Transit Safety and Oversight Spotlight Newsletter

August 2022
Vol. 7 No. 8

U.S. Department of Transportation
Federal Transit Administration

Message from the Associate Administrator

Joe DeLorenzo
Associate Administrator for
Transit Safety and Oversight
and Chief Safety Officer, FTA

Dear Transit Colleagues:

Fall is fast approaching, and FTA has been busy this summer keeping the lines of communication open about the new requirements from the Bipartisan Infrastructure Law. FTA continues to send reminders about these requirements, answer your questions and discuss how it affects industry stakeholders during webinars and conferences. Please continue to check FTA's webpage for resources and sign up to receive updates.

Last month, we reached an important milestone with the July 31, 2022 compliance date for applicable transit agencies to establish a Safety Committee as part of the Public Transportation Agency Safety Plan (PTASP) Bipartisan Infrastructure Law requirements. I recognize this was no small feat and took a great deal of effort. Please know that the PTASP Technical Assistance Center remains available to support the industry.

On August 20, applicable State Safety Oversight Agencies (SSOAs) and Rail Transit Agencies (RTAs) faced another important deadline with the Public Transportation Safety Certification Training Program (PTSCTP) regulation compliance date. Safety training plays an integral role in supporting safer transit systems across America by building and maintaining critical safety skills, processes and knowledge. The Transportation Safety Institute Safety Training schedule is regularly included in the TSO Spotlight newsletter, and the new schedule for Fiscal Year 2023 is now available. For more information and resources, see pp.7-8, visit the Safety Training webpage or contact FTASafetyPromotion@dot.gov.

I look forward to engaging with attendees at the upcoming FTA Joint State Safety Oversight and RTA Workshop. The hybrid workshop will be held from Tuesday, October 25 through Thursday, October 27, 2022 in Washington, DC, with both in-person and online options. Registration is now open. Please submit questions regarding the workshop to FTASafetyStakeholder@dot.gov.

As always, I want to offer my appreciation for all the hard work into making transit systems across the country safer, more sustainable and more equitable. Please remember that FTA is here to support you in your important safety work.

 Sincerely,

Joe DeLorenzo

Bipartisan Infrastructure Law Resources

The following resources are available to help stakeholders better understand the Bipartisan Infrastructure Law requirements.

- Bipartisan Infrastructure Law Changes to Public Transportation Agency Safety Plan (PTASP) Requirements—Provides a redlined document to show the Bipartisan Infrastructure Law changes to 49 U.S.C § 5329(d).

- Bipartisan Infrastructure Law Changes to PTASP Requirements Webinar Presentation, Recording and Transcript—Overview of the Bipartisan Infrastructure Law changes to the PTASP requirements.

- Dear Colleague Letter—Includes compliance dates for the transit industry to implement Bipartisan Infrastructure Law changes to the PTASP requirements.

- PTASP FAQs—Addresses stakeholder questions about changes that the Bipartisan Infrastructure Law made to the PTASP requirements. FTA recently included a second set of FAQs on the webpage.

- Public Transportation Safety Program Fact Sheet—Highlights changes that the Bipartisan Infrastructure Law made to the National Public Transportation Safety Plan, PTASP and State Safety Oversight Program.

All FTA Bipartisan Infrastructure Law updates are available on www.transit.dot.gov/BIL. For further questions about Bipartisan Infrastructure Law requirements, please email FTA-IIJA@dot.gov.

FTA Publishes Research on Over-the-Counter and Prescription Drug Use in the Transit Industry

FTA recently published the FTA Standards Development Program: Over-the-Counter and Prescription Drug Use in the Public Transit Industry report. The FTA-sponsored report identifies gaps in current standards, recommended practices and guidance documents for over-the-counter (OTC) and prescription (Rx) medication. It also presents findings to consider for future updates to OTC and Rx medication risk management. The report includes a total of six findings, among them:

- There has been limited research and industry guidance about the impacts of OTC and Rx medication use by safety-sensitive employees other than effects on revenue vehicle operators. OTC/Rx research may lead to improved internal transit agency policies and procedures, collective bargaining agreements and reduced OTC/Rx-related safety events.

- OTC/Rx medication use data is not routinely collected during safety event investigations. Recognition of the adverse effects of OTC/Rx use and the collection of OTC/Rx medication use in safety event investigations may provide additional data for more robust Safety Management System hazard and mitigation analyses and lead to safety event reductions.

- Employer policies that require all safety-sensitive employees to report the use of Rx/OTC medication identified as potentially driver impairing may reduce risks posed by their use. This may lead to a reduction in impairment-related fatality or injury events.

