



Transit Safety and Oversight Spotlight

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Message from the Associate Administrator

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Dear Transit Colleagues:

The safety of our public transportation partners and passengers is FTA's number one priority. Despite the tremendous impact that the coronavirus disease 2019 (COVID-19) public health emergency has had on our industry over the last few months, we have seen the resiliency of our transit partners as they respond, adapt, and move forward in this new environment.

Phased transit reopening efforts are underway and FTA will continue to host listening sessions through the end of the calendar year. The listening sessions provide an opportunity for us to hear from our transit industry partners and exchange information across agencies. FTA will host its second listening session later this month to discuss considerations for supporting the health, safety, and confidence of transit riders and will post the materials once available.

This month, FTA restarted our [Public Transportation Agency Safety Plan \(PTASP\)](#) outreach. FTA announced it will host two virtual PTASP workshops in August to support the industry as they finalize their Agency Safety Plans. For more information, see [page 5](#) and [page 8](#).

On July 21 and 22, 2020, FTA hosted a virtual two-day meeting of the [Transit Advisory Committee for Safety \(TRACS\)](#). In March 2019, FTA tasked TRACS to review emerging safety technologies and innovations and make recommendations to FTA on ways to improve public transportation safety. This was the final meeting under the current charter to discuss three safety focus areas: employee safety reporting, trespassing and suicide prevention, and roadway worker protections, before TRACS completes its final report.

As both our nation and industry heal from one of the biggest challenges of our lifetime, FTA will continue to support our transit partners in their important safety work. We deeply appreciate the incredible work you are doing to respond to this public health emergency.

Sincerely,

Henrika Buchanan



Henrika Buchanan,
Associate Administrator,
Transit Safety and Oversight

Guidelines for Opening Up America Again: Reopening Transit Updates

On April 16, 2020, President Trump unveiled [Guidelines for Opening Up America Again](#) and dozens of states have started implementing phased reopening plans. Public transportation plays a critical role in the reopening effort; up to 30 percent of commuting trips occur on transit in the nation's major markets. On May 15, 2020, FTA hosted a listening session focused on operational considerations for reopening transit. FTA heard from eight transit agency CEOs and gathered feedback from 75 other participants. A recording and transcript of the listening session can be found [here](#). Many transit agencies across the country have already begun Phase 1 of their reopening efforts, including:

Utah Transit Authority (UTA) in Utah began requiring face coverings systemwide on all trains, light rail, and buses as of July 1. UTA announced it would provide masks for passengers who need them, with those masks initially available at UTA customer service locations and soon to be available on transit vehicles.

Kansas City Regional Transit (RideKC) in Kansas City, Missouri, has implemented a mandatory masks requirement on part of the Kansas City Metro system. RideKC is distributing masks to passengers at transit centers and other locations.

New Jersey Transit in New Jersey began operating a full weekday rail schedule on July 6 to allow for physical distancing between riders on trains as ridership increases. The agency is required to limit rider occupancy to 50 percent of the stated maximum vehicle capacity on all trains and light rail vehicles. Riders are also required to wear masks.

Upcoming Safety Training

U.S. DOT's [Transportation Safety Institute \(TSI\)](#) is increasing its delivery of virtual classes by adding more course delivery dates and offering Safety Management Systems (SMS) Principles for Transit as a virtual course.

The status of in-person TSI courses depends upon each host's local guidance. Please contact TSI at transit@dot.gov or (405) 954-3682. TSI can verify the status of all scheduled courses and assist with any other course-related questions.

