



Learn. Share. Engage.

This issue of the *Biweekly Message* focuses on contracted service requirements for the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR Part 673).

Featured Resources

New! Agency Safety Plan (ASP) Lessons Learned Webinar (October 22, 2020):

[Webinar Presentation](#) | [Webinar Recording](#)

The [Sample ASP for Bus Transit Providers](#) includes sections that refer to contracted service and PTASP requirements.

PTASP Contractors and Other External Service Providers Webinar (April 24, 2019):

[Webinar Presentation](#) | [Webinar Recording](#)

Safety Promotion ASP Section Lessons Learned Webinar (March 26, 2020):

[Webinar Presentation](#) | [Webinar Recording](#)

For more information on how to incorporate contracted services into your ASP, check out the [Key Points for Developing Agency Safety Plans for Recipients with Contractors and Other External Service Providers Fact Sheet](#).

[Understanding PTASP Safety Training and Communication Requirements](#) includes information on Safety Promotion requirements for contractors.

[Public Transportation Safety Certification Training Program and Agency Safety Plan Training Requirements](#) compares and reviews 49 CFR Parts 672 and 673 training requirements for employees and contractors.

Access the entire resource library by visiting FTA's [PTASP Technical Assistance Center website](#).

Need Assistance?

Contact a PTASP Specialist today!



PTASP-TAC@dot.gov



1-87 PTASP-AID
1 (877) 827-7243

9 a.m. to 8 p.m. EDT, M-F

Did you know that FTA's Technical Assistance Center (TAC) offers voluntary reviews of draft ASPs?



Submit your ASP by **November 13, 2020** to guarantee review by TAC.

For more information, see the [Agency Safety Plan Review: What to Expect](#).

ASP Certification Deadline

There are only **65 days** left to certify that your agency has met PTASP regulation requirements in the [Transit Award Management System](#) (TrAMS) to meet the **December 31, 2020** deadline.

Recipients that have not completed the PTASP certification by December 31, 2020, will be ineligible to receive FTA funds until the certification is complete.



Q & A Highlights

Question 1:

Can the Chief Safety Officer (CSO) be an employee of a contracted service provider?

FTA Response:

Yes, the CSO can be an employee of the contractor as long as the transit agency ensures the contractor CSO meets the requirements for the role set forth in § 673.5 and § 673.23(d)(2). This includes that the CSO must have a line of reporting to the Accountable Executive that is direct and uninterrupted.

Question 2:

May an authorized external service provider (ESP) employee serve in the role of the Accountable Executive, rather than a transit agency employee?

FTA Response:

If an ESP employee has control or direction over the human and capital resources needed to develop and maintain both the Transit Asset Management (TAM) Plan and ASP, and fulfills other requirements of the role, then this ESP employee can be designated as the Accountable Executive. However, only one Accountable Executive may be designated; each ESP supporting the agency cannot have its own Accountable Executive.

Question 3:

If our transit agency contracts out for all of our transit delivery services and doesn't have control over the management of contractor employees, do we still need to address the Safety Promotion component of the ASP?

FTA Response:

Yes, even if a transit agency contracts out for all of its services and does not have direct control over hiring, training, or firing of contractor employees, the agency must still address the Safety Promotion component in its ASP.

Upcoming Events

ASP Development Lessons Learned Part 2

When: Thursday, November 19,
2-3:30 p.m. EDT

[Register Here](#)



ASP Tip

Incorporating Contractors into the ASP

Describe necessary authorities, accountabilities, and responsibilities for agency employees and contractors to carry out the ASP.

Consider specifying which employees and/or contractors are considered "directly responsible" for safety.



The **training section** should describe or reference documentation that describes the contractor's safety training programs for those contractor employees directly responsible for safety.

The **communication section** should describe or reference documentation that describes how the contractor communicates safety and safety performance information throughout its organization and to the transit agency.

It may be beneficial for the agency to collaborate with the contractor when developing this section of its ASP.

Question 4:

Our agency contracts our bus and paratransit service operations and maintenance to a contractor, and that contractor has an existing System Safety Program Plan (SSPP). Since our agency is the recipient of the FTA funds (not the contractor), can the contractor keep their existing SSPP, and can our new ASP cite or reference sections of the contractor's SSPP?

FTA Response:

Yes, a recipient's ASP may cite or reference sections of its contracted service provider's SSPP as they apply to the agency's Safety Management System processes, and satisfy PTASP regulation requirements.

Get Involved with the [PTASP Community of Practice](#)

We want to hear from you! Below are two of many topics for discussion. Start the conversation today to support your ASP development and learn from your peers.

- What [types of challenges](#) could potentially delay your agency's certification of compliance with the PTASP regulation in TrAMS by the deadline?
- If you coordinated with service or maintenance contractors while developing your Agency Safety Plan, [what strategies did you use](#) to make the process go smoothly?

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Grantees and subgrantees should refer to FTA's statutes and regulations for applicable requirements.

Coronavirus Disease 2019 (COVID-19)

FTA encourages transit agencies to stay informed and prepared for protecting personnel and passengers against COVID-19. For more information, visit [FTA's COVID-19 web page](#).

Consider reviewing:

- [FAQs from FTA Grantees Regarding COVID-19](#)
- [FTA's COVID-19 Resource Tool for Public Transportation](#) (a one-stop-shop for Federal COVID-19 guidance and recommendations)