Access this report and other FTA research reports on FTA's website. For more information, please contact FTA's General Engineer in the Office of Infrastructure, Safety and Asset Innovation, Raj Wagley.

FTA's Safety Rulemakings in the 2022 Spring Unified Agenda

The 2022 Spring Unified Agenda of Regulatory and Deregulatory Actions (Unified Agenda) is now available and can be viewed online at Reginfo.gov. The Unified Agenda lists the regulatory actions FTA and other administrative agencies plan to issue in the near and long term.

Current FTA safety-related rulemakings on the Unified Agenda include: Rail Transit Roadway Worker Protection (RWP), State Safety Oversight (SSO), Public Transportation Safety Certification Training Program (PTSCTP) and Public Transportation Agency Safety Plans (PTASP).

The RWP rulemaking would establish minimum baseline standards and risk-based redundant protection. It would apply to rail fixed guideway public transportation systems and SSOs that would oversee the rail system's implementation of the requirement. The rulemaking aims to reduce fatalities and serious injury events involving rail transit workers occupying the rail roadway during hours of operation.

The SSO rulemaking will introduce changes to clarify State Safety Oversight Agencies (SSOAs) oversight responsibilities, enhancing the operation and efficiency of the FTA's State Safety Oversight Program and reducing noncompliance. The proposed changes include accident notifications and investigations, corrective action plans, annual state safety status reports, FTA annual report submission, allegation of noncompliance and SSO communications. In addition, the proposed rulemaking will incorporate the new requirement for SSOA authority to conduct inspections, as established in the Bipartisan Infrastructure Law.

The PTSCTP rulemaking will amend training course information to allow FTA to make changes to the training curriculum to reflect new requirements, such as risk-based Inspection and risk reduction programs.

The PTASP rulemaking will incorporate new requirements established in the Bipartisan Infrastructure Law and address transit worker assault. Some of the Bipartisan Infrastructure Law changes to the PTASP requirements include transit agencies serving large urbanized areas establishing a Safety Committee that will approve the agency's Agency Safety Plan updates.

For more information about FTA's proposed rulemakings, visit Reginfo.gov or contact Director of Office of System Safety Paulina Orchard or Director of Office of Safety Review Dr. Melonie Barrington. To learn more about the Bipartisan Infrastructure Law changes to the PTASP requirements, visit transit.dot.gov/BIL.
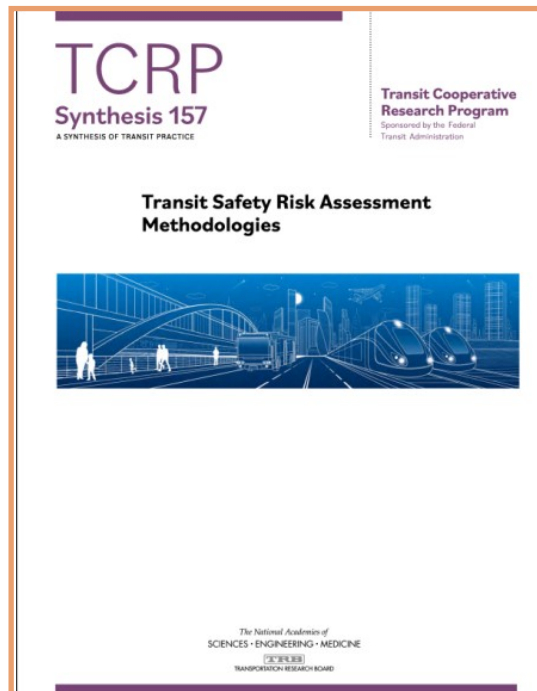
TSO Welcomes Two Division Chiefs

Jeremy Furrer and Loretta Bomgardner are the newest Division Chiefs in the Office of System Safety and Office of Safety Review.

Jeremy Furrer joined TSO as the Division Chief for the Safety Policy and Promotion Division in the Office of System Safety. Mr. Furrer started at FTA in 2013 as a Presidential Management Fellow in the Office of Civil Rights. Since then, he has served as a Special Assistant to the Administrator and Acting Deputy Associate Administrator and most recently served as Senior Policy Analyst in the Office of Budget and Policy. A Massachusetts native, he enjoys cheering on his favorite New England sports teams.

NEW TSO DIVISION CHIEFS

Jeremy Furrer   Loretta Bomgardner

As Division Chief of Program Management within the Office of Safety Review, Ms. Bomgardner will lead FTA's State Safety Oversight (SSO) program and Drug and Alcohol review and compliance program. Ms. Bomgardner joins TSO with over 28 years of safety experience spanning multiple modalities and aspects of transportation. She most recently served as Chief of the Federal Motor Carrier Safety Administration's Commercial Passenger Carrier Safety Division. In her free time, Ms. Bomgardner enjoys traveling with her husband and spending time with her children and grandchildren.

