

PART 672—Public Transportation Safety Certification Training Program

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Appendix A to Part 672

Public Transportation Safety Certification Training Program

Authority: [49 U.S.C. 5329\(c\)\(f\), 5334](#); [49 CFR 1.91](#).

Subpart A— General Provisions

§ 672.1 Purpose.

(a) This part implements a uniform safety certification training curriculum and requirements to enhance the technical proficiency of individuals who conduct safety ~~audits and reviews,~~ inspections, examinations, and other safety oversight activities of public transportation systems operated by public transportation agencies and those who are directly responsible for safety oversight of public transportation agencies.

(b) This part does not preempt any safety certification training requirements required by a State for public transportation agencies within its jurisdiction.

§ 672.3 Scope and applicability.

(a) In general, this part applies to all recipients of Federal financial assistance under 49 U.S.C. chapter 53.

(b) The ~~mandatory~~ requirements of this part ~~will~~ apply only to:

(1) State Safety Oversight Agencies and their employees and contractors that conduct safety ~~audits and reviews, inspections,~~ examinations, and other safety oversight activities of rail fixed guideway public transportation systems, and ~~designated personnel~~

(2) Rail transit agencies and their employees and contractors who are directly responsible for the safety oversight of a recipient's rail fixed guideway public transportation systems.

(c) ~~Other FTA recipients~~ Voluntary participants may ~~participate voluntarily~~ complete the Public Transportation Safety Certification Training Program curriculum in accordance with this part.

§ 672.5 Definitions.

As used in this part:

Administrator means the Federal Transit Administrator or the Administrator's designee.

Contractor means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or public transportation agency through contract or other agreement.

Designated personnel means:

- (1) Employees and contractors identified by a recipient whose job function is directly responsible for safety oversight of the public transportation system of the public transportation agency; or
- (2) Employees and contractors of a State Safety Oversight Agency whose job function requires them to conduct ~~safety audits and reviews, inspections,~~ examinations, and other safety oversight activities of the rail fixed guideway public transportation systems subject to the jurisdiction of the agency.

Directly responsible for safety oversight means public transportation agency personnel whose primary job function includes the development, implementation and review of the agency's safety plan, and/or the State Safety Oversight Agency (SSOA) requirements for the rail fixed guideway public transportation system pursuant to 49 CFR parts 659 or 674.49 CFR part 674.

Examination means a process for gathering or analyzing facts or information related to the safety of a public transportation system.

FTA means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

Initial training means the group of specific courses an individual must complete within three (3) years of enrollment in the Public Transportation Safety Certification Training Program to receive their first program certificate.

Public transportation agency means an entity that provides public transportation service as defined in 49 U.S.C.5302 and that has one or more modes of service not subject to the safety oversight requirements of another Federal agency.

Public Transportation Safety Certification Training Program curriculum means the initial training designated personnel or voluntary participants must complete to receive the Public Transportation Safety Certification Training Program certificate of completion.

Rail fixed guideway public transportation system means any fixed guideway system ~~as defined in §674.7 of this chapter.~~, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration. These systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

Rail transit agency means any entity that provides services on a rail fixed guideway public transportation system.

Recipient means a State or local governmental authority, or any other operator of a public transportation system receiving financial assistance under 49 U.S.C. chapter 53.

Refresher Training means the training courses or activities designated personnel must complete within two (2) years of completing the Public Transportation Safety Certification Training Program curriculum and every two (2) years thereafter.

Safety ~~audit review~~ means a review or analysis of safety records and related materials, ~~including,~~ but not limited to, ~~those related to financial accounts.~~

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State Safety Oversight Agency (SSOA) means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR part 674.

Voluntary participant means an individual participating in the Public Transportation Safety Certification Training Program that is not subject to the requirements of this part, including:

(1) Employees and contractors of an applicable recipient that have not been designated under § 672.11(a) or § 672.13(a), and

(2) Individuals who are not employees or contractors of an applicable recipient.