E-Learning Courses (Web-Based)		
Bus Nomenclature	On demand on TSI Website	Available 24/7
Curbing Transit Employee Distracted Driving	On demand on TSI Website	Available 24/7
Fatigue and Sleep Apnea Awareness for Transit Employees	On demand on TSI Website	Available 24/7
Rail Nomenclature	On demand on TSI Website	Available 24/7
Roadmap to Drafting an Agency Safety Plan for Bus Agencies	On demand on TSI Website	Available 24/7
Virtual Live Training		
SMS Principles for Transit (Virtual Live Training)	Virtual Live Training	August 24
SMS Safety Assurance	Virtual Live Training	August 19

COVID-19: Available Guidance and Resources for the Transit Industry

On March 27, 2020, President Trump signed the [Coronavirus Aid, Relief, and Economic Security \(CARES\) Act](#) into law, providing \$25 billion in funding for recipients of urbanized area and rural area formula funds. As of July 21, 2020, FTA has awarded a total of 543 grants totaling \$19.8 billion to transit agencies across the country. FTA has obligated 80 percent of the CARES Act funds including: 80 percent of the urban funds, 72 percent of the rural funds, and 40 percent of the tribal funds.

FTA continues to provide updated resources and encourages transit agencies to keep informed as new coronavirus disease 2019 (COVID-19) information is released. The following resources are available:

- [NEW: FTA COVID-19 Resource Tool](#)
- [CDC Public Health Considerations for Reopening Mass Transit During the COVID-19 Pandemic](#)
- [FTA COVID-19 Website](#)
- [FTA Coronavirus Aid, Relief, and Economic Security \(CARES\) Act information](#)
- [DOT Guidance on Compliance with DOT Drug and Alcohol Testing Regulations](#)
- [Frequently Asked Questions \(FAQs\) from FTA Grantees Regarding Coronavirus Disease 2019](#)
- [Safety Advisory 20-01: Recommended Actions to Reduce the Risk of Coronavirus Disease 2019 \(Covid-19\) Among Transit Employees and Passengers](#)

Sign Up for Updates

[Click here](#) to sign-up for FTA COVID-19 updates.

Questions?

Contact your [FTA Regional POC](#) for COVID-19 related questions.

Please note: FTAResponse@dot.gov is no longer active.

PTASP Technical Assistance Center Resumes Support Activities

After a pause in activities due to the coronavirus disease 2019 (COVID-19) public health emergency, the [Public Transportation Agency Safety Plan \(PTASP\) Technical Assistance Center \(TAC\)](#) will resume regular activities, including new webinars, virtual workshops, and resources.

FTA is aware of the challenges agencies are facing because of COVID-19. On April 22, 2020, FTA issued a [Notice of Enforcement Discretion](#) for the PTASP regulation (49 CFR Part 673) to provide relief to the industry. This notice effectively extends the PTASP compliance deadline to **December 31, 2020**.

States and transit agencies developing ASPs can continue to send their ASPs to the TAC for voluntary review. The TAC also offers guidance through the TAC help desk, by phone, at 1-877-827-7243, and email, at [PTASP-TAC@dot.gov](#).

In the coming weeks, the TAC will provide new webinars on the topics of Safety Promotion, Management of Change, Compliance Monitoring, and ASP Review Lessons. The TAC is also developing new resources on Safety Assurance, Safety Performance Targets, and Management of Change, as well as a Sample ASP for Bus Transit Providers. (A [Sample Small Public Transportation Provider ASP](#) and [ASP Lessons Learned](#) document are also available.)

FTA encourages States and transit agencies to continue to engage with your peers in the [PTASP Community of Practice](#). To stay up-to-date on the latest PTASP information and event announcements, subscribe for [PTASP updates](#).

Agency Safety Plan Review Requests

Did you know that the TAC offers voluntary reviews of draft ASPs?

Submit your ASP to the TAC at [PTASP-TAC@dot.gov](#) by **November 13, 2020**, to guarantee review by PTASP TAC specialists.

FTA COVID-19 Frequently Asked Questions Highlights

FTA continues to publish [Frequently Asked Questions \(FAQs\)](#) to provide the transit industry with guidance on how to prepare and respond during the coronavirus disease 2019 (COVID-19) public health emergency. See below for recently published FAQs.

Q: Are transit agencies required to complete their [National Transit Database \(NTD\)](#) report?