TCRP Synthesis 157
A SYNTHESIS OF TRANSIT PRACTICE

Transit Cooperative Research Program
Sponsored by the Federal Transit Administration

Transit Safety Risk Assessment Methodologies

The National Academies of
SCIENCES · ENGINEERING · MEDICINE
TRB
TRANSPORTATION RESEARCH BOARD

TCRP Synthesis 157: Transit Safety Risk Assessment Methodologies

This new report can help the transit industry implement elements of their Safety Management System and understand the importance of safety risk assessment.
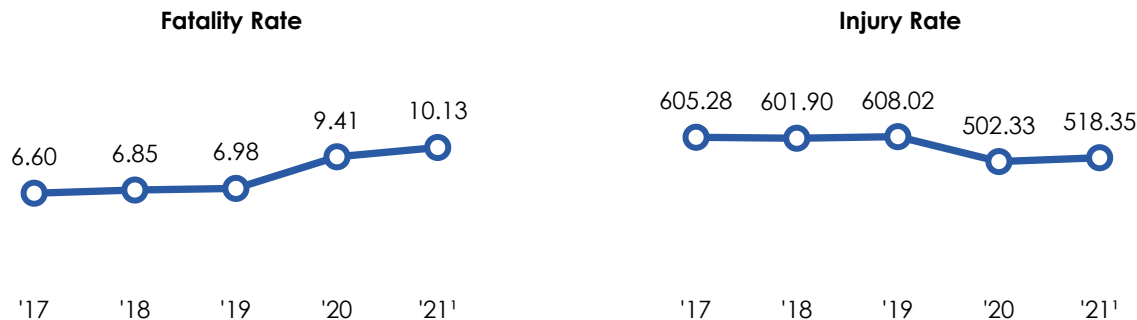
Data Spotlight: Transit Fatalities and Injuries by System Type, 2017–2021

The national safety data below may help transit agencies analyze safety hazards in their systems and establish safety performance targets as part of an [Agency Safety Plan](). This month's spotlight covers National Transit Database (NTD) fatality and injury data for the transit industry from January 2017 to December 2021.[1]

FTA requires transit agencies that qualify as Full Reporters[2] (typically large urban agencies) to report all fatalities and injuries that meet certain thresholds.[3] From 2017 to 2021, agencies reported 1,389 fatalities and 100,988 injuries to the NTD.

Trends in Transit Industry Fatalities and Injuries per 100 Million Vehicle Revenue Miles (100M VRM), 2017–2021[1]

Fatality Rate

6.60   6.85   6.98   9.41   10.13

'17   '18   '19   '20   '21[1]

Injury Rate

605.28   601.90   608.02   502.33   518.35

'17   '18   '19   '20   '21[1]

When measured on a per revenue mile basis, agencies reported an increasing number of fatalities each year in the 2017–2021 period. In contrast, the injury rate per 100M VRM decreased during the same five-year period.

The Full Reporter agencies that report safety and security events to the NTD provide: bus, rail and ferry transit service. Each are defined below.

- **Bus systems** transport passengers using rubber-tired roadway vehicles and may use fixed or non-fixed guideways, fixed or non-fixed routes and a fixed or non-fixed schedule.[4]

- **Rail systems** transport passengers using rail transit vehicles that travel along a fixed guideway of steel rails that form a track. Service is typically offered on a fixed route and schedule, and multiple railcars may travel as a train.[5]

- **Ferry systems** transport passengers using conventional ferry vessels over a body of water.[6]

During the 2017-2021 period, bus and rail systems accounted for over 99 percent of all fatalities and injuries. Rail systems reported more fatalities, and bus systems reported more injuries over these five years.

Transit Industry Fatalities and Injuries by System Type, 2017–2021[1]

Fatalities

Bus 37.1% (515)
Rail 62.8% (872)
Ferry 0.1% (2)

Injuries

Bus 71.8% (72,532)
Rail 27.6% (27,876)
Ferry 0.6% (580)

Data Spotlights in future editions of the *TSO Newsletter* will explore trends in bus and rail fatalities and injuries in greater detail.

---

[1]Data reflects NTD major and non-major event submissions from Full Reporter agencies through June 2, 2022. NTD data for 2021 are preliminary.

