









## **Transit Safety and Oversight Spotlight Newsletter**

May 2023 Vol. 8 No. 5

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## Message from the Associate Administrator

Dear Transit Colleagues:

May is National Mental Health Awareness Month, and FTA acknowledges the sensitive nature of mental health discussions. Mental well-being is a part of one's overall health and is crucial to prioritize. To help the transit community prioritize mental health, FTA has a dedicated mental health resources for transit worker webpage that includes resources spanning several topics. In addition, I want to highlight that the <a href="mailto:988 Suicide & Crisis Lifeline">988 Suicide & Crisis Lifeline</a> provides free, confidential and round-the-clock support to those in need.



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

On April 26, FTA published a Notice of Proposed Rulemaking (NPRM) proposing new Public Transportation Agency Safety Plans (PTASP) regulation requirements. The proposed regulation updates will incorporate statutory changes in the Bipartisan Infrastructure Law and reinforce the use of Safety Management Systems (SMS) in the transit industry. The NPRM includes proposed requirements for creating safety risk reduction programs to reduce safety events, injuries and assaults on transit workers and establishing annual targets based on measures FTA will establish in the National Public Transportation Safety Plan. I encourage you to review and comment on the proposed rule. The public has until June 26 to submit comments on the proposed changes. Earlier this month, FTA hosted a webinar that explained how the public could submit comments to the Federal Register on the proposed changes. A link to the webinar recording is publicly available.

FTA recognizes transit workers' significant role in safely getting riders to their destinations. We are also concerned about the rising incidence of transit workers being assaulted while simply trying to do their job. The PTASP NPRM includes Bipartisan Infrastructure Law requirements related to transit worker safety and we hope this will create a safer space for riders and workers alike. In addition, we have additional upcoming rulemakings such as <a href="Rail Transit Roadway Worker Protection">Rail Transit Roadway Worker Protection</a>, <a href="State Safety Oversight">State Safety Oversight</a> and <a href="Public Transportation Safety Certification Training Program">Program</a>. As FTA continues to update its regulations, we will keep lines of communication with the transit community open.

As always, please email  $\underline{\text{FTASafetyStakeholder@dot.gov}} \text{ with any major safety concerns or questions.}$ 

Sincerely, Joe

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## **FTA at Transit Industry Event**



Clockwise from top left: Office of System Safety Program Analyst Stewart Mader, Associate Administrator Joe DeLorenzo, Office of System Safety Division Chief Jeremy Furrer and Associate Administrator Joe DeLorenzo with other panelists.

In April, FTA had a strong presence at the <u>American</u> <u>Public Transportation Association's (APTA) Mobility</u> <u>Conference</u> in Minneapolis, Minnesota.

FTA's Office of Transit Safety and Oversight presenters included Associate Administrator Joe DeLorenzo, Office of System Safety Division Chief Jeremy Furrer and Office of System Safety Program Analyst Stewart Mader.

Associate Administrator Joe DeLorenzo provided FTA safety updates and discussed bus to person collision prevention at the Bus Safety Committee Meeting.

Office of System Safety Division Chief Jeremy Furrer participated in the Safety Management Systems (SMS)/PTASP, Safety Committees and Safety Certification: FTA, Transit Agency and Business Member Examples panel. Office of System Safety's Stewart Mader discussed bus operator assault during a session focused on bus operator assault prevention and management.

See presentations from these events and other FTA conference presentations on FTA's webpage.

### **National Transit Database Safety and Security Reporting Requirements Updates**

On February 23, 2023, FTA finalized changes to the National Transit Database (NTD) Safety and Security reporting requirements. FTA has implemented two significant Bipartisan Infrastructure Law changes to data collection related to transit worker assaults and bus impact fatalities. The NTD is the primary source for information and statistics on U.S. transit systems and collects annual financial, asset and operating information. FTA currently has over 3,000 transit agencies that report data to the NTD. There are different reporting requirements based on the size of the transit agency, its operations and types of funding received.

In November 2021, the Bipartisan Infrastructure Law amended the NTD requirements to require "each recipient of a grant" under Chapter 53 to report to the NTD "any data on assaults on transit workers of the recipients" and "any data on fatalities that result from an impact with a bus." In response, FTA is implementing safety and security reporting changes to the NTD on transit worker assaults and bus impact fatalities to improve the information available to the public on the nation's transit systems. The reporting changes will apply to calendar year 2023 for full reporters and NTD report year 2023 for small reporters.

## Meet the Transit Advisory Committee for Safety Member: Gardner Tabon



Gardner Tabon
Executive Vice President of
Systemwide Accessibility and Chief
Safety Officer, Capital Metropolitan
Transit Agency

The <u>Transit Advisory Committee for Safety (TRACS)</u> provides information, advice and recommendations on transit safety to the U.S. Transportation Secretary and FTA Administrator. TRACS is comprised of a diverse panel of professionals representing a variety of stakeholders and interests to address transit safety issues cooperatively.

