



U.S. Department  
of Transportation

Federal Transit  
Administration



## Transit Safety Oversight Spotlight Newsletter

May 2026

Vol. 11 No. 2

### Message from the Associate Administrator

Dear Transit Colleagues,

FTA's Office of Transit Safety Oversight is having another productive start to the year. In just the first few months, with your help, we've made meaningful strides to enhance transit worker and rider safety, strengthen transit worker fatigue risk management, improve information sharing, and deepen coordination across the industry. Thanks for your continued support and commitment to safety. This spring, I want to build on this momentum and advance our shared goals.

The Rail Transit Roadway Worker Protection (RWP) final rule continues to strengthen protections for employees working on or near the tracks. While many transit agencies across our nation are rising to the challenge by routinely assessing safety protocols, updating procedures, and enhancing training, RWP events and injuries have unfortunately continued to increase over the past three fiscal years. We have more work to do to bring these numbers down and instill long-lasting change across the industry.

Coming together helps us advance the important safety work we do. A big thank you to all who attended the FTA State Safety Oversight (SSO) and Rail Transit Agency (RTA) Safety Workshop — it was great to see everyone and connect on our shared goals and objectives. I also want to thank our presenters for the invaluable information they provided on Risk-Based Inspections, RWP practices, safety processes, and more. The workshop continues to bring together rail transit safety stakeholders across the industry and provide meaningful opportunities to learn, connect, and collaborate. We appreciate your active participation and engagement in key discussions at the workshop, which helps enhance transit safety and security for our workers, riders, and communities.

I'm pleased to share that we are expanding the Spotlight newsletter to include updates on our Drug and Alcohol program. This supports our broader effort to streamline TSO's communication channels and provides stakeholders with direct access to valuable information and tools that offer a more comprehensive view of our safety mission. I encourage you to share this newsletter with any colleagues who support your organization's drug and alcohol testing program.

Recently this month, Deputy Associate Administrator Teona Edwards attended the Community Transportation Association of America (CTAA) Expo and spoke on the importance of safety culture and safety management systems. As we look ahead, we are excited to speak at many impactful events. In May and June, I'll share TSO's key initiatives and industry statistics during sessions at the American Public Transportation Association's (APTA) Mobility and Rail Conferences. I hope to see you there and look forward to an opportunity to connect.

Thank you for all that you do to continue advancing transit safety.



**Joe DeLorenzo**

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

# Transit Safety and Oversight

## Addressing Fatigue to Keep Transit Workers Safe

Transit worker fatigue is a significant safety concern within the transit industry. Long shifts, irregular schedules, and demanding work can leave transit workers tired and less alert, increasing the risk of mistakes and accidents. To address this issue, on April 10th, FTA published a [Safety Bulletin on Transit Worker Fatigue](#). In the Safety Bulletin, FTA recommends that transit agencies subject to the Public Transportation Agency Safety Plans (PTASP) regulation (49 CFR Part 673) consider assessing transit worker fatigue-related risks using their established Safety Management Systems principles and Safety Risk Management procedures.

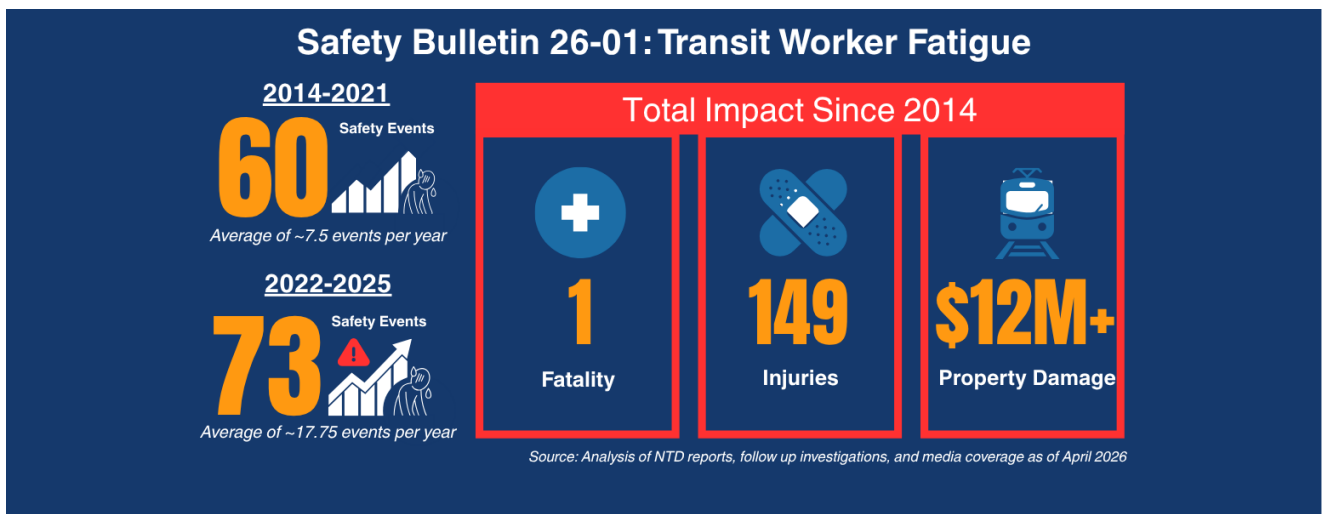
The Safety Bulletin includes considerations for assessing fatigue-related risks, including evaluating the likelihood of fatigue contributing to operational errors or safety events, and determining the severity of potential consequences. FTA also encourages agencies to consider developing performance measures to monitor mitigation effectiveness as part of their Safety Assurance Process.