[2]FTA's criteria for determining if a transit agency is a Full Reporter are available in the [NTD Full Reporter Policy Manual]().

[3]FTA's criteria for determining if fatalities and injuries must be reported to the NTD are available in the [NTD Safety & Security Reporting Policy Manual]().

[4]Bus systems include NTD's Bus, Bus Rapid Transit, Commuter Bus, Demand Response, Jitney, Público, Trolleybus and Vanpool modes.

[5]Rail systems include NTD's Cable Car, Heavy Rail, Hybrid Rail, Inclined Plane, Light Rail, Monorail/Automated Guideway and Streetcar modes. The Alaska Railroad and Commuter Rail modes and modal systems not under FTA safety oversight are excluded.

[6]Ferry systems include NTD's Ferryboat mode.

How to Assess Risk Using a Safety Risk Register

Transit agencies must develop and implement a process to assess safety risk, determine whether mitigation is needed and monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate or were not implemented as intended (49 CFR § 673.25 and § 673.27(b)(2)). Transit agencies are also required to document the results of their Safety Management System (SMS) processes and activities, including the outputs of Safety Risk Management and Safety Assurance (§ 673.31).

A safety risk register is an information management tool an agency may choose to use to document Safety Risk Management and Safety Assurance activities. In general, a safety risk register will capture the following types of information:

- Hazard information and potential consequence(s) associated with a hazard
- Existing mitigation(s) that could impact the potential consequence(s)
- Initial safety risk rating
- Further mitigation(s) to eliminate or minimize the risk associated with the hazard, as necessary
- Revised safety risk rating
- Mitigation monitoring measures and activities

Example: Safety Risk Register for an Open Platform Edge

In the June and July *Spotlights*, we featured how to develop and monitor mitigations for a rail transit agency not willing to accept the safety risk associated with falls on or from one of its open platforms. Below is an example of a safety risk register that tracks this hazard. Since each section of a register has many columns, the register entry example below is grouped by section.

Hazard Identification				
Hazard	Date Identified	Identification Source	Potential Consequence	Existing Mitigation(s)
Passengers could fall on or from an open platform into the right-of-way	June 7, 2022	Employee safety reporting program	Passenger injuries and fatalities resulting from either the fall, making contact with the energized third rail or a collision between a fallen passenger and an oncoming train	Yellow warning strip along platform edge

Initial Safety Risk Rating	Further Mitigation(s)		Revised Safety Risk Rating
Safety Risk Rating	Further Mitigation(s) for Implementation	Target Implementation Date	After Mitigation(s)
2C (Critical and Probable)	Increase platform monitoring to warn individuals to stay clear of the platform edge	August 1, 2022	1D (Acceptable based upon mitigations)

Mitigation Monitoring			
Safety Performance Indicators	Safety Performance Target	Monitoring Means	Responsible Party
Number of platform agents trained and deployed.	All platform agents trained and deployed within three weeks of the mitigation start date.	Weekly training report.	Training Department, Tim Smith.
Number of platform agent reports of interventions to prevent or mitigate falls, including time of day, prevailing weather conditions and crowding conditions.	Zero falls from the platform over the next three months.	Monthly incident report.	**Safety Department:** Prepares monthly incident report.

This documentation demonstrates and captures the flow of information and activity through the SMS process. While FTA does not require agencies to develop a safety risk register, using a tool like a safety risk register can help an agency track relevant information about a hazard, from identification through monitoring mitigations, if appropriate.

Visit the Public Transportation Agency Safety Plan (PTASP) Technical Assistance Center (TAC) Resource Library for guides, fact sheets and webinars on the PTASP regulation. Contact the PTASP TAC at PTASP-TAC@dot.gov for assistance with any PTASP-related topic. See also the July TAC webinar and the Safety Risk Register in Action (presentation and recording).

NEW: FY2023 TSI Safety Training

Registration is open for Transportation Safety Institute (TSI) safety training courses for transit personnel. These courses also support FTA grantees subject to the Public Transportation Safety Certification Training Program (PTSCTP) regulation with initial training and refresher training requirements. All rail PTSCTP courses are delivered virtually. The FY2023 TSI Training Schedule was recently published.

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

eLearning Self-Paced Virtual Courses Available 24/7

Bus Nomenclature: Provides participants with an introduction to the basic terminology and components used in bus transit systems.

Curbing Transit Employee Distracted Driving: Provides participants with a raised awareness of distracted driving with the desired outcome of reducing public transportation professionals' risk of distracted driving.

Fatigue and Sleep Apnea Awareness for Transit Employees: Provides participants with general concepts about sleep and fatigue as well as the knowledge and skills to identify individuals at high risk for obstructive sleep apnea and other sleep disorders.