A: Yes. Reporting to the NTD is required by law. However, if your agency's 2019 Fiscal Year ended between October 1, 2019, and December 31, 2019, the due date for your 2019 NTD annual report is extended from April 30, 2020 to June 30, 2020.

Monthly service report and monthly non-major safety report enforcement is now relaxed. This means that FTA will not contact transit agencies for missing reports and will limit the number of email reminders for upcoming deadlines. Major safety event reports are still due within 30 days of the event, but enforcement will also be relaxed, as described above.

Q: Will the COVID-19 public health emergency affect my area's formula funding? What is the impact on my Fiscal Year (FY) 2021, FY 2022, and FY 2023 apportionments?

A: Funds apportioned during Federal FY 2021 (beginning October 1, 2020) are based on 2019 data reported to the [National Transit Database \(NTD\)](#). Service during 2019 was not affected by COVID-19.

For the FY 2022 formula apportionment, FTA will automatically use either your 2019 or 2020 data, whichever is higher. For the FY 2023 formula apportionment, FTA will automatically use either your 2019 or your 2021 data, whichever is higher. You do not need to submit a disaster waiver request to FTA to receive this benefit as it will be automatically applied to every NTD Report.

FTA emphasizes that federal law still requires submission of a complete NTD report and self-certification each year. FTA's use of prior year data for the apportionment is contingent upon your actual NTD report being accepted for each year, or receiving a valid report waiver for each year.

Q: Must FTA-covered employers meet FTA's minimum random testing rates while a declaration of a National Emergency exists?

A: 49 CFR § 655.45 requires FTA recipients to randomly test a certain percentage of their employees according to the published testing rate. Section 655.45(f) requires employers to "randomly select a sufficient number of covered employees for testing during each calendar year to equal an annual rate not less than the minimum annual percentage rates for random drug and alcohol testing determined by the Administrator." The Calendar Year (CY) 2020 random testing rates for drugs is 50 percent and 10 percent for alcohol.

To comply with Section 655.45(f), FTA recipients' random testing rate must meet or exceed the rate set by the Administrator at the end of each calendar year.

If, due to disruptions caused by the COVID-19 public health emergency, you are unable to perform random tests during the current testing period, you should make up the tests by the end of the calendar year to achieve the required minimum 50 percent rate for drug testing and 10 percent for alcohol testing for CY 2020. You should document in writing the specific reasons why you were unable to conduct tests on employees who were selected.

Understanding PTASP Safety Training and Communication Requirements

FTA's [Public Transportation Agency Safety Plan \(PTASP\)](#) regulation (49 CFR Part 673) includes requirements for safety promotion, defined in §673.5 as “a combination of training and communication of safety information,” which is a key component of each transit agency's Safety Management System (SMS). The information provided in this article can assist transit agencies and States developing Agency Safety Plans on behalf of small public transportation providers in their jurisdiction as they develop programs and processes to meet these requirements by the compliance deadline.

Safety Promotion Is About More Than Just Safety Management

Safety promotion applies to all safety topics, not just safety management. For example, topics addressed in safety training and communication may relate to: workplace safety; defensive driver training; the Occupational Safety and Health Administration's Bloodborne Pathogens training; an agency's Employee Safety Reporting Program (ESRP); and helping employees understand safety risk and safety-related information associated with their jobs. Safety promotion covers all safety-related information that employees need to perform their jobs safely.

Comprehensive Safety Training Program

Transit agencies and States must establish and implement a comprehensive safety training program for employees and contractors who are directly responsible for safety in the agency's public transportation system (§673.29(a)). FTA does not define which individuals are “directly responsible for safety.” It is the responsibility of the transit agencies to identify these roles.