Additionally, FTA recommends that agencies consider integrating fatigue management practices to strengthen their safety programs, such as developing or enhancing a Fatigue Risk Management Program (FRMP).

In the Safety Bulletin, FTA outlines various strategies for reducing fatigue risks, such as:

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| <ul style="list-style-type: none"> <li>• Implementing effective work scheduling practices that ensure workers are provided the opportunity for adequate rest between shifts</li> </ul> |
| <ul style="list-style-type: none"> <li>• Providing work schedule training to ensure work scheduling practices are implemented effectively</li> </ul>                                   |
| <ul style="list-style-type: none"> <li>• Developing worker fatigue awareness training regarding the risks associated with fatigue</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Establishing nonpunitive fatigue reporting programs</li> </ul>  |

Although fatigue can be difficult to detect, its impact on safety is well-documented. Addressing this risk is essential for a strong safety culture.



When transit agencies take proactive steps, they protect workers, passengers, and operations.

## Data Spotlight: Safety and Security Trends (FY2024 vs FY2025)

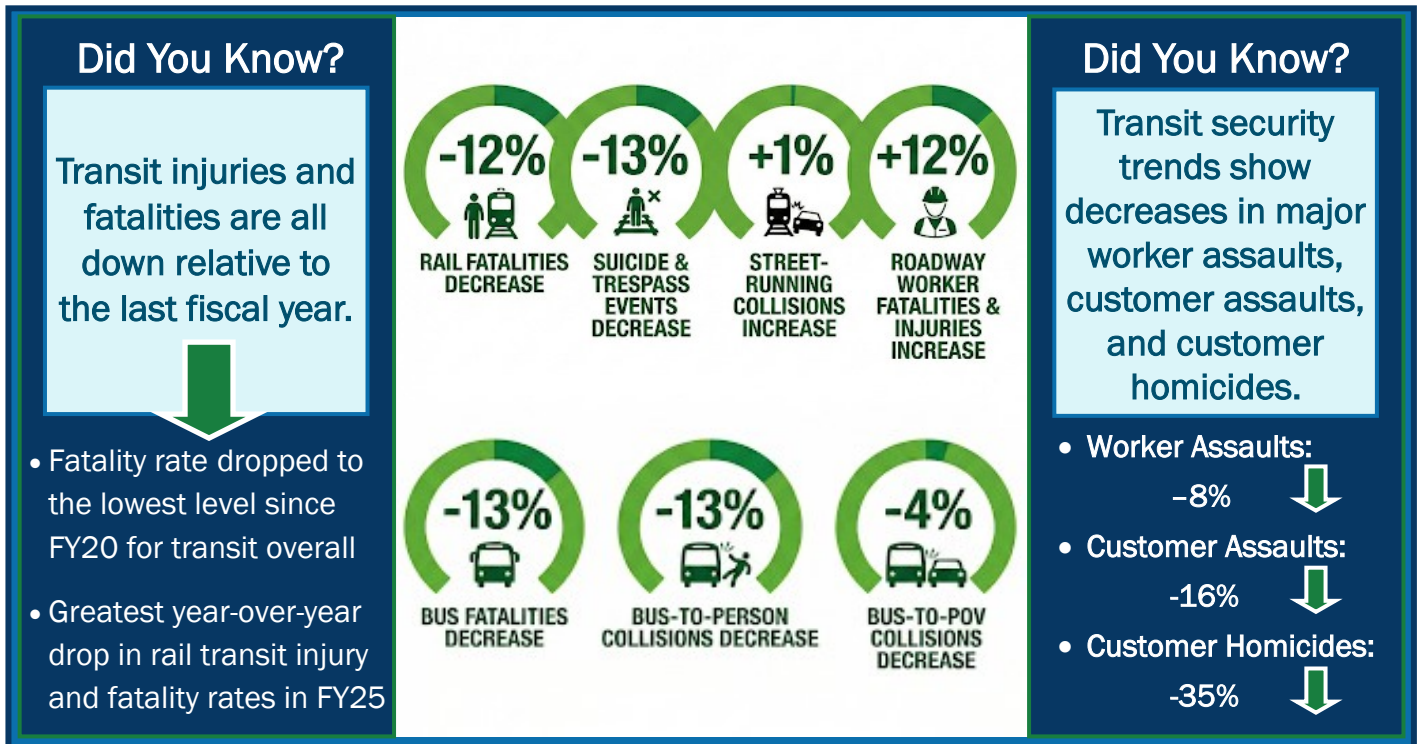
Based on National Transit Database data, transit injuries and fatalities are both down relative to the last fiscal year (FY). The overall transit fatality rate dropped to the lowest level since FY 2020, and the greatest drop in rail transit injury and fatality rates occurred between FY 2024 and FY 2025. These measures are a strong indicator that focused safety efforts are making an impact.

