

UNITED STATES DEPARTMENT OF TRANSPORTATION

**Federal Transit Administration
[Special Directive No. 24-1, Notice No. 1]
Special Directive Under 49 U.S.C. § 5329 and 49 CFR Part 670
Required Actions to Protect Transit Workers
at the Southeastern Pennsylvania Transportation Authority**

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

SUMMARY: FTA issues Special Directive (SD) 24-1 to require the Southeastern Pennsylvania Transportation Authority (SEPTA) to address findings documented in FTA's Safety Management Inspection (SMI) report released on July 5, 2024. FTA conducted this SMI between August 10, 2023, and January 31, 2024, to assess an escalating pattern of safety incidents and concerns on SEPTA's rail transit and fixed-route bus transit system and to provide a roadmap to building a robust safety culture within the agency.

This Special Directive identifies four findings requiring actions that SEPTA must take to ensure safe working conditions for transit workers.

FOR FURTHER INFORMATION CONTACT: For program matters, Mr. Joseph DeLorenzo, Associate Administrator for Transit Safety and Oversight and Chief Safety Officer, telephone (202)-366-1783 or joseph.delorenzo@dot.gov; for legal matters, Ms. Emily Jessup, Attorney Advisor, FTA, telephone 202-366-8907 or emily.jessup@dot.gov.

SUPPLEMENTARY INFORMATION:

SEPTA is a regional public transportation authority created by the Commonwealth of Pennsylvania that operates rail transit, fixed-route bus, commuter rail, and electric trolleybus and oversees paratransit services for nearly four million people in the City of Philadelphia and the four surrounding counties. SEPTA is the sixth largest public transit system in the United States by ridership, and the largest in Pennsylvania.

FTA's SMI reviewed the operations and maintenance of SEPTA's heavy and trolley rail transit system, including the Market Frankford Line (MFL) subway-elevated, the Broad Street Line (BSL) subway, the Norristown High Speed Line (NHSL), and SEPTA's six subway-surface trolley and two suburban trolley lines. The SMI also reviewed the operations and maintenance of SEPTA's 126-route bus system but did not address SEPTA's commuter rail system, contracted paratransit service, or trackless trolleybus transit mode.

The SMI assessed the identified causes and contributing factors for recent safety events, the effectiveness of SEPTA's safety training programs, the level and quality of supervision provided for safety-critical activities, and the safety impacts of an increasing number of assaults on workers for SEPTA's transit workers and passengers.

FTA published the SMI report on July 5, 2024. In the report, FTA issued a total of 16 findings and 24 required actions addressed to SEPTA in three categories:

1. Category 1 – Transit Worker Safety
2. Category 2 – Capacity of SEPTA’s System Safety Division and Control Center to Ensure Safe Operations
3. Category 3 – Bus and Rail Transit Safety Issues Contributing to Safety Events

This Special Directive addresses Category 1 and is based on FTA’s determination that more needs to be done to ensure safe working conditions for transit workers on the SEPTA system.

Finding 1. SEPTA Must Expand Activities to Protect Transit Workers from Assault

FTA identifies assault on transit workers as a significant worker health and safety issue. A 2019 Federal Register notice¹ confirmed that transit agencies should manage the risk related to assaults on transit workers through the Safety Risk Management process required under the Public Transportation Agency Safety Plans (PTASP) regulation, 49 CFR Part 673. FTA defines assault on a transit worker as attacking a transit worker performing duties. This includes threats, harassment, spitting, physical strikes, and raising or using a weapon.

FTA reviewed SEPTA reports and assault data showing over 2,100 attacks on SEPTA workers since 2019, including verbal harassment and physical violence, and compared this data to national trends for context. Assaults on SEPTA workers increased from 98 in 2018 to 572 in 2023, a 484 percent increase. Tragically, in October 2023, while FTA was onsite, a SEPTA bus operator was shot and killed while providing passenger service, underscoring the urgency for action.

FTA interviewed SEPTA Transit Police Department (STPD) leadership and staff and interviewed numerous bus and trolley operators and other workers about their experiences with on-the-job assaults, unsafe conditions, and the impacts of SEPTA’s operating environment on safety in general. FTA rode the SEPTA system and inspected high-risk locations² identified by management and workers to directly observe safety risk faced by transit workers.