Subpart B— Training Requirements

§ 672.11 ~~Designated personnel who~~ State Safety Oversight Agency employees and contractors that conduct safety ~~audits and reviews, inspections, examinations, and other~~ safety oversight activities of rail fixed guideway public transportation systems.

(a) Each SSOA shall designate its ~~personnel~~ employees and contractors that must comply with the applicable training requirements of this part and the Public Transportation Safety Certification Training Program (PTSCTP) curriculum. Each SSOA must designate employees and contractors who conduct ~~safety audits and reviews, inspections, examinations, and other~~ safety oversight activities of public transportation systems, including appropriate managers and supervisors of such personnel, ~~that must comply with the applicable training requirements of Appendix A to this part.~~

(b) ~~Designated personnel~~Each SSOA shall completeensure that each designated individual is enrolled in the PTSCTP within 30 days of the individual's designation. Each SSOA shall ensure the compliance of designated participants with the applicable training requirements of this part and the PTSCTP curriculum.

(c) Employees and contractors designated under paragraph (a) of this section shall complete applicable training requirements of this part and the PTSCTP curriculum within three (3) years of their initial ~~designation.~~PTSCTP enrollment.

(d) Thereafter, upon completion of the PTSCTP curriculum, designated personnel shall complete refresher training ~~shall be completed~~ every two (2) years. ~~The SSOA shall determine~~Required refresher training ~~requirements which must include, at a minimum, one~~ shall consist of two elements:

(1) ~~hour of safety oversight~~Element 1: Refresher training- defined by FTA, and

(2) Element 2: Refresher training defined by the SSOA, which must include, at a minimum, one
(1) hour of safety oversight training.

§ 672.13 Designated personnel of public transportation agencies. Rail transit agency employees and contractors who are directly responsible for the safety oversight of a rail fixed guideway public transportation system.

(a) ~~Each recipient that operates a rail fixed guideway public transportation system~~Each rail transit agency shall designate its ~~personnel~~employees and contractors ~~who are directly responsible for safety oversight and ensure their compliance~~that must comply with the applicable training requirements ~~set forth in Appendix A to~~of this part and the PTSCTP curriculum. ~~Each recipient that operates a bus or other public transportation system not subject to the safety~~

~~oversight of another Federal rail transit~~ agency ~~may~~must designate ~~its personnel~~employees and contractors who are directly responsible for safety oversight ~~to participate in the applicable training requirements as set forth of rail modes.~~

(b) ~~Each rail transit agency shall ensure that each designated individual is enrolled in Appendix A to this part~~the PTSCTP within 30 days of the individual's designation. Each rail transit agency shall ensure the compliance of designated participants with the applicable training requirements of this part and the PTSCTP curriculum.

(c) ~~Personnel~~Employees and contractors designated under paragraph (a) of this section shall complete applicable training requirements of this part and the PTSCTP curriculum within three (3) years of their initial ~~designation~~PTSCTP enrollment.

(d) Thereafter, upon completion of the PTSCTP curriculum, designated personnel must complete refresher training ~~shall be completed~~ every two (2) years. ~~The recipient shall determine~~Required refresher training requirements shall consist of two elements:

(1) Element 1: Specific refresher training defined by FTA, and

(2) Element 2: Refresher training defined by the rail transit agency, which must include, at a minimum, one (1) hour of safety oversight training.

§ 672.15 Evaluation of prior certification and training.

(a) ~~Designated personnel subject to this part~~PTSCTP participants or an identified point of contact described in § 672.21(b) may request that FTA evaluate safety training or certification previously obtained from another entity to determine if the training satisfies an applicable training requirement of this part.

(b) ~~Designated personnel~~ Individuals requesting FTA evaluation of previously obtained training or certification must provide FTA with an official transcript or certificate of the training, a description of the curriculum and competencies obtained, and a brief statement detailing how the training or certification satisfies the applicable requirements of this part. The required information must be submitted using an equivalency credit request via electronic means defined by FTA.

(c) FTA will evaluate the submission and determine if a training requirement of this part may be waived. If a waiver is granted, designated personnel are responsible for completing all other applicable requirements of this part.