What is your background within the transit industry? I have been in the transit industry for over 30 years and I love what I do. My career started with a chance visit to the Amtrak personnel office in New York's Penn Station. A staffer persuaded me to apply for an open position as a block operator. I left Amtrak and worked for Long Island Rail Road's safety department. From there, I spent over five years with the Metropolitan Atlanta Rapid Transit Authority in the Office of Safety & Quality Assurance. I worked overseas for the Saudi Railway Company (Riyadh, KSA) as a safety manager where I provided operational, construction and environmental oversight. Upon my return to the U.S., I was honored to take on the role of New Jersey Transit's Chief of the newly formed Office of System Safety.

After nearly four years with New Jersey Transit, I moved to the Capital Metropolitan Transportation Authority in Austin, Texas as its Executive Vice President of Systemwide Accessibility and Chief Safety Officer.

Why did you join TRACS and what do you look forward to most as part of TRACS? Over the many years that I have been a part of the transit industry, I have become deeply passionate about safety. I joined TRACS to collaborate with other transit and transportation professionals to make a difference in people's lives. That said, this opportunity will allow me to contribute to making safer work and travel environments for our transit professionals, customers and the public.

What was your first time using public transit like? In short, my first time using transit was a joy. As a child, I was excited to use nearby trains to our destinations. I grew up in New York City where public transit was plentiful. My mom, dad and I used it almost daily to travel to the zoo, Herald Square, the Staten Island Ferry, work and school, as well as visit friends and relatives. Even when my dad bought a car, we would use public transit. From time to time, we would also use local buses.

What has been your most significant achievement to date? One of my most significant professional achievements is establishing the New Jersey Transit's first-of-its-kind Office of System Safety. Upon arriving, a portion of it had been put in place. However, as with the development of any program, the office needed some refinement. Formerly, the units of this newly established office had been in various operations and departments. With tremendous support from our Executive Director, the team was able to assemble a seven-division, 47-person, multi-discipline staff of environmental, health and safety professionals responsible for supporting safety efforts. I remain immensely proud of what that team and I accomplished.

What made you interested in pursuing a career in public transportation safety? Upon my introduction to the railroad industry, my instructor made it clear to us that safety was our utmost priority. Throughout our time together, he would connect our rules, regulations and best practices with the transit workers and riders. After years of serving in operations, I learned of an opportunity in our safety department that would allow me to truly focus on safety-related challenges of the day. I have not looked back since.

# FTA Publishes Notice of Proposed Rulemaking: Public Transportation Agency Safety Plans

On Wednesday, April 26, 2023, FTA published a Notice of Proposed Rulemaking (NPRM) in the Federal Register proposing new requirements for the Public Transportation Agency Safety Plans (PTASP) regulation at 49 CFR Part 673. These updates include revisions to incorporate statutory changes from the Bipartisan Infrastructure Law. FTA is also proposing revisions to the PTASP regulation based on coordination and alignment with other FTA programs and safety rulemakings.

#### Summary of the Updates to the PTASP Regulation

The graphic below provides a quick reference to proposed changes as

they apply to Section 5307 recipients that serve an Urbanized Area of 200,000 or more (large urbanized area providers), recipients that serve an Urbanized Area of fewer than 200,000 (small urbanized area providers), rail transit agencies and all transit agencies. Requirements from one or more sections may apply to a transit agency depending on the modes of service they operate and the size(s) of the Urbanized Area(s) they serve.

#### PTASP NPRM

FTA invites the public to submit comments on the PTASP NRPM by June 26, 2023.

The PTASP NPRM Overview webinar <u>presentation</u> and <u>recording</u> are available online.

For further information, please visit the PTASP webpage.

#### 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

## Proposed Changes to PTASP

#### **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
- $\bullet$  Infectious disease guidance from CDC or a State health authority
- Continuous Improvement extended to Small Public Transportation Providers
- De-escalation training

FTA is also proposing revisions to the PTASP regulation based on coordination and alignment with other FTA programs and safety rulemakings.

For a detailed explanation of each change, see the <u>PTASP NPRM</u>. FTA has also published <u>a markup of proposed changes</u> in the rulemaking docket.

#### **Public Comments**

The public may send comments, identified by the docket number FTA-2023-0007 or Regulatory Information Number 2132-AB44, by any of the following methods:

- Use the "Submit a Formal Comment" button at the top of the PTASP NPRM page.
- <u>Submit a comment at Regulations.gov</u> (See also <u>Regulations.gov Tips for Submitting Effective Comments</u> for a guide to writing an effective comment.)

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- Fax: (202) 493-2251
- Mail: Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C., 20590-0001.
- Hand Delivery/Courier: West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue S.E., Washington, D.C., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FTA is also interested in hearing from the transit industry and other interested stakeholders about experiences establishing confidential close-call/near-miss reporting methods for transit workers. Please see the specific <u>questions</u> asked in the PTASP NPRM and submit any comments through one of the commenting options listed above.

## **Risk-Based Inspections Program Resources Available**

On October 21, 2022, FTA issued <u>special directives</u> to all State Safety Oversight Agencies (SSOAs) to develop and implement risk-based inspection programs as required by the Bipartisan Infrastructure Law.

FTA has published a new <u>webpage</u> that includes links to presently available resources to aid SSOAs in developing and implementing a risk-based inspection program. Additional resources will be added as they become available.

