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Transit Safety and Oversight Spotlight Newsletter

October 2024
Vol. 9 No. 10



U.S. Department of Transportation
Federal Transit Administration

Message from the Associate Administrator

Dear Transit Colleagues:

October is National Cybersecurity Awareness Month and FTA is excited to participate. As technology continues to advance, increased vigilance is required. Please see our [Cybersecurity Resources for Transit Agencies website](#) for additional resources and the [Cybersecurity Assessment Tool for Transit \(CATT\)](#). On October 29, 2024, FTA will host a Cybersecurity webinar providing the opportunity to hear from transit agencies on best practices and provide information to transit agencies on the Department's cyber initiatives, followed by a Q&A session. Please [register](#) to participate.

It's also important to note that on October 18, 2024, FTA [published](#) updates to the [State Safety Oversight \(SSO\) regulation](#) in the [Federal Register](#). These updates implement Bipartisan Infrastructure Law requirements, remove outdated references, clarify existing requirements, and simplify the two-hour safety event notification process. These are the first updates to the regulation since FTA published the SSO rule in 2016, which required all States with rail transit systems to establish an FTA-certified SSO program by April 15, 2019. In 2021 the Bipartisan Infrastructure Law amended FTA's safety program by adding additional SSO requirements at 49 U.S.C. 5329(k). FTA will hosted a webinar on October 30, 2024 on the updates to the SSO regulation requirements. Visit the [TSO website](#) to view the materials.

In addition to the SSO rulemaking, on October 31, 2024, FTA published a final rule for [Rail Transit Roadway Worker Protection \(RWP\)](#) in the [Federal Register](#). Rail transit agencies (RTAs) nationwide will have one year to create a roadway worker protection program geared towards personnel who work on or around the tracks and receive State Safety Oversight Agency (SSOA) approval on such program. The rule also required RTA's to implement comprehensive training for workers to ensure that unsafe acts and conditions are reported. The safety of our transit workers is of paramount importance, and existing industry practices do not adequately protect from the risk of being killed or seriously injured while performing work. Additionally, both the National Transportation Safety Board (NTSB) and FTA's Transit Advisory Committee for Safety (TRACS) have recommended regulatory action to address rail transit worker roadway safety. On November 19, 2024, FTA will host a webinar to provide more information on this final rule. Please [register](#) to participate.

As a reminder, on September 25, 2024, FTA finalized [General Directive 24-1: Required Actions Regarding Assaults on Transit Workers](#). On October 15, 2024, FTA hosted a webinar to provide more information about the General Directive and reporting requirements. View the [presentation](#) and [recording](#) here.

Thank you for your continued engagement to ensure the furthering of our shared safety mission.

Sincerely,
Joe



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

FTA at Recent Transit Industry Events

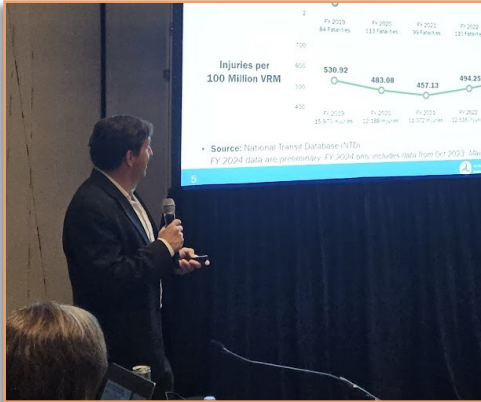
In September, FTA virtually presented at the National Capital Region Transportation Planning Board's Regional Public Transportation Subcommittee hosted by Metropolitan Washington Council of Governments. FTA's Stewart Mader, Senior Program Analyst for Safety Policy provided remarks.

This month, FTA attended the [American Public Transportation Association \(APTA\) TRANSform Conference](#) in Anaheim, California.

FTA's Associate Administrator and Chief Safety Officer Joe



OLI See Tracks Think Train Week Safety Blitz Event at Alexandria Amtrak Station.



Associate Administrator Joe DeLorenzo presenting on the state of bus and rail transit safety at APTA TRANSform in Anaheim, California.