For example, a large bus transit agency may specify that roles such as bus operators, supervisors, dispatchers, managers, maintenance staff, safety department personnel (including the Chief Safety Officer), and the Accountable Executive are directly responsible for safety and will therefore participate in the agency's comprehensive safety training program. Each role may complete different safety training requirements depending upon the respective job functions. A small bus transit agency may decide that contractors who provide and dispatch demand response service are directly responsible for safety and may require contractors to submit relevant training plans for these positions.

Transit agencies and States may consider setting training requirements for the Board of Directors or other individuals involved in developing, implementing, or performing safety management activities. Bus transit agencies and states may consider referencing voluntary training requirements identified in FTA's [Public Transportation Safety Certification Training Program regulation](#) (49 CFR Part 672), and rail transit agencies may also reference their required training under Part 672.

Safety training program requirements could be demonstrated in an Agency Safety Plan by referencing documented training activities. Agencies may leverage their current safety training programs and enhance existing programs to reflect any new agency processes and procedures for their SMS. Some examples of documented safety training activities an agency or State could reference include the following:

- Class rosters and sign-in sheets,
- On-the-job training checklists,
- Safety training program matrices that list all required training for applicable roles, and
- Toolbox talk and safety presentation records.

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The comprehensive safety training program must include refresher training (§673.29(a)); however, Part 673 does not specify the requirements of a transit agency's refresher training. Each transit agency or State Department of Transportation developing Agency Safety Plans on behalf of small public transportation providers in their jurisdiction must determine what the refresher training will include and how often it must be completed.

Safety Communication

Agency Safety Plans must describe or reference documentation to explain how safety and safety performance information is communicated throughout the organization to employees and relevant contractors. This must include communication about hazard and safety risk information relevant to employees' roles and responsibilities (§673.29(b)). For example, safety stand-downs, bulletins, committee meetings, and toolbox talks provide opportunities to discuss hazard and safety risk information with employees and contractors. These activities allow a transit agency's management to collect information from frontline employees regarding safety concerns and safety performance that it may not have obtained otherwise. This information can then be entered into the agency's safety risk management process.

Transit agencies must inform employees of safety actions taken in response to reports submitted through the ESRP (§673.29(b)). For example, if an employee reports a hazard in the work environment through the ESRP, a safety department representative may follow up directly with the reporting employee to report what actions were taken to address the hazard. Alternatively, if the employee reported the hazard anonymously, the safety department may post the action on a bulletin board in the reporting employee's facility. Depending on the nature of the report, the safety department could communicate the results to the entire agency through a recurring safety newsletter. This type of feedback demonstrates the value of the ESRP and encourages its use by employees and contractors.

If you have any questions regarding how to address Part 673's requirements for safety training and communication, please contact the PTASP TAC by email, at PTASP-TAC@dot.gov, or by phone, at 1-87-PTASP-AID (1-877-827-7243). For more information, please see the following resources available in the [TAC library](#):

- [Guide to Developing the Safety Promotion Component of a Public Transportation Agency Safety Plan](#)
- [Safety Training Resources for Bus Transit Agencies](#)
- [Public Transportation Safety Certification Training Program and Agency Safety Plan Training Requirements](#)
- [Safety Management Policy and Safety Promotion Webinar](#)



The guidance in this document is not legally binding in its own right and will not be relied upon by the Federal Transit Administration as a separate basis for affirmative enforcement action or other administrative penalty. Compliance with the guidance in this document (as distinct from existing statutes and regulations) is voluntary only, and noncompliance will not affect rights and obligations under existing statutes and regulations.

TSO Profile

This month's profile includes a Q&A with Philip Monty, Safety Promotion Program Analyst



Philip Monty, Safety Promotion Program Analyst

How would you explain your job to someone you've never met? I work as a Program Analyst on the Safety Promotion Program Team within the Office of System Safety (TSO-10). I am responsible for supporting the design, development, implementation, and evaluation of training systems to promote and share effective Safety Management Systems (SMS) information within the transit industry.

What aspect of your role are you most excited about? I am most excited about working with a devoted group of professionals who are enthusiastic about influencing and supporting safety policy across the entire transit industry.

