

2020 Joint State Safety Oversight (SSO) and
Rail Transit Agency (RTA) Virtual Workshop
October 6-8, 2020

Tuesday, October 6, 2020

Welcome and SSO/RTA Introductions

Presenter: Dr. Alfonz Ruth, Director and Chief Learning Officer
Office of Administration
Federal Transit Administration

Dr. Ruth welcomed participants to the virtual workshop indicating there were 30 states, 31 State Safety Oversight Agencies, and 53 Rail Transit Agencies participating today.

Dr. Ruth indicated that the sessions over the next three days will provide updates on FTA safety programs, initiatives, and regulations along with hot topics in rail transit safety today. He expressed particular excitement for the building confidence in transit during COVID-19 session. He said that he is also looking forward to learning more about the lessons learned for PTASP Implementation.

FTA Office of Transit Safety and Oversight Welcome Remarks

Presenter: Henrika Buchanan, Associate Administrator and Chief Safety Officer
Office of Transit Safety and Oversight
Federal Transit Administration

Ms. Buchanan provided some updates on the Office of Transit Safety and Oversight's safety programs and priorities including the fact that the health and safety of public transit passengers and employees remaining the number one priority especially with today's COVID-19 public health emergency. Ms. Buchanan shared that the COVID-19 public health emergency has hit the transit industry hard indicating that at least 8000 transit employees have tested positive for COVID-19 over the course of the pandemic and over 200 have died.

Ms. Buchanan mentioned some of the FTA resources devoted to COVID-19 recovery including the Federal CARES act funding of 25 billion dollars. She

emphasized FTA's commitment to support public transit agencies during the public health emergency with technical assistance, resources, administrative and regulatory relief and funding. Ms. Buchanan explained that they are holding monthly COVID listening sessions, have established a discussion forum, and have answers to over 100 Frequently Asked Questions (FAQs) on their COVID-19 web page. They are also doing other things such as coordinating a bi-weekly vendor list to assist agencies with sourcing critical cleaning supplies and PPE.

Ms. Buchanan said that the FTA has announced the availability of 10 million dollars in COVID-19 grant funding to help identify ways to make transit operations more innovative by addressing COVID-19 related concerns which will strengthen public confidence in transit. All of these resources and more can be found on the COVID-19 resource page.

Ms. Buchanan shared other priorities and programmatic updates. A main update was noting the priority of helping the industry comply with the FTA's public transportation agency safety plan final regulation. For the past year, the FTA's PTASP Technical Assistance Center has received certifications covering 411 of the 704 or 58% of the applicable transit providers under the PTASP regulations. Thirty-nine rail transit agencies or 62% have certified their agency safety plans and FTA is reaching for 100% so that funds will continue to flow. To date FTA has conducted 39 PTASP webinars with over 6000 attendees, 19 PTASP workshops with approximately 1225 attendees, and has published 61 resources through the PTASP library.

FTA Deputy Administrator Remarks

Presenter: K. Jane Williams, Deputy Administrator
Federal Transit Administration

On behalf of Secretary Chao, Deputy Administrator Williams virtually welcomed the attendees to FTA's Safety Oversight and Rail Transit Agency Workshop. Ms. Williams shared several FTA-related safety initiatives and accomplishments. These included the most significant one which was the certification milestone of all 31 State Safety Oversight Agencies where more than \$10 billion dollars in federal funding was at risk; the continued focus on Public Transportation Agency Safety Plan rules; and last year's announcement of \$5.4 million the human trafficking awareness and public safety initiative grants.

Ms. Williams shared that the DOT distributed more than 14 million protective facial coverings secured through the Federal Emergency Management

Agency to more than 2200 transit agencies for distribution to frontline workers and riders in order to support safe operations. Ms. Williams also spoke of the FTA-issued a safety advisory to transit agencies and pointed out the Department's recent launch of helpful monthly listening sessions with industry leaders and transit agency representatives on restoring and safely managing service.

Finally, the Deputy Administrator noted FTA's launch of an online platform to provide a national forum for the industry to exchange ideas and best practices regarding COVID-19 recovery.

Operating in a Coronavirus Disease 2019 (COVID-19) Environment

Session description: In an effort for peer exchange for best and effective practice, during the COVID-19 public health emergency, State Safety Oversight Agencies and Rail Transit Agencies will share their altered or innovative practices to ensure continued oversight, safety posture, capital projects, communications, and implementation of COVID-19 protocols to keep employees and passengers safe and healthy.