FTA confirmed that SEPTA workers experience among the highest incidents of transit worker assaults nationwide. The rise in antisocial behavior, opioid use, individuals sheltering in vehicles and in stations, and the presence of weapons creates workplace safety risks for transit workers and passengers. Assaults on SEPTA workers have caused fatalities, injuries, absences, and increased stress for the victims and their coworkers.

Additionally, SEPTA workers confirmed that the threat of violence in SEPTA’s operating environment causes them to rush, become distracted, and leave the organization in growing numbers, particularly in bus operations.

¹ See FTA’s [notice](#).

² Geographic areas or place where safety concerns for SEPTA workers are concentrated.

As noted in FTA’s report for the SEPTA SMI, SEPTA has implemented various measures, such as creation of the Safety, Cleaning, Ownership, Partnership, and Engagement (SCOPE) program, increased STPD resources, and support for the Hub of Hope, to address violent crime and antisocial behavior on its transit system. SEPTA has requested a whole-city policing solution from the City of Philadelphia, the Police Department, and the City Council to make SEPTA a higher priority for law enforcement. Despite these efforts, transit workers continue to experience harassment, threats, and physical assaults while providing passenger service.

FTA finds that more needs to be done to ensure safe working conditions for transit workers on the SEPTA system. A comprehensive plan addressing, at a minimum – a redesign of operator cabs for greater protection; enhanced coordination with law enforcement; expanded security patrols and presence on buses, at transfer centers, and end-of-line locations; increased support for SEPTA's SCOPE program, enhanced training for transit workers; expanded worker appreciation public education; and improved data collection and reporting on assault incidents – is needed to safeguard the welfare of employees on the SEPTA system from assault and intentional harm on rail transit and bus modes.

Finding 2. Clarification Needed to Ensure Frontline Transit Workers Understand Action They Must Take in Response to Fare Evasion

The SEPTA Operations Division, Customer Service Manual Rule requires bus and trolley operators to “check that a fare has been tendered and, if not, request the base fare” – a policy operators commonly call “check and request.” Interviews with bus and trolley operators noted that this policy often leads to confrontations with passengers, which creates the risk of assault and creates a hostile driving environment. Carrying out this policy can also affect passenger safety if an assault or confrontation occurs while passengers are boarding or exiting the vehicle or while the bus or a wheelchair lift is in motion.

While SEPTA’s leadership team indicated that this policy is no longer in effect, many transit workers believed this policy was still valid and that they were responsible for carrying it out. Further, transit workers reported that if they do not “check and request” or if they record too many fare evaders, they face discipline.

As a result, FTA finds that SEPTA must clarify expectations regarding the “check and request” policy and recording fare evasion. Removing conflicting, outdated policy directions that endanger operators should be an urgent priority. Expectations must be consistent across leadership and operating districts. Policies should minimize confrontation risk while supporting Authority revenue needs and customer service standards.

Finding 3. Limited Collection of Information on Operating Conditions that Lead to Safety Concerns for Frontline Workers

SEPTA collects information on assaults on and harassment of operators and on concerning passenger behaviors through SEPTA Operator’s Accident/Incident Form (Form 5039), police reports, and calls to the Control Center. Based on document reviews and interviews, these

methods, designed to serve functions other than collecting this critical information, are insufficient for capturing assault and safety risk data for transit workers.

FTA does not prescribe methods of data collection on assaults on transit workers other than the data must meet the requirements set forth by the NTD 2023 Safety & Security Reporting Policy manual. FTA does clarify that reports should contain enough detail to verify that a transit worker has been assaulted.

By not providing a form or tool for SEPTA workers to easily report instances of assault and threatening behavior in service, SEPTA is not collecting data critical to its efforts to improve the safety of transit workers. Reliance on inadequate forms and tools not only hinders data collection but also leaves operators feeling unheard and unsupported in dangerous or challenging situations.

FTA finds that, to properly assess and tackle these risks to the safety of SEPTA workers, a straightforward, tailored reporting system for assaults, harassment, and other concerning incidents to occur in service is required. Mechanisms should minimize operator burden while maximizing actionability for follow-up and prevention. Supervisors and SEPTA leadership must also reinforce that they value these reports to protect transit worker wellbeing and spur change.

Finding 4. Qualified Protection Employees Need Additional Training and Routine Evaluation to Ensure Their Capabilities to Protect Workers on the Rail Transit Roadway

Rail transit roadway workers face many on-the-job hazards from moving trains, electrified rails, and tight clearances in tunnels and elevated tracks. Weather, traffic, poor visibility, train speeds and short work windows can increase safety risk for workers. Transit agencies use various Roadway Worker Protection (RWP) programs to establish safety rules, training, communications protocols, and on-track protections that aim to safeguard workers. These programs are implemented, in part, by Qualified Protection Employees (QPEs) who set up roadway protections and work zones and monitor train movement and worker safety.

