety certification, and other topics (includes training materials)
- ♦ System Safety preliminary evaluation
- ♦ For those systems operating 1-50 vehicles, the introductory visit will be covered through a regional introductory / pre-audit meeting that will be conducted at a location mutually convenient.

Site Safety Audit:
- System Operating 1-50 vehicles (Regional Program) ……. 2 days
- System Operating 51-100 vehicles ……. 3 days
- Systems Operating 101-699 vehicles …….. 5 days
- Systems Operating 700+ vehicles …… 9 days

- ♦ Management review
- ♦ Random audit samples of operations and maintenance
- ♦ Document collection and review
- ♦ System walk-through and technical tours
- ♦ Entry and exit conferences

Site safety audit consists of 29 standard elements evaluated. Additional areas reviewed:
- ♦ Garage operations
- ♦ Contracts administered at the property, if any
- ♦ Management structure of each system
- ♦ Type of equipment and facilities operated and maintained by the system
- ♦ Number and type of inter-system interfaces, if any
- ♦ System compliance with ADA (use of route deviation, small bus fleet operation, service contracted out, etc.)

Follow-up Audit Visit: 1 day for all systems

- Verify implementations recommended from site audit
- Critique of programs under development as a result of site audit

COST BREAKDOWN

Pricing is based on system size. The following guidelines are applied:

Systems Operating 1-50 vehicles (Regional Program) ------ $ 3,850/year ($11,550 over 3 years)
Systems Operating 51-100 vehicles ---------- $ 9,020/year ($27,060 over 3 years)
Systems Operating 101 - 699 vehicles ---------- $11,330/year ($33,990 over 3 years)
Systems Operating 700 or more vehicles ---------- $13,970/year ($41,910 over 3 years)

The pricing is structured to encompass all related staff and administrative costs involved in conducting the system safety audit:

- Time spent at the system for audit staff, including pre- and post- audit requirements.
- Program management including administrative, and clerical support time.
- All related travel costs.
- Staff resources required for documentation review and report preparation.

Additional benefits/services included in pricing:

- Unlimited consultation;
- System Safety Plan review and approval;
- Invitation to System Safety seminars (at APTA Bus Conference) providing a workshop forum of industry best practices and innovative safety programs, gathering transit safety experts from around the world to share their knowledge and expertise with our Program members;
- Access to APTA staff participation in the peer review process or technical evaluations (salaries included in Program pricing for the duration of the proceedings);
- Access to APTA staff participation in Panel of Inquiry/Accident Investigation process (salaries included in Program pricing for the duration of the proceedings);
- Access to APTA's industry Best Practices standards and recommendations; and
- Availability of System Safety publications.

NOTE: ***In the case of peer review or Panel of Inquiry/Accident Investigation services provided, the system will reimburse APTA for travel costs of the review panel.***

APPENDIX C – UNOFFICIAL SUMMARY OF MAP-21 REQUIREMENTS PERTAINING TO SAFETY – For Reference Only

The MAP-21-enacted amendments to chapter 53 of title 49 (Federal Public Transportation), signed into law in July, 2012, increase the FTA's regulatory role in transit safety, specifically assigning it regulatory authority of bus transit safety.

A breakdown of the changes directly related to safety follows, with the corresponding section and part in chapter 53 of the U.S. Code, as amended by MAP-21:

- A **performance-based** approach added to MPO processes
- For fixed guideway "new starts" and "small starts" (including BRT), grantees must show capacity to carry out "safety and security aspects" of the project. State of good repair grants do apply to BRT.
- The FTA will develop or adopt voluntary, **consensus-based standards**, to include standards for safety
- **New buses** must meet minimum performance standards as determined by a DOT testing facility. This includes reliability, **safety**, performance, structural integrity, fuel economy, and emissions.
- Preaward and postdelivery **review of new buses**: Buses must comply with motor vehicle safety requirements.
- DOT must establish a **national transit asset management system**, to improve safety and increase reliability and performance.
- Project management plans must include safety and security management.
- ***National Public Transportation Safety Plan*** – DOT must create:
    - Definition of "state of good repair"
    - Safety performance criteria for all modes of transit
    - Minimum safety performance standards for all transit vehicles that do not fall under the purview of other federal agencies
    - Transit safety certification training program.