Presenters: Kimberly Burtch, Director, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Gena Major, Assistant General Manager
Safety & Quality Assurance
Metropolitan Atlanta Rapid Transit Authority (MARTA)

M. Scott Kreher, Chief of Police
Metropolitan Atlanta Rapid Transit Authority (MARTA)

Leslie Hubble, Manager
Environmental Health and Safety
Metropolitan Atlanta Rapid Transit Authority (MARTA)

Lt. Gregory Gamble, Emergency Preparedness Unit Commander
Metropolitan Atlanta Rapid Transit Authority (MARTA)

Kimbrali Davis, Manager,
New Jersey State Safety Oversight Agency
New Jersey Department of Transportation

David Fullerton, Chief Safety Officer
Port Authority Transit Corporation (PATCO)

Brian Brinkley, SSO Program Manager
Multimodal Planning Division
Arizona Department of Transportation

Brian Mason, Manager
Construction and Utilities
Valley Metro

Adrian Ruiz, Director
Safety, Security and Quality Assurance
Valley Metro

Discussion

Introductions & Agency Characteristics

Key takeaways: Ms. Major offered several characteristics about MARTA to include the facts that it is the 11th largest public transit system, it employs just over 4000 people, it runs over 100 bus routes and operates it from 39 Rail Stations.

Internal Communications, Planning & Strategy

Key takeaways: Ms. Major explained that one of the biggest lessons learned from the H1N1 and the collapse of the I85 bridge in 2016 was the importance of flat communications meaning that they needed everyone to be hearing the same thing at the same time. Therefore, with respect to the pandemic MARTA began implementing several measures including having Executive Management Daily Calls, distributing Authority Wide Situational Updates, and creating a COVID-19 SharePoint Site for easy access to the information.

With regard to Planning & Strategy, Ms. Major outlined some specific strategies which included aligning MARTA's teleworking policy with the Governor's executive orders and following CDC guidance as a compass with early adoption in implementation of social distance practicing and messaging. MARTA also implemented emergency paid sick leave and awarded hero pay and employee stipends through CARES Act funding.

Pandemic Plan & Continuity of Operations Planning

Key takeaways: Lieutenant Gamble said that the Pandemic Preparedness Response Plan provides guidance to leadership and staff regarding the detection,

response, and recovery from a pandemic affecting the modern transit system. The purpose of the plan, he further explained, is to define roles and responsibilities for internal operations under the direction of local health care partners and local response agencies.

Lieutenant Gamble explained that the Continuity of Operations Plan (COOP) supports the System Security and Emergency Plan by providing a framework to facilitate the restoration and/or continuation of mission essential functions during emergencies or other events which disrupt normal operations.

Lieutenant Gamble said that some of the actions taken once these plans were activated included establishing a modern emergency procurement process, setting up a track and pay code system for all COVID expenses, increasing the P-Card spending limit for emergency purchases, and establishing a Pandemic Action Planning Committee. MARTA, he informed, received over close to 130,000 masks from FTA and over 7,500 masks from DeKalb county.

Environmental Health & Safety

Key takeaways: Ms. Leslie Hubble said that MARTA developed an intake process for employees that developed symptoms, tested positive, or needed to quarantine. She added that MARTA also developed a supervisor intake form for tracking these employees and conducting contact tracing. To support this effort they created coronavirus exposure assessment guidelines that were in line with CDC guidance. They also used this process to coordinate disinfection activities for employees who tested positive. MARTA has encouraged employee testing and put a testing locator on their intranet site.

Ms. Hubble said that in early March, Environmental Health and Safety started using an existing chemical approval process to evaluate disinfectants for use against COVID. They compared all disinfectants to the list developed by the Center for Biocide Chemistries, and the Environmental Protection Agency.

She added that they have also evaluated numerous air purification systems and have chosen to move forward with the installation of needlepoint bipolar ionization systems in our facilities and are looking at potential use of these systems in our transit vehicles.

Coordinating & Collaborating with External Partners

Key takeaways: Chief Kreher indicated that MARTA recognized early in the pandemic that this was something we could not do alone. He said that very early in

the pandemic, the FTA and the TSA were instrumental in forming all types of helpful training opportunities for their department and our agency to move through the pandemic.

Chief Kreher indicated that they relied heavily on their local authorities, both the DeKalb County Emergency Management Agency and the Atlanta Fulton County Emergency Management Agency to give them updates, not only locally, but at the state level.