Rail Nomenclature: Provides participants with an introduction to the basic terminology and components used in rail systems.

Roadmap to Drafting an Agency Safety Plan for Bus Agencies: Provides participants with examples of how to translate the requirements of the Public Transportation Agency Safety Plan Regulation (49 CFR Part 673) into a compliant Agency Safety Plan.

SMS Awareness: Provides participants with an introduction to SMS. This course is the mandatory prerequisite for the SMS Principles for Transit and Safety Assurance courses.

NTI Virtual AAP and VTW Courses

The National Transit Institute (NTI) offers virtual Assault Awareness and Prevention (AAP) and Violence in the Transit Workplace (VTW) courses. The AAP and VTW courses support the FTA Enhanced Transit Safety and Crime Prevention Initiative, which provides resources to help transit agencies address and prevent crime and protect transit workers and riders. Transit agencies can also use the AAP course to fulfill the new Bipartisan Infrastructure Law requirement for de-escalation training. **To participate in these free courses, complete the** quick self-registration.

Please contact NTI at 848-932-1700 or nti_info@nti.rutgers.edu with any questions. For questions about FTA safety training offerings, please contact FTASafetyPromotion@dot.gov.

The recorded versions of the AAP and VTW courses are on the FTA Enhanced Transit Safety and Crime Prevention Initiative webpage.

FTA Employee Spotlight: Ryan Mayers

Ryan Mayers
Transportation Program Analyst, Guidance Division, Office of Program Management, FTA

How would you explain your job to someone you have never met? I serve as a Transportation Program Analyst within the FTA Office of Program Management, Guidance Division. I'm fortunate to work with a team of talented individuals to provide grants management guidance and training to FTA headquarters and regional staff and other stakeholders.

What were you doing prior to this role? Before joining FTA, I served as the Transit Manager for the city of Greenville, NC. I began the role during the onset of COVID-19 in March 2020. As one might imagine, it was a unique experience stepping into a new role leading public transportation as our world was facing a pandemic that required an unprecedented increase in public health and safety protocols. My time in Greenville was rewarding, and I will always be proud of how the city navigated through the peak of the pandemic to provide safe mobility to all citizens. Before Greenville, I worked as a Senior Mobility Development Specialist at the North Carolina Department of Transportation in Raleigh. I had the pleasure of working with a fantastic team of grant specialists and planners on providing grants and planning guidance to rural and urban transit systems across the state.

What's your favorite moment of your professional career so far? One of my favorite moments in my career was coordinating the transportation efforts for the 2021 Little League Softball World Series in Greenville. The event was a total success and I was so proud to play a role in providing safe and efficient mobility options for the athletes. I had so much fun working with my team and the softball games were great!

What's your favorite form of transportation? Why? Buses! I've always had a profound respect and admiration for bus operators. I aspire to obtain my commercial driver's license one day. I love the bus, whether it's taking the local fixed-route bus to the mall or a coach bus to travel across the country. I enjoy looking out the window and capturing the sights and sounds of the road. I also love reading local and highway road signs. When I lived in Raleigh, I often took the bus to work and loved it.

What's the best piece of advice you have been given? Live in the present and enjoy the moment.

If you could learn any skill, what would it be? I would learn life-saving skills. I admire Emergency Medical Service First Responders. If I can learn any skill, it's going to be one to help others in times of critical need.

If you could take a month to travel anywhere, where would you go? I'd take a road trip around the United States to visit college football venues in October. I would have so much fun!

If Hollywood made a movie of your life, who would you like to see play the leading role as you? I'll go with Larenz Tate. He's an underrated actor and I liked the films and shows that he's starred in. I think he'd be able to depict my life pretty well.

U.S. Department of Transportation
Federal Transit Administration

Federal Transit Administration
Office of Transit Safety and Oversight
1200 New Jersey Avenue SE
Washington, DC 20590

Access the FTA Transit Safety and Oversight Spotlight Newsletters.

Upcoming FTA TSO Office Speaking Engagements

State Public Transportation Conference
August 30, 2022 | Spokane, WA

PTASP Webinar: Round Table: Leadership, Tools and Practices for a Robust SMS
September 28, 2022 | 2:00pm–3:30pm ET | Virtual

APTA TRANSform Conference
October 9–12, 2022 | Seattle, WA

FTA Joint SSO and RTA Workshop
October 25–27, 2022 | Washington, DC Hybrid

Save the Date: SSO Quarterly Call
November 16, 2022 | 3:00–4:30 pm ET | Virtual