- ***Public Transportation Agency Safety Plan*** – Agencies must certify that it has established a comprehensive safety plan that:
    - Board, or equivalent, approval
    - Chief Safety Officer who reports directly to the CEO
    - Risk assessment and hazard analysis
    - Annual review of the safety plan
    - Performance targets based on safety performance and state of good repair standards
    - Comprehensive staff training program
- Approval of, and authority over **State Safety Oversight Programs**; and vests DOT/FTA with oversight, inspection, and enforcement powers, including safety violations
- **Bus Safety Study**: DOT must report to Congress on the safety of transit buses on highways

APPENDIX D – APTA PEER REVIEW GUIDELINES (Rev. 2/2012)

The structure of the Bus Safety Program MAP-21 Assessment was adapted primarily from that of the existing APTA Peer Review Program with an intended focus on the requesting agency's safety management programs and practices relative to both MAP-21 requirements and existing industry best practices.

The following Peer Review Guidelines, Rev. 2/2012, are included for reference only. If more information is required, please contact the APTA program staff, as indicated above.

INTRODUCTION

For many years, the American Public Transportation Association (APTA) has provided peer review services. Peer reviews have been an outgrowth of APTA's Safety Management Audit Program and have expanded in scope to focus on any aspect of public transportation that may be requested by a transit organization. The peer review service continues to be provided by APTA through its wholly owned subsidiary, the North American Transit Services Association (NATSA).

The concept of peer reviews is to assist the requesting agency in addressing issues through subject matter experts within the transit industry. Through coordination by APTA and NATSA and the support of their own organization, the subject matter experts will convene at the requesting agency and conduct an intensive review of the issues to be addressed. Upon the conclusion of the review, the peer review panel will provide a summary of findings and recommendations to the senior management of the requesting agency, and will subsequently formalize those findings and recommendations into a written report. The peer review and reports are provided on a confidential basis.

Peer review participation is conducted by mutual consensus and through industry acknowledgement that this service is an extremely valuable resource to strengthening and enhancing organization and operational effectiveness, efficiency and safety. Consequently, organizations freely provide the time and availability of their staff to participate as peer review panel members. The requesting agency assumes the travel and incidental expenses for all members of the peer review panel members as well as an association administrative fee.

PEER REVIEW REQUEST

A request for a peer review is made in writing by the senior official of the requesting agency to the President/ CEO of the American Public Transportation Association (APTA).

The letter should include the specific issues or focus of the review and the preferred dates for conducting the review. The letter should also note a staff liaison for the requesting agency who will be assigned to assist with the logistics coordination.

As included within the Peer Review Guidelines, the requesting agency will also provide APTA and NATSA with a signed "Letter of Indemnification" to confirm that the requesting agency will hold APTA and NATSA and the review participants harmless in providing this support to their agency.

Upon receipt of a peer review request, APTA will acknowledge receipt of the request and will assign staff support through its wholly owned subsidiary, NATSA.

NATSA STAFF SUPPORT

For each peer review, a NATSA staff advisor will be assigned to coordinate the review. The staff advisor will be responsible for the following logistics:

- Liaise with the requesting agency to arrange a schedule, agenda, and hotel accommodations.
- Contact prospective panel members and send out formal letters of invitation.
- Acquire any relevant background documentation and disseminate that information to the panel members (i.e., reports, organization charts, etc.)
- Assist the panel on-site to guide the process and information gathering.
- Assist in compiling review findings into an organized format for the exit conference and subsequent report.
- Expense reimbursements to panel members.
- APTA will deliver an invoice for the total expenses to the requesting agency as soon as all expense reimbursements for the panel members have been finalized.

SELECTION OF PEER REVIEW PANEL MEMBERS

A peer review panel will typically consist of three to five members plus the designated NATSA staff advisor, but numbers can be fewer or greater depending on the needs of the requesting agency and the complexity of the issues to be addressed.

Panel members will be selected on their subject matter expertise and capacity to assist in addressing the issues of focus. The staff advisor will consult with the requesting agency as to potential panel members and will subsequently contact the prospective panel members to determine their availability.

The NATSA staff advisor will provide the requesting agency with recommendations for appropriate panel members and the requesting agency may also indicate specific industry professionals that it would like to be included on the review team. The final determination of the prospective review panel composition will be approved by the requesting agency.

A letter of invitation to participate in the peer review will be sent by the staff advisor to the Chief Executive Officer (CEO) of each panel member's agency. The letter will confirm that the participating agency will be reimbursed for all travel expenses arising from the peer review. The staff advisor will serve as the facilitator for the peer review. Where appropriate, the staff advisor will assist the panel in selecting one of the panel members to act as the chairperson for the review or it may be determined that the panel members will share the responsibility for jointly chairing the review panel process.