He said that they also depended on all their local state and federal police departments to make sure that our continuity of operations continued to move run smoothly. He also cited the help APTA with their fantastic panel presentations throughout the pandemic, to help them navigate through the pandemic. ([Click here to see Power Point presentation](#))

Designation Submissions for States with Rail Transit Agencies (RTAs) Operating in More than One State

Key takeaways: Ms. Davis indicated that New Jersey has a very strong working partnership with its RTAs. One of their RTAs, she explained, is a bi-state system and this oversight is covered under the regulation 49 CFR 659.9E which is oversight rail systems operate between multiple states. An agreement exists between the state of Pennsylvania and New Jersey.

Ms. Davis specified that there are three rail transit systems that operated under 49 CFR 659.9 and now, 49 CFR 674.15: WMATA, St. Louis Metro link, and then theirs, which is PATCO. She said that for the Port Authority Transit Corporation, the state of New Jersey assumes for oversight responsibility, even for the operations in Pennsylvania through the agreement between Pennsylvania and New Jersey.

Ms. Davis added that the New Jersey Department of Transportation is established as the state safety oversight program. Within that program is the state safety oversight agency, which is designated to ensure that the rail the rail fixed guideway system is subject to a single program standard for compliance.

Ms. Davis next covered that the Port Authority Transportation Corporation (PATCO) is owned and operated by the Delaware River Port Authority (DRPA) which is a heavy rail line that travels between New Jersey and Pennsylvania. Ms. Davis outlined the governing makeup of the Delaware River Port Authority Board.

She outlined some physical, milage, service, and passenger characteristics regarding PATCO.

New Jersey State Safety Oversight Agency

Key takeaways: Mr. Fullerton stated that PATCO began its revenue service in 1969. He also reviewed where PATCO operates, who they are owned by, how they are subsidized, where they get their revenue. He also identified which local lines that they interchange with namely the New Jersey Transit Atlantic City rail lines, the river line light rail, and several New Jersey Transit bus routes.

Mr. Fullerton detailed PATCO's Covid-19 Response. He indicated that they began back in March with their Contagious Virus Planning and Response Guide the implementation of which was by order of their CEO and president.

Mr. Fullerton stated an important feature of the Contagious Virus Planning and Response Guide and that was that planning and implementation continued daily through daily executive staff meetings. What was different with these staff meetings, he explained, is that the now their homeland security director, and Mr. Fullerton as the safety director are also included on those calls every morning.

Mr. Fullerton detailed some of the primary pandemic-related PATCO adjustments had made in terms of their stations, in terms of being aboard trains, in terms of their shops and offices as well as operationally to include closing several stations. ([Click here to see Power Point presentation.](#))

Operating in a Coronavirus Disease 2019 (COVID-19) Environment

Key takeaways: Mr. Brinkley offered the main theme of his presentation which is despite maximum telework for most employees, ADOT staff continued to respond to critical on-site events. ADOT also continued its capital improvement (CIP) certification assessments virtually and on site for vehicle and alignment reviews.

Mr. Brinkley said that like many others, ADOT quickly had to transition to remote working in March due to the COVID 19 pandemic. He said that right off the bat one of the things that made this a smoother transition for them was that ADOT as was the whole state of Arizona had been migrating away from typical email servers to a web based Google Mail calendar platform. He added that this actually made it very smooth because in a sense, when they were in the office, they were already typically working remote because it was web-based.

Mr. Brinkley referenced in some detail that there were still needs for visits to their Rail Transit Agencies (RTAs) because of things like capital project certification/inspection reasons, because of accidents and events, for overview of project extensions and for vehicle testing. He relayed that several site visits occurred during the pandemic. ([Click here to see Power Point presentation.](#))

Ability to Continue State of Good Repair and CIP Constructions Using Established COVID-19 Protocols

Key takeaways: Ms. Adrian Ruiz said that they learned like everybody else that the information was changing daily. Arizona Governor Ducey declared a statewide public health emergency on March 11, followed by the national state of emergency which was March 13. She noted that they had already been working to communicate to their internal staff, as well as with our city partners, through scribe notes and updates.

Keys were to streamline their efforts and to ensure that information that was put out was trusted and verifiable as well as timely and accurate. Overcommunication to all stakeholders, coordination, and a definite focus on safety was also a real key. A challenge was having to both function as the expert but also having to go to boards to get approval for certain items especially when it came to service changes and timelines. A resulting key was that they developed their own internal incident management team.