FTA's review of investigations into near misses and safety events at SEPTA related to the RWP program that occurred in 2022 and 2023 identified concerns regarding the capabilities of some QPEs to properly set up work zones to protect roadway workers. FTA found that the quality of QPE training and certification programs, as well as the effectiveness of on-going monitoring and evaluation of QPE performance do not ensure QPEs' capabilities to set up appropriate work zones in compliance with SEPTA's requirements. During interviews, FTA also confirmed that QPEs currently do not receive an annual field evaluation to ensure they have maintained their skills and mastered any new procedures or requirements reviewed through refresher training.

FTA finds that additional training and routine evaluation of QPEs would ensure their capability to protect roadway workers. Initial QPE training lacks hands-on practice and comprehensive testing, insufficient refresher training, and inconsistent instruction from different instructors. Additionally, the absence of annual field evaluations and periodic spot checks on QPEs' performance raises the risk of complacency, declining skills, and flawed application of safety

protections. A near miss incident during the SMI further emphasizes the need for proper QPE training and communication. Addressing these weaknesses in QPE training and evaluation is crucial to ensure the safety of roadway workers in the rail transit environment.

DIRECTIVE AND REQUIRED ACTIONS:

In accordance with 49 U.S.C. § 5329 and 49 CFR part 670, FTA directs SEPTA to take the following actions:

Category 1: Transit Worker Safety			
Findings		Tracking #	Required Actions
Finding 1	SEPTA Must Expand Activities to Protect Transit Workers from Assault	FTA-24-1-001-1	<p>Within 90 days of issuance of this report, SEPTA must develop an action plan that includes actions to be taken, required resources, dedicated funding sources, milestones to implement, and oversight activities to safeguard the welfare of transit workers on the SEPTA system from assault on rail transit and bus modes. At a minimum, this plan must consider the following:</p> <ul style="list-style-type: none"> • Redesign of operator cabs on buses and trolleys to provide greater protection for operators, to include current fleet cab changes, and what is to be required for the new trolleys and buses that are in the acquisition process. • Coordinated approach with local law enforcement for the management of silent bus alarm notifications to ensure rapid and coordinated response. • Enhanced approach to bus patrol and security for bus operators, including uniformed presence on buses and at transfer centers. • Enhanced approach to managing security for end-of-line locations on bus and rail transit, including uniformed presence. • Enhanced support for full build-out of SEPTA's SCOPE Program. • Enhanced training for SEPTA transit workers to equip them with the necessary skills to handle and prevent incidents of assault and harassment. • Public education campaign to raise awareness among passengers about the importance of maintaining a safe and respectful environment and importance of SEPTA

Category 1: Transit Worker Safety			
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			<p>transit workers for the region.</p> <ul style="list-style-type: none"> In coordination with Finding 3, enhanced data collection and reporting on incidents of assault to be regularly shared with relevant authorities to inform ongoing safety initiatives. <p>SEPTA must submit the action plan to FTA for review, approval, and implementation monitoring.</p>
		FTA-24-1-001-2	Beginning 30 days after FTA's approval of the action plan in Required Action FTA-24-1-001-1 (Finding 1, Required Action 1 of the SMI), SEPTA must provide monthly progress reports on its implementation of the action plan to FTA.
Finding 2	Clarification Needed to Ensure Frontline Transit Workers Understand Action They Must Take in Response to Fare Evasion	FTA-24-1-002	<p>Within 30 days of issuance of this report, SEPTA must issue a communication clarifying expectations for transit workers regarding the "Check and Request" practice, currently in SEPTA's Operator Rule Book, specific to the response to and recording of fare evasion. SEPTA leadership also must ensure that expectations are actively communicated to all SEPTA frontline transit workers and that SEPTA transit workers are provided the opportunity to ask questions.</p> <p>SEPTA must submit a draft of the communication to FTA for review and approval, the issued communication, documentation verifying dissemination of the communication to all frontline transit workers, and the mechanism used to discuss the communication and provide transit workers with the opportunity to ask questions and have them answered.</p>
Finding 3	Limited Collection of Information on	FTA-24-1-003-1	Within 60 days of issuance of this report, SEPTA must