PEER REVIEW EXPENSES

Appropriate hotel accommodations will be arranged by the requesting agency or by NATSA. Panel members will assume their own travel arrangements and arrange coach class fares **as reasonable as possible** or practical by booking fares in advance. Alternately, peer review panel members can elect to request that their air travel be arranged through APTA. Panel members will initially be responsible for their own travel and hotel expenses and will submit travel expense report forms to the NATSA staff advisor who will arrange for reimbursement through APTA. The APTA Accounting Department will assign a specific program code for each peer review. Upon receipt of all travel expense reports, the NATSA staff advisor will notify APTA's Accounting Department. APTA will then invoice the requesting agency for reimbursement to APTA for the total travel expenses of panel members and the NATSA staff advisor, as well as the association administrative fee for overhead costs related to the peer review.

SCHEDULE AND AGENDA

The scheduled dates for the peer review will be determined by the requesting agency and in consideration of the availability of panel members. A typical peer review will require three (3) to four (4) full days but can be fewer or greater depending on the needs and issues. The peer review panel will typically conduct a dinner meeting the evening prior to the commencement of the peer review in order to provide introductions and to discuss the review agenda.

An agenda will be established through liaison with the NATSA staff advisor and the requesting agency, and will typically include the following:

- Introductory meeting of the peer review panel and agency senior management.
- Briefing by agency as to background for the peer review request and issues to be addressed.
- Physical tour of operations.
- Presentations and/or briefings by agency staff.
- Panel may interview agency personnel.
- Provision of relevant documents for review by the panel.
- Adequate time is to be included in the agenda to allow opportunities for the panel to caucus in private.
- At the conclusion of the briefings and information gathering, the panel will caucus to organize its findings to be presented at the exit conference.
- On the final day of the review, an exit conference will be conducted between the panel and the agency's senior management and a summary of findings and recommendations will be presented.
- Unless circumstances require differently, a draft report of the panel findings and recommendations will be submitted to the agency CEO within 40-60 days following the peer review.
- Following any required corrections or additions to the draft report, a final report will be issued to the agency CEO as soon as practical.

PREPARATION OF FINDINGS & RECOMMENDATIONS

At the outset of the peer review, each panel member is requested to maintain notes on findings and recommendations as they pertain to each issue addressed.

During the caucus of the peer review at the conclusion of the review, the staff advisor will facilitate a discussion of the peer review panel to compile findings and recommendations specific to each issue identified for the review. The compilation of findings and recommendations will then form the basis of the peer review de-briefing that is provided at the exit conference. Where time permits, this information will be presented in a power-point format.

EXIT CONFERENCE

The exit conference will be conducted on the final day of the peer review and will consist of a presentation of findings and recommendations relative to each issue of focus for the peer review. Additionally, other relevant general observations will be provided at this time. Where time permits, this summary of findings and recommendations will be provided at the exit conference in the form of a power-point presentation that will be left with the agency.

In the exit conference, the staff advisor will provide introductory comments noting the history and intent of peer review and will introduce the panel team members who will then provide an oral presentation of their findings and recommendations. The exit

conference is intended to be interactive and therefore any questions and requests for clarification are invited.

REPORT STRUCTURE

The compilation of findings and recommendations gathered for the exit conference will form the basis for the subsequent written report. The report will typically be structured as follows:

1. Cover / title page
2. Peer Review Panel Members Page
3. Table of Contents
4. Introduction
5. Issues with Findings and Recommendations
6. Conclusions
7. Appendix
   A. Letter of Request for the peer review
   B. Agenda
   C. List of Documents

DOCUMENTATION

A complete listing of all documentation reviewed (i.e., manuals, reports, etc.) will be maintained by the staff advisor and will be noted in the Appendix of the report.

All documentation provided for the peer review will be either returned or destroyed within six months of the issuance of the Final Report.

INFORMATION RELEASE

The peer review reports are proprietary to the public transportation organization that requested the peer review and as such will only be released by that organization. APTA, NATSA and peer review panel members will not release the report in whole or in part without the direction and permission of the organization for which the peer review was provided. As well, any comments regarding the peer review to any other sources (such as media, etc.) will only be provided by the organization for which the peer review was provided, or as otherwise agreed upon by that organization.

APTA PEER REVIEW PROGRAM

This is to acknowledge that the_____
(transportation organization) has requested the American Public Transportation Association (APTA) to provide for *Transportation Organization* Peer Review services through APTA's wholly owned subsidiary, the North American Transit Services Association (NATSA) in accordance with the APTA Peer Review Program Guidelines.