Ms. Adrian Ruiz covered critical functions such as performing job hazard analysis. She covered areas where they had to adapt and modify such as their hard stop of service and implementation of rear door boarding and their having to manage an incident within an incident. She also covered the fact that they took out their COOP and started updating their pandemic portal which proved to be valuable and effective. Finally, Ms. Ruiz discussed details around the fact that Valley Metro implemented their own contact tracing and notification.

Mr. Brian Mason discussed Valley Metro's four active CIP projects as well as office and construction practice protocols and adjustments that Valley Metro made as a result of COVID.

Regarding CIP Mr. Mason informed that a major implementation was establishing a project staffing call out report for each project which allowed them to report daily the number of employees on the job and how many of them called in due to COVID related symptoms. He also brought up Ms. Ruiz's point that they also

implemented contact tracing notification which allowed them to share their four confirmed cases of COVID.

Regarding adjusted COVID-related office practices Mr. Mason indicated that they limited the number of people in the field office, removed chairs from the conference rooms, conducted all of our meetings virtually and implemented a facemask policy and increased cleaning protocols for high touch surfaces.

Regarding adjusted COVID-related construction practices in the field Mr. Mason indicated that they limited crew sizes to 10, mandated face coverings, increased personal hygiene to include adding hand wash stations to all the Porta Johns. Valley Metro also extended their glove policy and limited the number of occupants in their vehicles. ([Click here to see Power Point presentation.](#))

Building Confidence in Transit during COVID-19

Session description: This session will highlight steps the transit industry is taking to rebuild public confidence and dispel the notion that transit is a primary vector for COVID-19. The speaker will highlight a growing body of research that transit remains one of America's safest travel options.

Presenters: Paulina Orchard, Division Chief, Office of System Safety
Office of Transit Safety and Oversight
Federal Transit Administration

Brian Alberts, Director of Safety
American Public Transportation Association

Shima Hamidi, Bloomberg Assistant Professor of American Health
Johns Hopkins Bloomberg School of Public Health

Discussion

APTA COVID-19 Initiatives - Advocacy

Key takeaways: Key initiatives included the facts that the APTA is leading the effort to get \$25 billion for public transportation agencies, including \$1 billion for Amtrak, and is also pushing for access priorities and funding for the FY 2021 transportation appropriations bill.

APTA COVID-19 Initiatives - Other Efforts

Key takeaways: APTA helped get deadline extensions made by the FTA, FRA, and TSA for regulatory relief. He covered several resources that APTA has made

available including their COVID-19 Resources Page, their Road to Recovery Guide, and some pandemic-related whitepapers. Their *APTA Cleaning and Disinfecting Vehicles and Facilities White Paper* for example, discusses, among other things, cleaning and disinfecting best practices for both vehicles and facilities.

Transit and COVID-19

Key takeaways: Some of the major things that agencies have been looking at are separating critical staff as well as riders, as well as frequent communication to staff, operators, and customers.

Innovations & Technology Abound

Key takeaways: Key innovations and technologies that APTA has seen includes an app and data where you can go to see how crowded trains are, contactless payment systems, and the use of modeling in your stations to see how crowded stations can get and how crowded vehicles can get.

Other

Other topics that Mr. Alberts discussed were APTA's *Commitments Program* which includes a toolkit of helpful items like an actual APTA health and safety logo-type seal, posters, and talking points; APTA's *H&S Commitment Program Goals* the key aims of which are winning back rider's confidence number one and number two, keeping riders and employees safe; and APTA's *Qualitative and Quantitative Research* which demonstrated, for example, that despite declining use, those that have recently road transit have had very positive experience since COVID-19.

Mr. Alberts also discussed APTA's *National and Health & Safety Commitments programs* the key messages of which are *our system is committed to keep riders and employees safe, it's a shared commitment between agency and riders, and transit is essential to the community's recovery and success.*

Mr. Alberts final major topics were centered around some of the *Marketing and Advertisements* and *Social Media* information that APTA makes available so that transportation stakeholders can get the commitments program to their riding public. ([Click here to see Power Point presentation.](#))

Discussion

How much risk is associated with using Public Transit?

Key takeaways: The most risk is that a person could be infected with this novel coronavirus before showing any symptoms for several weeks. The risk increases with situations like crowding, the use of public transit vehicles, and presence of high touch surfaces, and the extent to which public transit is equipped with contact tracing.

