Public Transportation Agency Safety Plans (PTASP)

Summary of Notice of Proposed Rulemaking (NPRM) Changes

Federal Transit Administration
Office of Transit Safety and Oversight

U.S. Department of Transportation
Federal Transit Administration

Key Topics

- Key Considerations for Proposed Changes
- Overview of Proposed Changes
- PTASP Update Timeline
- Public Review and Comment
- Questions

Key Considerations for Proposed Changes

Incorporate statutory changes in the Bipartisan Infrastructure Law

Reinforce the use of Safety Management Systems (SMS) in transit agencies

Coordinate and align with other FTA programs and forthcoming safety rulemakings

Proposed Changes to PTASP

Large Urbanized Area Providers

- Safety Committee
- Safety risk reduction program
- Safety Performance Targets for safety risk reduction program
- Safety training for maintenance employees

Small Urbanized Area Providers

- Cooperation with frontline transit worker representatives on Agency Safety Plan development

Rail Transit Agencies

- Clarification of PTASP applicability
- Policies and procedures regarding State Safety Oversight Agency risk-based inspection
- Any policies and procedures for Roadway Worker Protection the agency has issued

All Transit Agencies

- New and updated definitions
- Clarification regarding PTASP certification
- Transit worker assaults, near-misses, unsafe acts and conditions in an employee safety reporting program
- Infectious disease guidance from CDC or a State health authority
- Continuous Improvement Extended to Small Public Transportation Providers
- De-escalation training

Definitions

Assault on a transit worker	Public transportation	Safety Risk Management
CDC	Rail fixed guideway public transportation system	Safety risk mitigation
Direct recipient	Recipient	Safety set aside
Emergency	Roadway	Small public transportation provider
Equivalent entity	Safety committee	State Safety Oversight Agency (SSOA)
Joint labor-management process	Safety event	Subrecipient
Large urbanized area provider	Safety Management Policy	Transit agency
Near-miss	Safety Management System	Transit worker
Potential consequence	Safety risk	Urbanized area

■ New Definition   ■ Updated Definition

Applicability and General Requirements

Include Safety risk reduction program in the Agency Safety Plan (ASP)
Incorporate Roadway Worker Protection (RWP) policies in the ASP
Incorporate agency policies regarding SSOA Risk-Based Inspection Program in the ASP
Clarify applicability to 5307 recipients and all rail transit agencies, and clarify that initial PTASP certification must occur prior to the start of operations
Clarify State role in ASP development; delete old certification deadlines and remove reference to System Safety Program Plan
Revise ASP Approval Requirement to include Safety Committee prior to Board of Directors or Equivalent entity
Clarify that safety performance targets (SPTs) must be set annually, and SPTs for the safety risk reduction program are required only for large urbanized area providers

■ New Requirement ■ Updated Requirement

Cooperation with Frontline Transit Worker Representatives, Safety Committee

Cooperation with frontline transit worker representatives (includes Safety Committees)
Safety Committee Establishment and Membership
Safety Committee Procedures
Safety Committee Responsibilities

■ **New Requirement**   ■ **Updated Requirement**

Safety Risk Reduction Program

Transit agency must use Safety Risk Management (SRM) and Safety Assurance (SA) processes to mitigate, monitor safety performance, and address deficiencies
Transit agency must consider certain mitigations for risk relating to assaults on transit workers, and risk relating to vehicular and pedestrian safety events for "transit vehicles" (expanded from statutory requirement for "buses")
Based on Safety Risk Assessment, when Safety Committee recommends to Accountable Executive measures to reduce injuries to transit workers and assault on transit workers, the transit agency must implement one or more of the mitigations, unless the Accountable Executive determines it would not improve the agency's overall safety performance.
Safety Committee sets safety risk reduction program safety performance targets (SPT)

■ **New Requirement**　■ **Updated Requirement**

Safety Management Policy

Safety Committee Authorities, Accountabilities, and Responsibilities
Add the Safety Committee or approach to cooperation with frontline transit worker representatives to the Agency's Safety Management Policy
Add consideration of Safety Committee recommendations to the Accountable Executive responsibilities
Add transit worker assaults, near-misses, and unsafe acts and conditions to employee safety reporting program as examples of safety concerns

■ **New Requirement**　　■ **Updated Requirement**

Safety Risk Management

Add CDC, State health authorities, oversight authorities, and FTA as sources for safety risk mitigation
Add CDC, State health authorities to list of sources for hazard identification
Add safety concerns identified through Safety Assurance activities to list of sources for hazard identification

Safety Assurance

Require annual assessment of safety performance through continuous improvement practices
Specify that safety performance assessment includes identification of deficiencies in the agency's SMS and safety performance through safety performance target monitoring
Revise language for plan to address deficiencies identified in safety performance assessments
Extend continuous improvement to small public transportation providers