§ 672.17 Voluntary participation.

(a) Individuals not subject to the requirements of this part may participate voluntarily. To receive a certificate of completion as a voluntary participant, individuals must complete the PTSCTP curriculum within three (3) years of their enrollment. Voluntary participants are not required to complete refresher training. FTA will not issue renewal certificates to voluntary participants.

(b) If a voluntary participant has received a PTSCTP certificate of completion and is subsequently designated by an SSOA or rail transit agency as a PTSCTP participant, the individual will need to complete required refresher training within two (2) years of designation.

Subpart C— Administrative Requirements.

§ 672.21 Records.

(a) **General requirement.** Each recipient subject to the requirements of this part shall ensure that its designated personnel:

(1) are enrolled in the PTSCTP;

(2) complete the initial training specified in the PTSCTP curriculum within three (3) years of their enrollment as a designated participant; and

(3) complete required refresher training every two (2) years upon completion of the PTSCTP curriculum.

(b) *Point of contact identification.* Each recipient subject to the requirements of this part shall ensure that identify a single point of contact for communication with FTA regarding PTSCTP information. The recipient shall provide FTA, via electronic method defined by FTA, at a minimum, the point of contact's name, title, phone number, and email address.

(c) *Point of contact responsibilities.* Each point of contact will serve as a liaison between the recipient and FTA to inform FTA of changes in designated personnel ~~update their individual training record as he or she completes the applicable training requirements of this part.~~ participating in the PTSCTP, enroll new participants, submit proof of refresher training for the recipient's designated personnel, and address any other program documentation or communications needs.

(d) *Semiannual reporting.* Semiannually, between January 1st and January 31st and between July 1st and July 31st of each calendar year, the identified point of contact must submit documentation to FTA, via electronic method defined by FTA, that identifies:

(1) All employees and contractors of the recipient who are designated as PTSCTP participants; and

(2) The course or courses the recipient has identified as required refresher training for their designated personnel. The agency identified refresher training must include, at a minimum, one

(1) hour of safety oversight training. The documentation must include the complete name and length of each course, as well as the name of the course training provider.

~~(b)(e)~~ SSOA requirement.

(1) Each SSOA shall retain a record of the technical training completed by its designated personnel in accordance with the technical training requirements of ~~Appendix A to~~ this part.

~~Such SSOAs shall retain training records shall be retained by the SSOA~~ for at least five (5) years from the date the record is created.

(2) Each SSOA shall develop and maintain a technical training plan for designated personnel ~~and contractor support personnel~~ who perform ~~safety audits and reviews, inspections,~~ examinations, and other safety oversight activities. The SSOA will submit its ~~proposed~~ technical training plan to FTA for review and evaluation as part of ~~the SSOA certification program in accordance with 49 U.S.C. 5329(e)(7); its annual reporting to FTA as required at 49 CFR 674.39.~~ This review ~~and approval~~ process will support the consultation required between FTA and SSOAs regarding the staffing and qualification of the ~~SSOAs' employees and other~~ designated personnel in accordance with 49 U.S.C. 5329(e)(3)(D).

~~Recognizing that each rail fixed guideway public transportation system has unique~~

~~characteristics, each~~ (3) Each SSOA ~~will~~ shall identify the tasks related to reviews, inspections, examinations, and ~~audits, and all~~ other safety oversight activities requiring ~~sign-off~~ SSOA approval, which must be performed by the SSOA to carry out its safety oversight requirements, and identify the skills and knowledge necessary to perform each oversight task at that system. At a minimum, the technical training plan will describe the process for receiving technical training in the following competency areas appropriate to the specific rail fixed guideway public

transportation system(s) for which ~~safety audits~~reviews and ~~examinations are~~inspections conducted:

(A) Agency organizational structure

(B) Agency Safety Plan

(C) Knowledge of agency:

(I) Territory and revenue service schedules

(II) Current bulletins, general orders, and other associated directives that ensure safe operations

(III) Operations and maintenance rule books

(IV) Safety rules

(V) Standard Operating Procedures

(VI) Roadway Worker Protection

(VII) Employee Hours of Service and Fatigue Management program

(VIII) Employee Observation and Testing Program (Efficiency Testing)