What needs to be done to bring back Confidence and Ridership?

Key takeaways: Any action to bring back confidence and ridership goes back to addressing the aforementioned concerns of crowding, the risk of high touch surfaces, and the availability of contact tracing.

Other Topics included Incorporating Public Health into Service Planning and Effective Communication

Key takeaways: *On the Service Planning front* - The research is not conclusive in the area of physical distancing versus wearing a mask.

Regarding Effective Communication - One need that was underscored was to proactively communicate with people using a variety of mediums while not just they will go to your website. ([Click here to see Power Point presentation.](#))

Transit Advisory Committee for Safety (TRACS) Recommendations for Innovations in Transit

Session description: TRACS provides information, advice, and recommendations on transit safety and other issues as determined by the Secretary of Transportation and the FTA Administrator. TRACS is composed of a diverse panel of professionals representing a variety of transit Joint State Safety Oversight and Rail Transit Agency Virtual Workshop stakeholders and interests to cooperatively address transit safety and other issues by recommending solutions based on agreed upon facts.

Under the 2018-2020 Charter, TRACS was tasked to provide advice and recommendations on transit safety innovations. This effort aligns with U.S. Department of Transportation Secretary Elaine L. Chao's strategic goals for safety and innovation.

During this session, TRACS members will present and discuss the recommendations contained in their report to FTA on innovations in 1)

Trespass and Suicide Prevention; 2) Railway Worker Protections; and 3) Employee Safety Reporting.

Presenters: Bridget Zamperini, Safety and Security Specialist, Office of System Safety
Office of Transit Safety and Oversight
Federal Transit Administration

Pamela Fischhaber, Ph.D., P.E., WSO-CSS, Deputy Director - Public Safety Section Chief - Rail and Transit Safety Colorado Public Utilities Commission

Joyce Rose, Principal Consultant
Transit and Rail Safety
WSP-Parsons Brinckerhoff

Eric Muntan, Chief
Office of Safety and Security
Miami-Dade Transit

Discussion

Transit Advisory Committee for Safety (TRACS) Recommendations for Innovation in Transit: Roadway Worker Protections

Key takeaways: Safety technologies like Secondary Warning Systems can have a positive impact, can further SMS, but need to include existing RTA technology experiences; Safety technologies can be purchased and installed from a number of vendors but require significant money and time to implement; Risk-based safety metrics would benefit RTAs; Fatigue must be managed; Cognitive workload research should be completed; RWP safety depends on individual and collective behaviors; Positive reinforcement is more successful and RTAs can benefit from applied behavior science and root cause analysis. ([Click here to see Power Point presentation.](#))

Transit Advisory Committee for Safety (TRACS) Recommendations for Innovations in Transit: Trespass and Suicide Prevention

Key takeaways: FTA and FRA trespass and suicide data definitions and reporting should be aligned; Comprehensive post fatality support for employees should be provided; Standard suicide and trespass prevention signage should be developed;

Research on detection technologies, such as aerial photography, should be supported to identify hotspots; The building of low-cost barriers and signage around railroad ROWs should be supported; Artificial intelligence detection and prevention technologies should be researched and proof of concept research on emerging technologies should also be supported. ([Click here to see Power Point presentation.](#))

Transit Advisory Committee for Safety (TRACS) Recommendations for Innovation in Transit: Employee Safety Reporting

Key takeaways: FTA should review the current status of ESR programs at RTAs, assess their effectiveness, and identify any needed improvements; Adopt uniform ESR strategies, attending to the differences between RTAs to provide any needed flexibility; Improve safety culture; Transit Agencies should have dedicated staff who ensure that agencies are SMS Compliant and to conduct Quality Assurance; FTA should provide a Third-Party Central Repository for Information that included the ability to conduct Agency-to-Agency Comparisons and Confidential Close Call Reporting System (C3RS). ([Click here to see Power Point presentation.](#))

Wednesday, October 7, 2020

Safety Risk Management Process

Session description: This training session will outline the process rail transit agencies use to implement their safety risk management process and the SSOA criteria for compliance. The Safety Risk Management activities to be covered include:

1. Safety hazard identification;
2. Safety risk assessment; and
3. Safety risk mitigation.

Presenters: Joseph W. Powell, Program Manager, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Annabelle Boyd, Senior Consultant
Boyd Caton Group

Discussion

Mr. Powell stated that fundamentally, hazard management is about actions to fix problems. While Safety Risk Management (SRM) is about using information to inform decision making on how best to manage safety risks through resource allocation.