DeLorenzo presented at

the Safety Coordinating Council on the state of bus and rail transit safety, FTA safety regulatory activity, risk-based inspection (RBI) program and upcoming workshops and training opportunities. FTA's Chief of the Safety Policy and Promotion Division, Jeremy Furrer and Joe DeLorenzo hosted an FTA Safety Rules Meeting to discuss recent safety policy updates, regulatory actions and to respond to questions. Additionally, FTA's Chief of the Safety Assurance and Risk Management Division, Ivey Glendon, presented at the Data-Driven Safety: Implementing Safety Management Systems (SMS) workshop, highlighting SMS and data management.

Following APTA TRANSform, FTA's Director of System Safety, Paulina Seider, provided remarks at the 2024 American Association of State Highway and Transportation Officials (AASHTO) State Safety Summit and Peer Exchange in Houston, Texas. Remarks focused on how FTA continues to strengthen partnerships with state DOTs to improve safety outcomes.

Connecting with transit agencies and other stakeholders at transit industry events provides FTA with additional opportunities to better support the needs of our industry and share progress and updates on safety and oversight initiatives. FTA looks forward to continuing to meet with stakeholders at conferences including the Women in Rail Conference hosted by Railway Age and RT&S, the 2024 Ohio Needs Transit Conference & OPTA Expo and the APTA Safety & Risk Management Seminar.

Visit the FTA [website](#) to see the presentations from these events and other FTA conference presentations.



Division Chief for Safety Assurance and Risk Management, Ivey Glendon presenting at APTA TRANSform in Anaheim, California.

Advancing Safety Risk Management and Safety Assurance

November 21-22, 2024
January 14-15, 2025



REGISTER NOW

FTA Finalizes Regulation to Strengthen State Safety Oversight

As the U.S. Department of Transportation continues to focus on strengthening transportation safety, FTA has finalized requirements that strengthen the role of State Safety Oversight Agencies (SSOAs), the state agencies created to oversee rail transit in the United States. The [final rule](#), published on October 18, 2024, implements Bipartisan Infrastructure Law requirements that will reduce safety risks throughout the industry by requiring SSOAs to conduct inspections of rail transit agencies without warning and requiring SSOAs to include inspection programs in their program standards and collect metrics and data that better explain rail transit safety.

“We are making rail transit even safer for both transit workers and riders,” said FTA Deputy Administrator Veronica Vanterpool. “Providing oversight agencies with the necessary tools to do their jobs effectively is crucial. This rule reinforces FTA’s ongoing comprehensive efforts to improve transit safety.”

In 2016, FTA published the [State Safety Oversight \(SSO\) Final Rule](#) requiring states with rail transit systems to establish an FTA-certified SSO program within three years. Following that rule, all 31 [SSOAs](#) were certified by April 2019.

The updates allow SSOAs to enter rail transit facilities without prior notice to perform safety inspections and require them to:

- Collect data to identify and evaluate safety risks and prioritize inspections.
- Develop and implement a risk-based inspection program (RBI) for the RTAs they oversee. (FTA previously communicated this requirement through [Special Directives](#) to each SSOA in October 2022.)

The final rule also removes outdated references and clarifies existing requirements by:

- Simplifying requirements for the types of safety events that RTAs must report to their SSOA and FTA within two hours of occurrence.
- Updating terminology to reflect current use, such as using "safety event" to replace "accident" or "incident."

The final rule also clarifies the requirement for SSOAs to oversee RTA’s internal safety reviews including:

- The SSOA’s authority to oversee the safety of rail transit projects in the engineering and construction phase of development, not just those in revenue service.
- When a Corrective Action Plan is required.
- Reinforcing SSOAs’ authority to ensure RTAs comply with the [Public Transportation Safety Certification Training Program \(PTSCTP\)](#). The SSO program standard must explain how the SSOA will ensure that the RTA satisfies the PTSCTP requirements, including the RTA’s designation of personnel and the RTA’s identification of refresher training.
- The option for SSOAs to issue interim audit reports for RTAs when conducting a triennial review of that agency over a three-year period, versus conducting a full audit once every three years.

FTA will hosted a webinar on October 30, 2024, providing more information about the SSO rulemaking updates. Please visit the [TSO Webinars website](#) to view the presentation and recording.

FTA Issues Rail Transit Roadway Worker Protection Final Rule

On October 31, 2024, FTA announced the final rule for [Rail Transit Roadway Worker Protection \(RWP\)](#) in the [Federal Register](#) to improve safety for transit workers who access rail tracks by setting mandatory standards to protect them as they perform track work. Under this rule, transit agencies nationwide have one year to establish a roadway worker protection program that is focused on employees who work on or around the tracks, and approved by their respective Safety Oversight Agency (SSOA). Agencies are also required to implement comprehensive training for workers and ensure that unsafe acts and conditions are reported.