Category 1: Transit Worker Safety			
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	Operating Conditions that Lead to Safety Concerns for Frontline Workers		conduct an analysis of the current process used to collect information from transit workers on assaults and safety concerns in passenger service, including use of Form 5039, calls to the Control Center, and other transit worker reporting programs. SEPTA must submit this analysis to FTA for review and approval. Within 30 days of FTA approval of the analysis, SEPTA must develop an action plan and implementation schedule to improve collection of this information from transit workers. SEPTA must submit the action plan and implementation schedule to FTA for review, approval, and implementation monitoring.
		FTA-24-1-003-2	Within 90 days of issuance of this report, SEPTA must begin conducting monthly analysis of the information provided by SEPTA workers on assaults and safety concerns in passenger service. FTA expects that monthly reporting will improve in detail as the action plan in Required Action FTA-24-1-003-1 (Finding 3, Required Action 4 of the SMI) is implemented. SEPTA must share the results of its analysis monthly with SEPTA Police and SEPTA Transit Managers for action and submit the monthly results to FTA.
Finding 4	Qualified Protection Employees Need Additional Training and Routine Evaluation to Ensure Their Capabilities to Set Up Worker Protection	FTA-24-1-004	Within 60 days of issuance of this report, SEPTA must conduct an analysis of training, qualification, and routine evaluations provided to Qualified Protection Employees and develop an action plan and implementation schedule to ensure and continuously evaluate the capabilities of Qualified Protection Employees in setting up protections to provide transit worker safety in accordance with SEPTA's on-track safety program. SEPTA must submit the analysis, action plan

Category 1: Transit Worker Safety			
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			and implementation schedule to FTA for review, approval, and implementation monitoring.

In accordance with the timeframes specified above, SEPTA must submit the required plans to FTA that demonstrate the specific actions SEPTA will take to address the required actions specified in this Special Directive and propose a milestone schedule for completing each activity; identify the responsible parties for each action and their contact information; and the verification strategy for ensuring the completion of required work.

FTA will review and approve (with revisions as necessary) SEPTA's plan(s) and will monitor SEPTA's progress in resolving each finding and required action. FTA will conduct scheduled meetings with SEPTA to review its progress until such time as FTA determines that these meetings are no longer needed or may be conducted with less frequency.

PETITIONS FOR RELIEF OR RECONSIDERATION

As set forth in 49 CFR § 670.27(d), SEPTA has 30 calendar days from the date of this Special Directive to petition for reconsideration with the FTA Acting Administrator. The petition must be in writing and signed by the SEPTA Accountable Executive or equivalent entity and must include a brief explanation of why SEPTA believes the Special Directive should not apply to it or why compliance with the Special Directive is not possible, is not practicable, is unreasonable, or is not in the public interest. In addition, the petition may include relevant information regarding the factual basis upon which the Special Directive was issued, information in response to any alleged violation or in mitigation thereof, recommend alternative means of compliance for consideration, and any other information deemed appropriate. Unless explicitly stayed or modified by the Acting Administrator, this Special Directive will remain in effect and must be observed pending review of a petition for reconsideration.

Within 90 days of receipt of the petition, the Acting Administrator will provide a written response. In reviewing the petition, the Acting Administrator shall grant relief only where SEPTA has clearly articulated an alternative action that will provide, in the Acting Administrator's judgment, a level of safety equivalent to that provided by compliance with this Special Directive. In reviewing any petition for reconsideration, the Acting Administrator shall grant petitions only where SEPTA has clearly articulated legal or material facts not in evidence at the time of this Special Directive.

ENFORCEMENT

FTA may take enforcement action for any violation of this Special Directive or the terms of any written plan adopted pursuant to this Special Directive in accordance with FTA's authorities under 49 U.S.C. § 5329, including but not limited to (1) directing SEPTA to use Federal financial assistance to correct safety deficiencies; (2) withholding up to 25 percent of financial assistance to SEPTA under 49 U.S.C. § 5307; and (3) issuing restrictions or prohibitions as necessary and appropriate to address unsafe conditions or practices that present a substantial risk of death or personal injury.

Issued on: July 5, 2024

A handwritten signature in black ink that reads "Matthew J. Welbes". The signature is written in a cursive style with a horizontal line underneath the name.

Matthew J. Welbes
Executive Director
Federal Transit Administration
U.S. Department of Transportation