Key takeaways: SRM Process/RTA Lessons Learned - SRM must apply to ALL system elements; define and document roles and responsibilities, procedures, thresholds, timeframes etc; SRM Process/SSOA Considerations - SRM Procedures in PTASP need to meet program standard requirements; evaluate all relevant documents and roles and observe the plan in action.

Key takeaways: Safety Hazard Identification/RTA Lessons Learned - Define hazard and potential consequence and explain how RTA will manage hazard information from FTA and SSOA and how hazards and Consequences are communicated. Safety Hazard Identification /SSOA Considerations - Consistency with 673 definitions; Procedures are followed as defined; More than a list of sources of hazards; Evaluate and observe training.

Key takeaways: Safety Risk Mitigation/RTA Lessons Learned - Need procedures and 'ownership' for development, tracking, and implementation of all mitigations; need mitigations developed outside the safety department and documentation requirements for all mitigation activities clarified. Safety Risk Mitigation//SSOA Considerations - Compliance with the Program Standard; RTA is following its procedures; How risk is accepted; Effectiveness of the RTA's mitigations; Does not introduce new hazards. ([Click here to see Power Point presentation.](#))

Accident Notification and Investigations

Session description: This session will cover rail transit agencies accident notification based on the two-hour notification requirement, that must include time limits for notification, methods of notification, and the nature of the information provided. The session will transition into the phase after notification and outline if that notification may require an investigation and how to ensure the sufficiency and thoroughness of the investigation for formal adoption and possible corrective actions, based on causation.

Presenters: George Good, Senior Accident Investigator, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Dain Pankratz, Senior Consultant
Boyd Caton Group

Discussion

Mr. Good reminded attendees to refer to FTA resources including the Two-Hour Accident Notification Guide, the Two-Hour Accident Notification Quick Reference Checklist, and the National Transit Database (NTD) glossary. He indicated that accident notifications must be made to both the SSO and the FTA.

Mr. Pankratz focused on the SSOA's responsibilities in the Accident Investigation process and identified common audit findings related to those responsibilities. Among the SSOA's responsibilities, Mr. Pankratz shared that the SSOA must investigate or require an investigation of any accident and is ultimately responsible for the sufficiency and thoroughness of investigation. He also shared that within a reasonable time, an SSOA must issue a written report on its investigation of an accident or review of an RTA's accident investigation in accordance with the reporting requirements established by the SSOA.

Mr. Good and Mr. Pankratz stepped through an interactive poll about accident notification and accident investigations.

Key takeaways: Common audit findings include failing to report accidents to the SSOA and FTA, and reporting events that are not accidents.

RTAs need to validate event data to ensure all required accident notifications and reports are provided. Collisions other than RTV to RTV must include a fatality, serious injury or substantial property damage to trigger an FTA two-hour notification. Evacuations for life safety reasons require RTAs to conduct appropriate investigations and SSOAs to evaluate the evacuation to ensure proper safety protocols were followed. Include primary and contributory causes in accident investigation reports and ensure accident investigation reports are comprehensive, and include Program Standard requirements. ([Click here to see Power Point presentation.](#))

Corrective Action Plans (CAPs) Management

Session description: This training session will outline the Corrective Action Process for development, review, approval, and verification of proposed CAPs, based on established requirements. The session will also cover the

practice for tracking an SSOA's verification of a rail transit agency's compliance with CAPs.

Presenters: Lauren Tuzikow, Program Manager, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Rachael Wenger, Senior Consultant
Boyd Caton Group

Discussion

Ms. Tuzikow informed that in addition to looking at CAPs from identification, initial development, to the closure of a cap and all the steps in between (such as approval management and documentation and monitoring) that the requirements for emergency corrective actions and considerations would also be looked at.

Key takeaways: CAPs describes actions an RTA will take to minimize, control, correct, or eliminate risk and hazards and a schedule for taking those actions and 49 CFR Part 674 outlines the minimum CAP requirements. The Typical CAP Lifecycle flow is Identify and Develop, Approve, Manage, and Close and Monitor. The SSOA or FTA may require an RTA to develop and carry out a CAP in response to events such as non-compliance with ASP, SSOA triennial audit of RTA or safety event investigations.