Unsafe practices and conditions place rail transit workers at risk of being killed or seriously injured. According to data reported in the National Transit Database (NTD), between January 1, 2008, and June 30, 2024, 29 workers were killed and 144 workers were seriously injured in transit track work safety events. The National Transportation Safety Board (NTSB) and FTA's Transit Advisory Committee for Safety both have recommended regulatory action to address rail transit worker safety.

"Today's action provides greater protection to workers on our nation's subway, light rail, and trolley systems. The final rule protects workers who access the rail tracks and promotes a safe work environment for all employees of rail transit systems," said FTA Deputy Administrator Veronica Vanterpool. "This final rule will save lives and will ensure that our transit workers, who work tirelessly to maintain our rail transit systems nationwide, get home safely each day to their families and loved ones."

The final rule creates the following requirements for RTAs:

- Adopt and implement an SSOA-approved RWP Program to improve worker safety, consistent with Federal and state safety requirements. "Roadway" is a term describing the area on and along the tracks.
- Establish minimum RWP program elements, including job safety briefings and lone worker protection.
- Create or update safety manuals to document RWP programs and include a track access guide.
- Establish an RWP training program that addresses all transit workers responsible for on-track safety by position.

The final rule requires SSOAs to review and approve worker protection program elements, monitor implementation and conduct annual audits to ensure compliance.

In March 2024, FTA issued the [RWP Notice of Proposed Rulemaking \(NPRM\)](#) in the Federal Register seeking public comment. In response to the NPRM, FTA received more than 7,000 comments.

FTA will host a webinar on November 19, 2024 at 2:00 p.m. ET to provide more information about the RWP final rule. Please [register](#) to attend.

NEW: FTA Issues Safety Advisory 24-1

On October 16, 2024, FTA [issued](#) Safety Advisory 24-1, alerting transit agencies that Phoenix Motorcars (doing business as PhoenixEV) has issued a recall for certain Proterra-built buses that could be at risk of overheating or fire if an important software update is not installed. FTA issued Safety Advisory 24-1: Proterra Bus/Phoenix Motorcars Safety Recall to the transit industry to help communicate broadly about the overheating issue and solution. See [FTA's website](#) for more information on Safety Advisory 24-1.

Oklahoma Transit Association Receives USDOT Combating Human Trafficking in Transportation Impact Awards Grant

To advance innovative and shareable solutions to combat human trafficking in the transportation sector, the USDOT is proud to administer its annual \$50,000 Combating Human Trafficking in Transportation Impact Awards. Secretary Buttigieg awarded the Oklahoma Transit Association for expanding their “Rolling Oklahoma Classroom” (ROC) to provide regional access through their mobile human trafficking awareness vehicle in eight surrounding states to raise awareness for rural and tribal communities.



In July, the USDOT marked [UN World Day Against Trafficking in Persons](#) amid ongoing efforts to ensure that counter-trafficking public awareness and outreach materials for the transportation sector are trauma-informed, survivor-centered and culturally responsive.

Human trafficking is a crime that involves the use of force, fraud, or coercion to obtain labor or a commercial sex act. The 2021 National Outreach Survey on Transportation found that 81 percent of 107 survivors of human trafficking utilized transportation during their recruitment, 76 percent used transportation during the course of their exploitation, and 52 percent stated that transportation facilitated their exit or escape from their trafficking situation.

The ROC bus is designed to enhance awareness of public transit options in rural, tribal, and urban communities. It will also provide hands-on safety and security training for transit workers and address human trafficking awareness and prevention across the state. It is available to every community, tribal nation, and public event in Oklahoma by request and at no cost. Organizations interested in requesting a ROC visit may to complete the [request form](#).