For more information, visit the program <u>webpage</u> or <u>email</u> the risk-based inspection program.





## FY2023 Transportation Safety Institute (TSI) Safety Training Available

<u>Registration</u> is open for the FY2023 TSI safety training courses for transit personnel. These courses also support FTA grantees subject to the <u>Public Transportation Safety Certification Training Program (PTSCTP) regulation</u> with initial training and refresher training requirements.

 <u>FTA Safety Training Page</u> — outlines training requirements and available training courses. Contact <u>FTASafetyPromotion@dot.gov</u> for more information about course offerings, Individual Training Plans, credit for non-FTA sponsored coursework and other safety-training related matters.



- FTA-Sponsored Training Courses provides information on FTA-sponsored FY2023 training delivered by the TSI.
- TSI Course Schedule includes TSI safety training courses for transit personnel to support FTA grantees subject to the <a href="PTSCTP">PTSCTP</a> regulation with initial training and refresher training requirements. In addition to PTSCTP bus and rail courses, training includes courses for bus, rail, general transit safety and transit crime prevention and emergency management. The availability of in-person TSI courses depends upon each host's local guidance. Contact TSI at <a href="TSI@dot.gov">TSI@dot.gov</a> or 405-954-3682 for more information. TSI can verify the status of scheduled courses and assist with any other course-related questions.
- Enhanced Transit Safety and Crime Prevention Initiative Related Training offers virtual Assault Awareness and Prevention (AAP) and Violence in the Transit Workplace (VTW) courses, provided by the National Transit Institute (NTI). The AAP and VTW courses support the FTA Enhanced Transit Safety and Crime Prevention Initiative. Transit agencies can also use the AAP course to fulfill the new <u>Bipartisan Infrastructure Law requirement</u> for de-escalation training. Contact NTI at <a href="mailto:nti-info@nti.rutgers.edu">nti-info@nti.rutgers.edu</a> or 848-932-1700 with any questions.



## FTA Employee Spotlight: Sara Richmond



Sara Richmond

Program Analyst, Stakeholder Engagement, Office of Transit Safety and Oversight, FTA How would you explain your job to someone you have never met? I work in communications and stakeholder engagement. I make sure the transit industry has access to safety and oversight information from the FTA.

What were you doing before this role? I was a consultant for several years serving a handful of Federal agencies in various communications and writing roles.

What is your favorite moment of your professional career so far? I was thrilled to return to the FTA this fall as a full-time employee after working here previously as a contractor. I even helped launch this newsletter seven years ago, so I was happy to see that it is still going strong.

What is your favorite transit system in the U.S.? I love the Washington Metropolitan Area Transit Authority Metrorail because it is my local system, but the New York City subway will always hold a special place in my heart. My first job after college was in New York, and coming from a relatively rural and car-dependent part of the country it was transformative to have access to that system. It is possibly the reason I work in transit today.

What was your first time using public transit like? I visited Washington, DC on a high school trip, and the Metro system was much easier to use than I had imagined. On a

related note, I took my daughter on a day out in the city last winter where we went out for brunch, saw the Nutcracker and she took her first Metro ride. Her favorite part of that outing by far was getting her very own Metro card.

What movie or TV show could you watch on a loop? Why? That is a hard question — I am not a big re-watcher! However, I make a point to watch the Muppet Christmas Carol every December. I am also rewatching all the Star Wars movies, and I realized I have been watching the original three since I was a kid.

What are the saved weather locations in your phone? I monitor southern Maryland, where I live now, and central Michigan, where I grew up. I still have Deep Creek Lake in Maryland; Bar Harbor, Maine and Orlando, Florida saved from recent vacations.

What does your perfect breakfast look like? I like green smoothies because even if the rest of the day goes downhill nutritionally, at least I started with some green veggies and fruit. But I also never say no to a baked good or a coffee.

What's your idea of a great day? A day when I can spend time outside. I am fortunate to have the Chesapeake Bay within walking distance of my house, so I look forward to the warmer months when I can make a quick visit on my lunch break or spend an entire Saturday afternoon at the beach.

What household chores do you enjoy? Why? Weeding a garden. It is so satisfying when you can pull an entire clump of weeds down to the roots, in one try.



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Access the <u>FTA Transit Safety and Oversight Spotlight Newsletters</u>.

## **Upcoming FTA TSO Office Speaking Engagements**

PTASP Technical Assistance Webinar: Tools for Implementing a Comprehensive Safety Training Program

May 31, 2023 | Virtual

#### **APTA Rail Conference**

June 11-14, 2023 | Pittsburgh, PA

#### **FTA Capital Project Management Workshop**

July 19, 2023 | Hybrid | Washington, DC

#### **FTA State & Tribal Programs Meeting**

August 2023 (Dates are forthcoming) | Washington, DC

#### **Midwest Transit Conference**

September 7, 2023 | Kansas City, MO

## Save the Dates: SSO Quarterly Call

August 16, 2023 | 3:00-4:30 pm ET | Virtual

November 15, 2023 | 3:00–4:30 pm ET | Virtual

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.