A CAP must describe the actions the RTA will take to control, correct, or eliminate the risks and hazards identified by the CAP. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. Once the RTA takes the actions listed in the CAP, the RTA can request that the SSOA close the CAP. ([Click here to see Power Point presentation.](#))

Thursday, October 8, 2020

What is State Safety Oversight?

Session description: This session will outline roles and responsibilities of the State Safety Oversight Program and requirements of State Safety Oversight Agencies and the impact on rail transit agencies.

Presenters: Patrick D. Nemons, Division Chief, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Mr. Nemons walked the participants through the historical background on the many authority acts, laws, implementing rules (code of federal regulations) and various incidents that have led to the current position of state safety oversight through FTA's state safety oversight program. He also briefly touched on the National Public Transportation Safety Plan the purpose of which is to guide the national effort in managing the safety risks and safety hazards within the Nation's public transportation systems.

Mr. Nemons discussed the responsibilities of the three groups that are actually responsible for rail transit safety oversight. The first group, the Federal Transit Administration, is responsible for ensuring SSOAs and RTAs are in compliance with Federal requirements, The second group, the State Safety Oversight Agencies, are responsible for direct safety oversight of rail transit agencies, and the third group, the Rail Transit Agencies, are responsible for day-to-day safety of its system and compliance with State and Federal laws. ([Click here to see Power Point presentation.](#))

SSO Audit Updates

Session description: This session will provide a summary of observations from FTA's initial audits conducted under the new Part 674 rule. The session will also discuss plans for the upcoming audit cycle.

Presenters: Maria Wright, Senior Program Manager, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Timothy Braxton, Program Manager, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Ms. Wright discussed when the SSOA program began and where they are now. She indicated how FTA's first rule, CFR Part 659.7 established FTA's authority and that FTA's determined a three-year audit cycle as a suitable audit timeframe and how 674.11 continues that authority. She also covered the audit planning and logistics as well as their proposed virtual audits due to COVID-19.

Ms. Wright noted so common SSO audit findings include lack of program resources or technical capabilities, insufficient Corrective Action Plans, and insufficient hazard reporting. She explained that now under 674's broader focus and enforcement authority SSOA's can now conduct unannounced inspections.

Mr. Braxton discussed the various audit program areas which include Program Management, FTA's Grant Program, Program Standards, Staffing and Qualifications, Corrective Action, and Annual Reports. Mr. Braxton gave some examples of the documents that they collect as well as records and field verification that they conduct. He indicated that auditing should not be a one size fits all approach. ([Click here to see Power Point presentation.](#))

SSO Annual Report Validation

Session description: This session is a refresher on the purpose and use of the State Safety Oversight Reporting (SSOR) Tool for input of oversight data and the submission of SSOA Annual Reports. The session will also cover FTA's process to validate Annual Report submissions.

Presenters: Cyrell McLemore, Regional Safety Officer, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Myesha Stephney, Program Analyst, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

Ms. Stephney examined the annual reporting requirements according to Part 674.39 (a) a key point of which is that on or before March 15 of each year an SSOA must electronically submit to the FTA materials such as their program standards, evidence that employees and contractors have completed their Public Transportation Safety Certification Training Program, and a report that summarizes their oversight activities.

Mr. McLemore shared some 2019 annual reporting observations and some best practice related to submitting the 2020 annual report to include highly recommending that the SSOA start on the annual report sooner now that reporting can be done throughout the year in the SSOR tool. Mr. McLemore indicated that this approach, along with becoming familiar with the tool, helps to reduce reporting pressure and avoid any unforeseen conditions or public health emergencies, which would cause a delay in reporting.

Mr. McLemore's discussion included detailing the Annual report validation criteria and going over a list of documents that the FTA validation team examines from the Public Transportation Agency Safety Plan and Certificate of Compliance to a current Organization Chart and Financial Plan. A friendly reminder was given that the 2020 annual reports are due by Monday, March 15, 2021. ([Click here to see Power Point presentation.](#))

Public Transportation Safety Certification Training Program (PTSCTP) Compliance During the COVID-19 Public Health Emergency

Session description: FTA has increased the availability of virtual training options to support the transit industry's training needs during the COVID19 public health emergency. During this session, FTA will review the PTSCTP regulation and requirements, and discuss how agencies can continue to participate in the PTSCTP during the COVID-19 the public health emergency

Presenter: Dakisha Spratling, Senior Program Analyst, Office of System Safety
Office of Transit Safety and Oversight
Federal Transit Administration

Ms. Spratling stated that the 2018 Public Transportation Safety Certification Training Program rule established a training curriculum to enhance the Safety Management System (SMS) knowledge and skillset of individuals in the transit industry, who either conduct safety audits and examinations of transit systems or individuals who are directly responsible for safety oversight of transit systems.

