

UNITED STATES DEPARTMENT OF TRANSPORTATION

Federal Transit Administration [Special Directive No. 24-2, Notice No. 1] Special Directive Under 49 U.S.C. § 5329 and 49 CFR Part 670 Required Actions to Improve the Capacity of the Southeastern Pennsylvania Transportation Authority's System Safety Division and Control Center to Ensure Safe Transit Operations

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

SUMMARY: FTA issues Special Directive 24-2 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 two findings requiring actions that SEPTA must take to strengthen its System Safety Division resources and capabilities and to address resourcing, scheduling, training, and evaluation challenges within SEPTA's Bus and Rail Transit Control Centers.

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.

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 2 and is based on FTA’s determination that more must be done to strengthen the resources and capabilities of SEPTA’s System Safety Division to lead the implementation of Safety Management System (SMS) Authority-wide, as required in 49 CFR Part 673, to respond to oversight actions from PennDOT, and to identify and address new and emerging safety issues.

This Special Directive also addresses resourcing, scheduling, training, and evaluation challenges within both SEPTA’s Bus and Rail Transit Control Centers, including the lack of adequate resources to dispatch rail and bus transit service, the lack of a formal evaluation program for controllers to evaluate and demonstrate skills and capabilities, and the lack of dedicated training resources available to support controller training and qualification.

Finding 1. Insufficient Resources in SEPTA’s System Safety Division to Lead SMS Implementation, Address PennDOT Program Requirements, and Identify and Resolve New and Emerging Safety Concerns

SEPTA’s System Safety Division plays a pivotal role in ensuring passenger and transit worker safety and well-being. However, FTA finds that the Division is significantly understaffed, and this shortage of personnel poses a serious challenge in addressing safety issues within the Authority.

SEPTA’s overall safety staffing lags considerably behind the industry average for a system of its size and complexity. Transit peers such as the Chicago Transit Authority, the Massachusetts Bay Transportation Authority, the Metropolitan Atlanta Rapid Transit Authority, and the Washington Metropolitan Area Transit Authority in Washington, D.C., have more than double the number of SEPTA’s safety staff.

SEPTA System Safety Division has not been able to meet the requirements of PennDOT’s oversight program with on-time and quality deliverables. While the Authority is working to build capacity in accident investigation, management of corrective action plans, and the conduct of internal safety audits, inspections, and reviews, additional resources are necessary to ensure these critical capabilities. Further, SEPTA’s new SMS department is not yet formalized and contains just one dedicated full-time member.

FTA finds that with its limited resources, SEPTA’s executive leadership team has not ensured that the necessary resources and structures are in place to support effective implementation and operation of its SMS per 49 CFR § 673.21. This lack of resources significantly impacts SEPTA’s

SMS implementation, safety risk analysis tools and capabilities, and safety event investigation process. SEPTA's SMS effort and safety programs must be robustly resourced and supported at the highest level of the organization to manage the Authority's transition to this safety management approach.

FTA finds that additional resources in SEPTA's System Safety Division would lead to enhanced SMS Implementation and allow SEPTA to address PennDOT program requirements and identify and resolve new and emerging safety concerns.

Finding 2. SEPTA's Control Center Is Not Resourced to Meet Service Levels, Has No Dedicated Training Function, and Does Not Use Industry Standard Rules Reviews and Scenario Testing Activities

SEPTA's Operations Control Center (OCC) personnel coordinate all rail and bus transit vehicle movements throughout the system. OCC personnel monitor the entire fleet, communicate schedules and service changes with vehicle operators, coordinate responses to disruptions, and manage incidents.

SEPTA's OCC is operating significantly below its budgeted staff positions. This situation requires forced overtime from available controllers to cover shifts and often results in Assistant Directors, who should be supervising the OCC, dispatching service. It also requires trainees to cover shifts designed for fully qualified controllers. Documentation provided by SEPTA during the SMI showed an almost 16-percent vacancy rate. This is further exacerbated by the staffing plan for the OCC, which is designed to cover all holidays, vacations, and sick time with overtime, as opposed to dedicated relief personnel.