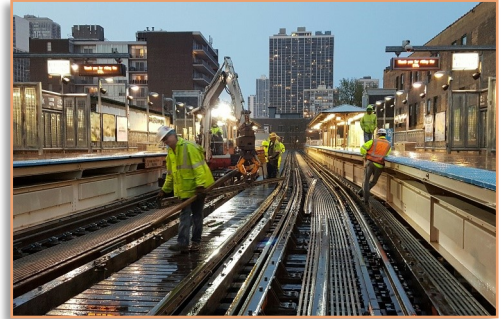
National Roadway Safety Strategy Allies in Action Virtual Series Webinar Recap

On September 12, FTA Division Chief for Safety Assurance and Risk Management Ivey Glendon and Transportation Data Analyst Gibran Abifadel participated in the National Roadway Safety Strategy (NRSS) Webinar facilitating discussions around data. Specifically, FTA covered approaches for using data for roadway safety purposes, turning data analysis into action, identifying and recognizing benefits from actions taken, current challenges, qualitative data leveraged for storytelling and partner organizations or entities that participated in data-related activities.

FTA encourages you to join the campaign and the growing list of “Allies in Action” from transit and beyond, by visiting the [NRSS Call to Action webpage](#).

Fiscal Year 2025 Transportation Safety Institute (TSI) Safety Training Available

[Registration](#) is open for the Transportation Safety Institute's (TSI) Fiscal Year (FY) 2025 safety training courses for transit personnel. These courses also support FTA grantees subject to the [Public Transportation Safety Certification Training Program \(PTSCTP\) regulation](#) with initial training and recertification training requirements. The FY25 safety training schedule offers some additional face-to-face deliveries.



- [FTA Safety Training Page](#) — outlines training requirements and available training courses. Contact FTASafetyPromotion@dot.gov 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 FY25 training delivered by TSI.
- [TSI Course Schedule](#) — includes TSI safety training courses for transit personnel to support FTA grantees subject to the [PTSCTP](#) regulation with initial training and recertification 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. Contact TSI at TSI@dot.gov 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 [Bipartisan Infrastructure Law requirement](#) for de-escalation training. Contact NTI at nti_info@nti.rutgers.edu or 848-932-1700 with any questions.

FTA Acknowledges Pedestrian Safety Month

October marks National Pedestrian Safety Month at the U.S. Department of Transportation. This month observes everyone's right of travel to and from their destinations safely and reminds drivers of their responsibility to stay alert for pedestrians, cyclists, and other vulnerable road users. FTA acknowledges that to have an effective transportation system, we must ensure safety from door to destination.

On September 10, 2024, FTA hosted the [Virtual Public Roundtable on Bus Safety and Design Impacting Operator Visibility](#) in conjunction with transit bus manufacturers, transit bus agencies and the transit industry to discuss safety and elements of transit bus design that impact operator visibility. FTA facilitated a discussion among manufacturers, transit agencies, labor unions and transit industry stakeholders on the efforts needed to improve bus operator visibility through bus safety designs.

In addition to the roundtable, additional resources include the [Improving Safety for Pedestrians and Bicyclists Accessing Transit Guide](#), produced by FTA and the Federal Highway Administration in 2022 for transit agencies, state and local roadway owners and regional organizations to address pedestrian and bicycle safety concerns related to accessing transit. Notably, in 2023, FTA issued [Safety Advisory 23-1: Bus-to-Person Collisions](#) recommending that transit agencies that provide bus service consider mitigation strategies to reduce bus-to-person collisions to help reduce the likelihood and severity of bus collisions with pedestrians, bicyclists and micro mobility users. Please visit the [TSO website](#) for additional resources and questions regarding pedestrian safety in transit.

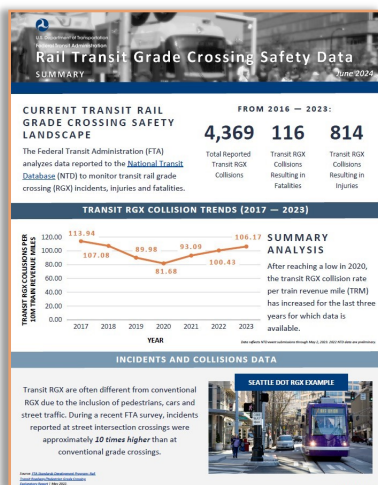
IN CASE YOU MISSED IT: TSO's September 2024 Recap

FTA published additional resources and guidance last month to enhance safety and further our shared safety mission. In case you missed it, see the resources below are available for sharing across your networks.