New Requirement   **Updated Requirement**

Safety Promotion

Specify requirements for all transit workers in the comprehensive safety training program
Add de-escalation training to safety training program
Include maintenance workers in safety training program for large urbanized area providers
Add safety concern identification and reporting training
Add safety information from cooperation with frontline transit worker representatives or Safety Committees to safety communication requirements

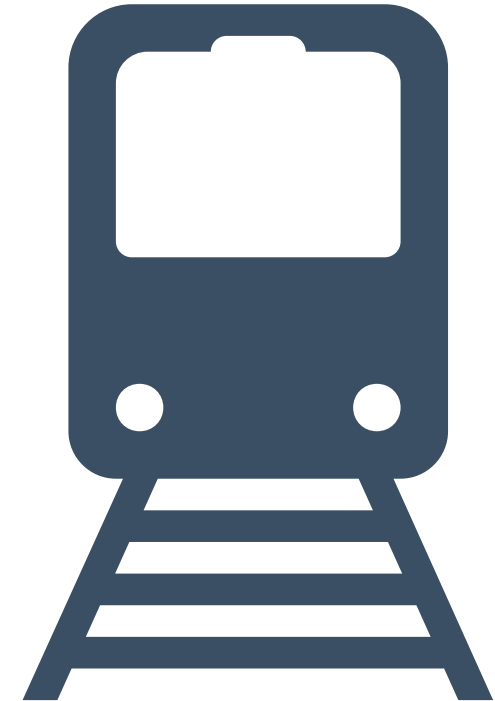■ New Requirement   ■ Updated Requirement

Roadway Worker Protection (RWP)

- PTASP NPRM requires rail transit agencies to include or incorporate by reference in their Agency Safety Plans policies and procedures regarding rail transit workers on the roadway

- This requirement relates to FTA's forthcoming RWP proposed rule (49 CFR part 671)

- RWP requirements are responsive to National Transportation Safety Board recommendations

Risk-Based Inspection

- The Bipartisan Infrastructure Law requires State Safety Oversight Agency (SSOA) risk-based inspection programs at 49 U.S.C. 5329(k)

- PTASP NPRM proposes to incorporate the requirement that rail transit agencies include or incorporate by reference in their Agency Safety Plans the policies and procedures to provide access to facilities and required data as part of SSOA risk-based inspection programs

Confidential Reporting

- The PTASP NPRM does not propose any new requirements related to transit worker safety reporting programs

- FTA is interested in hearing from the transit industry and other interested stakeholders regarding any experience establishing or participating in confidential reporting methods for transit workers

- NPRM requests feedback regarding establishing confidential reporting methods for transit workers

PTASP Update Timeline

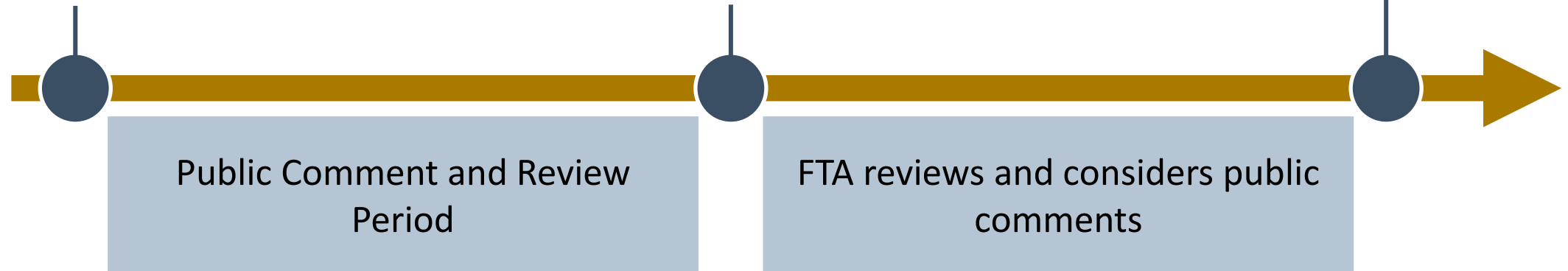FTA published PTASP NPRM in Federal Register

End of public review and comment period

FTA publishes updated PTASP final rule in Federal Register

April 26, 2023

June 26, 2023

TBD

Public Comment and Review Period

FTA reviews and considers public comments

Public Review and Comment

Review the PTASP NPRM and submit comments:

- https://www.federalregister.gov/d/2023-08777

- Or visit federalregister.gov and search for Docket Number **FTA-2023-0007**

Tips For Submitting Effective Comments, published by Regulations.gov, offers tips to help the public submit comments that have an impact and help agency policy makers improve federal regulations.

Open for Comment Until **June 26, 2023**

Q&A

- Comments on the NPRM, including on specific provisions, should be submitted to the rulemaking docket

- Technical questions (e.g., in which section of the rule text did FTA add or update a requirement) may be answered on this webinar

Public Review and Comment

Review the PTASP NPRM and submit comments:

- https://www.federalregister.gov/d/2023-08777

- Or visit federalregister.gov and search for Docket Number **FTA-2023-0007**

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