Insufficient staffing within a transit control center introduces risks that can directly impact safety within the transit environment. Unpredictable and long working hours can result in fatigue, loss of situational awareness, and delayed reactions that undermine safe decision-making and communication in normal and emergency situations.

Under resourcing also hampers the ability of the OCC to dedicate staff time to core safety assurance functions like rules compliance monitoring, operational testing, oversight of corrective actions, and ongoing controller skills evaluation and training. Further, lack of personnel to dispatch and supervise service during off-peak periods may leave the Authority unable to safely manage response to accidents, emergencies, weather-related events, and abnormal occurrences that occur during these periods.

SEPTA's OCC also does not have a dedicated trainer for the control center. Without a dedicated trainer, qualified controllers and Assistant Directors must provide on-the-job training. Investing in skilled trainers for control center roles allows transit agencies to instill safety behaviors from day one and ensure controllers are fully prepared before being independently responsible for service coordination. The depth of experience needed to orchestrate transit operations requires an equivalent commitment to resourcing training programs.

In addition, SEPTA also is not able to use industry standard rules reviews and scenario testing activities¹ to assess dispatcher and controller performance. Rules reviews, scenario testing, and performance evaluations of rail controllers are critical for several key reasons including, validating skills and ensuring comprehension of the procedures.

FTA finds that additional resources in the OCC, including dedicated training functions, would improve the ability of the OCC to dedicate staff time to core safety assurance functions like rules compliance monitoring, operational testing, oversight of corrective actions, and ongoing controller skills evaluation and training.

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:

¹ See APTA-RT-OP-S-005-03 Rev 3, “Operations Control Centers” (July 6, 2018).
Federal Transit Administration July 5, 2024

Category 2: Capacity of SEPTA’s System Safety Division and Control Center to Ensure Safe Operations

Findings		Tracking #	Required Actions
Finding 1	Insufficient Resources in SEPTA’s System Safety Division to Lead SMS Implementation, Address PennDOT Program Requirements, and Identify and Resolve New and Emerging Safety Concerns	FTA-24-2-001	Within 60 days of issuance of this report, SEPTA must revise its System Safety Division workforce assessment to focus on SMS implementation, including needed improvements in Safety Risk Management and Safety Assurance activities, compliance with PennDOT SSO program requirements, and SEPTA’s capacity to address new and emerging safety issues. The workforce assessment also must address formalizing and fully staffing SEPTA’s new SMS department within the System Safety Division to expedite SEPTA’s SMS implementation and submit the workforce assessment 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 address the results of the workforce assessment and submit to FTA for review, approval, and implementation monitoring.
Finding 2	SEPTA’s Control Center Is Not Resourced to Meet Service Levels, Has No Dedicated Training Function, and Does Not Use Industry Standard Rules Reviews and Scenario Testing Activities	FTA-24-2-002-1	Within 60 days of issuance of this report, SEPTA must conduct a workforce assessment regarding personnel resources in the rail and bus transit OCCs required to dispatch, supervise, and ensure safety of fixed-route bus and rail transit service and submit to FTA for review and approval. Within 30 days of FTA approval of the assessment, SEPTA must develop an action plan and implementation schedule to address its findings. FTA expects that SEPTA may have to adjust service levels or engage in hiring to address the results of this assessment. SEPTA must submit the action plan and implementation schedule to FTA for review, approval, and implementation monitoring.

		FTA-24-2-002-2	Within 90 days of issuance of this report, SEPTA must establish a formal evaluation program for dispatchers and controllers. SEPTA must consider incorporating industry standard rules reviews and scenario testing activities to assess the performance of its dispatchers and controllers. SEPTA must submit this program to FTA for review, approval, and implementation monitoring.
		FTA-24-2-002-3	Within 120 days of issuance of this report, SEPTA must develop an action plan and implementation schedule to establish dedicated training resources for rail and bus transit controllers at the Control Center. SEPTA must submit the action plan 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 what 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



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