Ms. Spratling disclosed that participants are required to complete the initial training requirements of the program within three years of initially enrolling into the program and refresher training every two years. Some of the initial individual training plan remote courses include SMS Awareness, SMS Safety Assurance, and SMS Principles for Transit. There is a FTA safety training website available as well as other resources for specific questions. ([Click here to see Power Point presentation.](#))

Transportation Security Administration (TSA) and Federal Railroad Administration (FRA) Safety and Security Update

Session description: The TSA and FRA will provide updates to their

programs as they relate to rail transit safety and security.

Presenters: Joanne Waszczak, Division Chief, Office of Safety Review
Office of Transit Safety and Oversight
Federal Transit Administration

John J. Mardente, Program Manager
Office of Safety Assurance and Compliance
Federal Railroad Administration

Scott C. Gorton, Executive Director, Surface Division
Policy, Plans, and Engagement
Transportation Security Administration

Sonya T. Proctor, Assistant Administrator
Surface Operations
Transportation Security Administration

Joint FRA/FTA Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit

Mr. Mardente explained FRA's safety oversight authority and regulatory underpinnings, beginning with the Federal Railroad Safety Act of 1970 when President Nixon authorized to oversee safety of freight, interstate railroads. Mr. Mardente also described how shared use waivers are granted. ([Click here to see Power Point presentation.](#))

Transportation Security Administration Surface Regulations and Programs

- *Security Training Final Rule*
- *Upcoming Rulemaking and Policy Activities*
- *Baseline Assessment for Security Enhancement (BASE) Update*

Mr. Gorton provided an update on the TSA security training rule and explained that, although the security training rule was published in March of this year, due to COVID-19 they extended the effective date of the rule to September 21, 2020.

Mr. Gorton summarized the provisions of the rule, explaining that it requires the owner-operators of freight railroad carriers, public transportation agencies, passenger rail carriers, and over-the-road bus companies to provide TSA with a

security training plan. Once that plan is approved, these owner-operators must train their security sensitive employees. He explained that TSA has extended that deadline to submit training plans to March 22, 2021 and provided information regarding available resources such as video training programs for each of the transportation modes covered by the regulation.

Mr. Gorton gave a preview of other TSA rulemaking and policy activities such as a new vetting rule that will outline which employees must be vetted and how that will be done. He also focused on TSA's efforts to incorporate more cybersecurity questions into the BASE program, for example questions that incorporate industry standards like the NIST cybersecurity framework. ([Click here to see Power Point presentation.](#))

Surface Transportation Security

Ms. Proctor provided information about the transportation modes that come under TSA's responsibility as well as the seven priorities – planning, training, exercises, information and intelligence sharing, operational detection and deterrence, cybersecurity and critical infrastructure protection, and community outreach. These priorities, she informed, drive just about everything that they do.

Ms. Proctor reviewed TSA's Surface Operations Roadmap which lays out their strategy and goals. She relayed that their work in the field is focused on engaging with frontline employees and understanding their needs, and pointed out that TSA's activities are scalable to particular systems.

Ms. Proctor detailed several important COVID-related best practices and lessons learned gathered from a September Surface Transportation Security Advisory Committee workshop. Among those she stressed were: apply CDC's guidelines, don't recreate the wheel; invite labor unions to be a part of the planning and decision-making process; and transition non-essential staff to telework. ([Click here to see Power Point presentation.](#))

Closing

Angela Dluger, Deputy Associate Administrator
Office of Transit Safety and Oversight
Federal Transit Administration

Ms. Dluger thanked Dr. Ruth for keeping the record number of attendees so engaged and energized throughout the conference including the nearly 400 virtual

participants. She recapped the focus of the workshop which was several COVID-19 topic areas.

Ms. Dluger noted some of the particular discussions like the TRACS committee recommendations related to trespass and suicide prevention, and railway worker protection as well as the employee safety reporting the discussions on safety risk management process, corrective action plans, management, and several other topic areas for the SSO programs – just to name a few.

Ms. Dluger closed by thanking everyone again so very much for their participation and contributions. Her last sentiment was that she hoped that everyone left with new ideas from their peers and the virtual workshops that they could apply to their day-to-day work.

The meeting was adjourned.