(IX) Employee training and certification requirements

(X) Vehicle inspection and maintenance programs, schedules and records

(XI) Track inspection and maintenance programs, schedules and records

(XII) Tunnels, bridges, and other structures inspection and maintenance programs, schedules and records

(XIII) Traction power (substation, overhead catenary system, and third rail), load dispatching, inspection and maintenance programs, schedules and records

(XIV) Signal and train control inspection and maintenance programs, schedules and records

(4) The SSOA will determine the length of time for the technical training based on the skill level of the designated personnel relative to the applicable rail transit agency(s). FTA will provide a template as requested to assist the SSOA with preparing and monitoring its technical training plan and will provide technical assistance as requested. Each SSOA technical training plan that is submitted to FTA for review will:

(A) Require designated personnel to successfully:

(I) Complete training that covers the skills and knowledge needed to effectively perform the tasks.

(II) Pass a written and/or oral examination covering the skills and knowledge required for the designated personnel to effectively perform ~~his or her~~their tasks.

(III) Demonstrate hands-on capability to perform ~~his or her~~their tasks to the satisfaction of the appropriate SSOA supervisor or designated instructor.

(B) Establish equivalencies or written and oral examinations to allow designated personnel to demonstrate that they possess the skill and qualification required to perform their tasks.

(C) Require biennial refresher training to maintain technical skills and abilities, which includes classroom and hands-on training, as well as testing. Observation and evaluation of actual performance of duties may be used to meet the hands-on portion of this requirement, provided that such testing is documented.

(D) Require that training records be maintained to demonstrate the current qualification status of designated personnel assigned to carry out the oversight program. Records may be maintained either electronically or in writing and must be provided to FTA upon request.

Records must include the following information concerning each designated personnel:

(I) Name;

(II) The title and date each training course was completed ~~and~~, the proficiency test score(s), and the minimum passing score of the test, where applicable;

(III) The content of each training course successfully completed;

(IV) A description of the designated personnel's hands-on performance applying the skills and knowledge required to perform the tasks that the employee will be responsible for performing and the factual basis supporting the determination;

(V) The tasks the designated personnel are deemed qualified to perform; and

(VI) Provide the date that the designated personnel's status as qualified to perform the tasks expires, and the date in which biennial refresher training is due.

(E) Ensure the qualification of contractors performing oversight activities. SSOAs may use demonstrations, previous training and education, and written and oral examinations to determine if contractors possess the skill and qualification required to perform their tasks.

(F) Periodically assess the effectiveness of the technical training. One method of validation and assessment could be ~~through the use of~~ efficiency tests or periodic review of employee performance.

§ 672.23 Availability of records.

(a) Except as required by law, or expressly authorized or required by this part, a recipient may not release information pertaining to employees and contractors that is required by this part without the written consent of the individual.

(b) ~~Individuals~~Designated personnel are entitled, upon written request to the recipient, to obtain copies of any records pertaining to their training required by this part. The recipient shall

promptly provide the records requested by ~~designated~~ personnel and access shall not be contingent upon the recipient's receipt of payment for the production of such records.

(c) A recipient shall permit access to all facilities utilized and records compiled in accordance with the requirements of this part to the Secretary of Transportation, the Federal Transit Administration, or any State agency with jurisdiction over public transportation safety oversight of the recipient.

(d) When requested by the National Transportation Safety Board as part of an accident investigation, a recipient shall disclose information related to the training of ~~designated personnel~~ employees and contractors.

Subpart D— Compliance and Certification Requirements

§ 672.31 Requirement to certify compliance.

(a) A recipient of FTA financial assistance ~~described in~~ under 49 U.S.C. chapter 53 that is subject to the requirements of this part as specified in §672.3(b) shall annually certify compliance with this part in accordance with FTA's procedures for annual grant certification and assurances.

(b) A certification must be authorized by the recipient's governing board or other authorizing official and must be signed by a party specifically authorized to do so.