What were you doing prior to this role? Prior to my FTA career, I spent six years in contracting, where I supported several different Federal agencies with training support and instructional system design services.

How do you think your prior experience prepared you for your FTA career? My career has been focused on identifying and resolving workplace performance deficiencies through the design and implementation of innovative and effective performance interventions. The resolution of a performance deficiency can require a wide variety of skillsets, ranging from the analysis of qualitative and quantitative data to course content development, and can often include delivering virtual and/or face-to-face classroom instruction. My private sector experience allowed me to develop and refine the knowledge and skills required for each critical area, resulting in the experience needed to serve as a successful member of the Safety Promotion Program Team.

What led you to work in transit? I have always been interested in proactive safety and shaping a workplace safety culture. When an opportunity opened on the Safety Promotion Program Team, I applied immediately.

What is your favorite form of transportation and why? I enjoy the train—it's smooth, reliable, and I can get up and move around on long trips.

What are your hobbies and interests outside of work? I enjoy cooking, spending time outdoors, and reading.

FTA Publishes Safety Research and Demonstration Program Interim Report

On May 22, 2020, FTA published the [Fiscal Year \(FY\) 2016 Safety Research and Demonstration \(SRD\) Program Interim Report](#), which summarizes seven projects funded under the SRD Program. The [SRD Program](#) is part of an ongoing safety research effort that provides technical and financial support to transit agencies pursuing innovative approaches to eliminate or mitigate safety hazards. The FY 2016 SRD Program focuses primarily on demonstrating technologies and identifying safer designs in the areas of transit worker safety protections and collision avoidance and mitigation.

Several agencies have made progress in improving railway track worker protections. For instance, the Washington Metropolitan Area Transit Authority (WMATA) is working with industry partners to deploy a system that includes personal alert devices that triangulate worker locations and issue a warning to workers when a train is approaching an active work zone. Other agencies are testing technologies in collision avoidance and mitigation. For example, Pierce Transit in Washington state is working with industry partners to deploy a Light Detection and Ranging (LIDAR)-based collision avoidance warning system on transit buses that will help bus drivers avoid potential collisions.

The interim report may be used as a resource for transit agencies interested in deploying these technologies or other mitigation strategies. For questions on the SRD Program, please contact Roy Chen at RoyWei-Shun.Chen@dot.gov.

SAVE THE DATE

FTA COVID-19 Recovery Listening Sessions

Supporting the Health, Safety and Confidence of Transit Riders

July 31, 2020

Maintaining Healthy Operations and Keeping Transit Workers Safe

August 20, 2020

Virtual Public Transportation Agency Safety Plan (PTASP) Workshops

Session 1: August 12-13, 2020

Session 2: August 19-20, 2020

FTA will host two virtual [Public Transportation Agency Safety Plan \(PTASP\)](#) Bus Workshops in August. These workshops will focus on the PTASP rule requirements and will provide strategies for completing your Agency Safety Plan by the compliance deadline. Registration is limited to 70 participants per workshop—register now for [Session 1](#) or [Session 2](#) to reserve your spot.

Joint State Safety Oversight (SSO) and Rail Transit Agency (RTA) Virtual Workshop

October 6-8, 2020

The workshop will focus on State Safety Oversight best practices, audit outcomes, COVID-19 impacts on State Safety Oversight, Safety Management System implementation lessons learned, and provide a Public Transportation Agency Safety Plan (PTASP) implementation overview. FTA's Transit Safety Oversight, headquarters, and regional offices, as well as other Federal agencies, will provide program updates and discuss requirements to strengthen rail transit safety oversight.

Registration information coming soon.



U.S. Department
of Transportation

Federal Transit Administration

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<https://www.transit.dot.gov/regulations-and-guidance/safety/transit-safety-oversight-tso>

Upcoming TSO Speaking Event

APTA 2020 Mobility and Rail NOW!

Virtual Event

August 12-13, 2020