- [Rail Grade Crossing \(RGX\) Fact Sheet](#) communicating the current transit RGX safety landscape, transit RGX collision trends and incidents and collisions data. FTA analyzes data reported to the National Transit Database (NTD) to monitor transit RGX incidents, injuries and fatalities.
- See Tracks? Think Train® Week Video Messages: [FTA's Deputy Administrator, Veronica Vanterpool](#) and Office of Transit Safety and Oversight [Associate Administrator, Joe DeLorenzo](#) share safety tips to keep in mind at RGX in support of [Operation Lifesaver, Inc.'s \(OLI\) See Tracks? Think Train® Week!](#)



FTA employees gather for a photo at US DOT HQ to participate in Red Out For Rail Safety on Friday, September 27, 2024.



TSO's newly published Rail Grade Crossing (RGX) Fact Sheet now available for transit agencies.

- FTA partnered with the Federal Motor Carrier Safety Administration (FMCSA) to promote RGX safety. The agencies developed a [video](#) to highlight best practices for motorists, transit riders and pedestrians to keep people safe where trains are present. #dontgetsideTRACKed
- FTA hosted a Spotlight on Rail Transit Safety Webinar to discuss the importance of making safe choices when driving or walking near rail tracks and trains. FTA provided an overview and participants viewed a presentation by the New Center for Advanced Infrastructure and Transportation (CAIT) at



OLI Executive Director, Rachel Maleh and FTA Associate Administrator, Joe DeLorenzo pose for a photo at an OLI event in Alexandria, Virginia.

Rutgers University. The webinar also featured a guest speaker from Hampton Roads Transit who discussed their agency's efforts to promote safe behaviors around their light rail system and the non-profit, OLI discussed safety education and outreach to transit riders and available transit agency resources. You can view the [presentation](#) and [recording here](#).

Meet the Transit Advisory Committee for Safety Member: Joe D’Elia

The [Transit Advisory Committee for Safety \(TRACS\)](#) 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.

Joe D’Elia

President, Transportation Workers Union of America Local 291 AFL/CIO

What is your background with the transit industry? I started as a “Utility” worker (maintained facility) at New York Bus Service (now MTA Bus) in 1998. Then, I became active with Transport Workers Union (TWU) Local 100 as an Assistant Shop Steward. I moved to Miami in 1999 and started with the Department of Transportation and Public Works as a Bus Operator in 2003 (current classification). In 2012, I was appointed Shop Steward for TWU Local 291. In 2015, I was elected Assistant Chief Shop Steward. In 2018, I was elected Executive Vice President for two (2) terms. In August of this year, I was elected as President of the Local. I was also appointed to the Executive Board of TWU International in 2022.



Why did you join TRACS? I joined TRACS knowing that with my experience, both as a Bus Operator and a Union official, I could hopefully give frontline knowledge and opinion of safety issues that plague not only our department, but employees around the country.

What do you look forward to most as part of TRACS? The most important thing I look forward to as a part of TRACS is having an active role in making recommendations to the FTA. That would make the job of my brothers and sisters in the industry safer as well as making the systems safer for the ridership.

What was your first time using public transit like? The first time I used public transit was as a child in New York City. I remember getting “bit” with the transit bug looking out the front window of the train. From that point I wanted to be a Train Operator. That is the goal, even if I do it for a short time in Miami before I retire.

What has been your biggest achievement to date? My biggest achievement to date must be gaining the unwavering trust of my members over the last twelve (12) years for them to elect me to the presidency of the Local. They trust me enough to make the right decisions that will make their jobs safer, as well as to negotiate the benefits that make their jobs more rewarding.

What made you interested in pursuing a career in public transportation safety? What made me want to pursue a career in public transportation safety was knowing that what I was seeing out there as an employee was not necessarily the safest way to do the job. I knew that if I had a chance to possibly change the way management dealt with safety and security, it would be highly beneficial to management, the employees and the riding public.

**FTA seeks
TRACS members**
.....



**Apply to join
the committee**

FTA Drug and Alcohol Regulation Updates: September 2024

FTA's Drug and Alcohol Program issues a [quarterly newsletter](#) that covers important or timely topics. You can read the September 2024 Drug & Alcohol Regulation Update newsletter [here](#). Below are a few topics of this quarter's articles:

Post-Accident Drug and Alcohol Testing Thresholds

Post-accident drug and alcohol tests can only be done under FTA authority if the following thresholds are met:

- An individual dies;
- An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident, and the employee's performance cannot be completely discounted as a contributing factor to the accident;
- A vehicle (including a non-transit vehicle) incurs disabling damage as the result of the occurrence, in which the public transportation vehicle involved is a bus, electric bus, van, or automobile, and is transported away from the scene by a tow truck or other vehicle, and the employee's performance cannot be completely discounted as a contributing factor to the accident; or
- A railcar, trolley car, trolley bus, or vessel is removed from operation, and the employee's performance cannot be completely discounted as a contributing factor to the accident.