APTA's Peer Review Program is designed to assist transportation organizations in addressing public transportation-related needs and issues through subject matter experts within the public transportation industry. Through the coordination by APTA and NATSA and the support of their respective own organizations, the subject matter experts convene at the requesting public transportation organization and conduct an intensive review of the issues to be addressed. Peer Review participation is conducted by mutual consensus and through industry acknowledgement that this service is an extremely valuable resource to strengthening and enhancing public transportation functions and effectiveness. The APTA Peer Reviews follow the format as described in the APTA Peer Review Guidelines.

The observations and recommendations as provided through the APTA Peer Review process are provided in good faith and as based upon the experience and skills of the Review panelists. The APTA Peer Review does not, nor is it meant to, represent a full organizational review. The Peer Review is intended to be used as a resource that, in conjunction with other assessment tools, can assist the requesting organization to evaluate their particular needs and issues.

Indemnification: To the extent permitted by law, the Public Transportation Organization agrees to indemnify and hold harmless APTA and NATSA, its officers and employees, and any Peer Review panelists and their respective agencies in the conduct of their activities for claims of any kind (including attorney fees) arising out of the provision of this Peer Review, except to the extent such claims arise or are caused by the negligence or willful misconduct of APTA, NATSA, its officers and employees, or Peer Review panelists.

The undersigned, duly authorized representative of the Public Transportation Organization agrees to the terms of the provision of this Peer Review service.

Transportation Organization

By: _____ Date: _____

_____
Signature - Name and Title of Authorized Representative

APTA PEER REVIEW PROGRAM

Consistent with the American Public Transportation Association (APTA) Peer Review Guidelines, I, _____, understand and acknowledge that I may not disclose information related to this peer review, the results, report, recommendations, or my own observations and opinions related to this peer review without the expressed permission of the reviewed public transportation organization.

APTA's Peer Review Program is designed to assist transportation organizations in addressing public transportation-related needs and issues through subject matter experts within the public transportation industry. Through the coordination by APTA and NATSA and the support of their respective own organizations, the subject matter experts convene at the requesting public transportation organization and conduct an intensive review of the issues to be addressed. Peer Review participation is conducted by mutual consensus and through industry acknowledgement that this service is an extremely valuable resource to strengthening and enhancing public transportation functions and effectiveness. The APTA Peer Reviews follow the format as described in the APTA Peer Review Guidelines.

The observations and recommendations as provided through the APTA Peer Review process are provided in good faith and as based upon the experience and skills of the Review panelists. The APTA Peer Review does not, nor is it meant to, represent a full organizational review. The Peer Review is intended to be used as a resource that, in conjunction with other assessment tools, can assist the requesting organization to evaluate their particular needs and issues.

_____

Name and Title of Peer Review Member

_____ Date: _____

Signature

APPENDIX E – GLOSSARY OF TERMS

BSMP: APTA's *Bus Safety Management Program*
Hazard: a condition, act, process or operation that has the potential to cause harm or danger or damage
MAP-21: *Moving Ahead for Progress in the 21st Century*, reauthorization legislation signed into law by President Obama, July 6, 2012, and in effect since October 1st of that year, it reauthorizes surface transportation programs through fiscal year 2014. Notably, it makes significant amendments to Federal Transit Laws codified in 49 USC Chapter 53, including –for our purposes—the requirement for transit agencies to develop a public transportation agency safety plan. For more information, see the FTA Fact Sheet, here: http://www.fta.dot.gov/documents/MAP-21_Fact_Sheet_-_Transit_Safety_and_Oversight.pdf.
NATSA: North American Transit Services Association, a wholly owned subsidiary of the American Public Transportation Association
PTASP: Public Transportation Agency Safety Plan (see above). At a minimum, these plans must include:

- Strategies for identifying risks and minimizing exposure to hazards;
- An adequately trained safety officer to report directly to the general manager or equivalent;
- Performance targets based on the safety performance criteria above;
- Staff training program.

Safety: the condition to which safety risks are managed to acceptable levels; or: the condition of being protected from danger, or risk
Safety Management System: integration of a systematic, explicit, and comprehensive process for managing safety risks
Safety Risk: the likelihood or probability of occurrence of hazards and the severity of potential consequences due to a hazard
Safety Risk Management: a formal system of hazard identification and evaluation, management in controlling an acceptable level of risk, and evaluation of the results
SSPP: System Safety Program Plan