Other criteria, such as the dollar amount of damages, law enforcement direction, or insurance agency requirements do not meet the thresholds for FTA post-accident testing. Employers may only conduct FTA post-accident testing if a situation meets one of the above criteria. Employers may set their own standards for post-accident testing. However, these tests are not FTA-authorized post-accident tests unless a threshold is met, and must be conducted under employer authority. It is critical the employee(s) responsible for determining whether to test documents the decision-making process for drug and alcohol testing records.

For more information about FTA post-accident testing, please visit the [Tools and Resources page](#).

Responsibility to Check DOT Drug and Alcohol Testing Records

49 CFR 40.25 requires all employers to check DOT drug and alcohol testing records of employees they are intending to have perform safety-sensitive positions. FTA auditors have observed that while many employers perform the required elements of 40.25(a)-(i), employers often fail to meet the requirements of subsection, 40.25(j). 49 CFR 40.25(j) requires employers to ask each applicant whether they have tested positive or refused to test on any DOT pre-employment drug or alcohol tests administered by a covered employer within the previous two years. This record check must also be performed whenever an existing non-safety-sensitive employee is transferring to a safety-sensitive position. FTA has a compliance form available on its website, which can be used to meet this requirement.

FTA Employee Spotlight: Tina Bartholomew

Safety Risk Manager, Office of System Safety, Office of Transit Safety and Oversight, FTA



Tina Bartholomew

Safety Risk Manager, Office of
System Safety, Office of Transit
Safety and Oversight, FTA

How would you explain your job to someone you have never met? I am a Safety Risk Management Program Manager, covering FTA-funded transit agencies across the nation.

What were you doing prior to this role? Prior to this role I worked for TriMet as the Manager of Safety Systems. I was responsible for a team that focused on Safety Management Systems (SMS) policy, SRM, and Promotion, supporting a hazard-based approach to identifying and mitigating safety risks.

What is your favorite moment of your professional career so far? Working at Utah Transit Authority (UTA) with the FTA Safety Research Demonstration grant to identify strategies to prevent and mitigate suicides along UTA's FrontRunner commuter rail & TRAX light rail corridors, and working with the Utah Department of Health and Human Services to campaign for mental health awareness and suicide prevention.

What is your favorite form of public transportation? Why? Rail in general because it is a fascinating technology with a storied history. Rail significantly impacted the development of modern society by revolutionizing transportation, enabling rapid growth, and reshaping the landscape of our nation. Rail also continues to utilize much of its original technology such as the Bessemer process for steel rails, air brakes, and cog systems.

What was your first time using public transit like? I used public transportation, express bus, to get to concurrent enrollment classes while I was in high school.

What people or experiences have shaped you? Being in the military had a concrete and positive impact during my early adult years, and it is where I met my husband. I also appreciate the managers I've had over the years who supported me and acted as mentors.

What movie or TV show could you watch on a loop? Why? The Princess Bride, it has everything, fencing, fighting, torture, revenge, giants, monsters, chases, escapes, true love, miracles! Appropriate to share with any audience.

What are the saved weather locations in your phone? Portland, Oregon; Salt Lake City, Utah; Saint Louis, Missouri; New Orleans, Louisiana. Mostly where I live and where my family members live.



U.S. Department of Transportation
Federal Transit Administration

Federal Transit Administration
Office of Transit Safety and Oversight
1200 New Jersey Avenue SE
Washington, DC 20590

Access the [FTA Transit Safety and Oversight Spotlight Newsletters](#).

Upcoming FTA TSO Office Speaking Engagements

[National Transit Workforce Conference](#)

November 11–13, 2024 | Baltimore, MD

[2024 Ohio Needs Transit Conference & OPTA Expo](#)

November 18–20, 2024 | Columbus, OH

[APTA Safety and Risk Management Seminar](#)

December 8–11, 2024 | Atlanta, GA

Save the Dates: SSO Quarterly Call

November 20, 2024 | 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.