Overall transit fatalities decreased by 12 percent in FY 2025 compared to FY 2024, while injuries decreased by 3 percent. Rail safety also showed notable improvements in FY 2025, including an 11 percent decrease in fatalities and a 12 percent reduction in the rate of suicide and trespass events. At the same time, the rate of street-running rail collisions increased slightly by 1 percent in FY 2025, and roadway worker fatalities and injuries increased by 12 percent – emphasizing the continued importance of protecting rail transit workers and strengthening roadway worker safety.

Bus safety metrics also improved in FY 2025 relative to FY 2024. Fatalities decreased by 10 percent, the rate of bus-to-person collisions decreased by 12 percent, and the rate of bus-to-privately operated vehicle collisions decreased by 2 percent.

In FY 2025, transit security trends were significant compared to FY 2024, with the rate of major transit worker assaults decreasing by 8 percent, the rate of customer assaults decreasing by 17 percent, and a decrease in customer homicides by 32 percent.

Together, these results highlight meaningful progress in transit safety and security, while reinforcing a need for continued focus on workforce protection.



Source: National Transit Database (NTD), public release; data release version January 2026; analysis includes data through September 30, 2025; FY 2025 data is preliminary and subject to revision.

## New GovDelivery List for Rail and Multimodal Updates

We're pleased to announce the addition of the Rail Transit / Multimodal Safety mailing list to our GovDelivery services. This new mailing list is designed to keep subscribers informed with the latest updates, resources, and information related to rail transit safety. [Sign up here](#) and select the Rail Transit / Multimodal Safety list under the Safety and Oversight category.

## Drug and Alcohol Compliance

*This section highlights the important information on Drug and Alcohol (D&A) Program's regulatory requirements in support of D&A managers and stakeholders who must comply with 49 CFR Part 40 & Part 655. Section contents cover processes and best practices for compliance with D&A program standards and are intended for professionals that manage D&A Program requirements for their organization's personnel. Content for this audience was previously issued in the [Drug and Alcohol Regulation Updates Newsletters](#) and as of Vol. 11 No. 2, will be featured in the TSO Spotlight. For more information on D&A, visit: [Drug & Alcohol Program](#).*

### Obtaining Consent for Previous-Employer Testing Histories

When hiring new staff, one key requirement under the Drug and Alcohol Program to follow information requests and consent procedures. Gaining employers covered by FTA drug and alcohol regulations must request DOT drug and alcohol testing information for the prior two years from employees' previous DOT-regulated employers, per 49 CFR Part 40.25. Previous employers cannot release this information without the specific written consent of the employee. Employees are not permitted to perform safety-sensitive functions if they refuse to provide consent.

49 CFR Part 40.321(b) defines "specific written consent" as a "statement signed by the employee that he or she agrees to the release of a particular piece of information to a particular, explicitly identified, person or organization at a particular time." For previous employer requests, employees must sign a statement agreeing to the release of the specific drug and alcohol testing items listed at 49 CFR Part 40.25(b) (e.g., previous violations and return-to-duty documentation) from a previous employer to the gaining employer. Since blanket releases are prohibited 49 CFR Part 40.321(b), the employee must provide specific written consent statements for each applicable previous employer.

The specific written consent must be provided to the previous employer, per 49 CFR 40.25(f). If a third-party administrator carries out previous employer requests on your behalf, ensure their practice involves transmitting the employee's specific written consent to the previous employer.

Visit our [Tools and Resources](#) website for a "Previous Employer Release of Information Form" to collect and transmit an employee's written consent for the release of information from a previous employer.

### Safety-Sensitive Designations for Managers and Administrative Personnel

Identifying an employee's status to be safety-sensitive requires careful consideration. A covered employee is any individual who performs or will perform a safety-sensitive function for any entity subject to Part 655. Safety-sensitive functions are explicitly defined in 49 CFR 655.4. Company officials, managers, supervisors, and administrative personnel are deemed safety-sensitive if they perform, or will perform, one of these functions as part of their job duties\*.



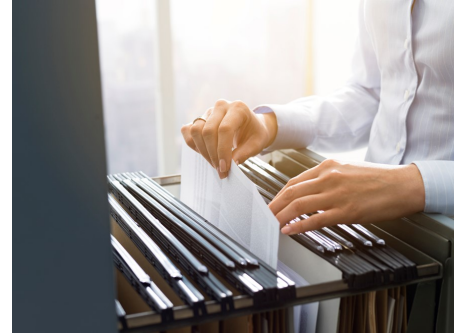
It is essential to recognize that an employee's job duties, not their job title, determine whether they are categorized as safety-sensitive and are therefore subject to FTA's drug and alcohol regulations. Since some employees' actual job functions may change while their job titles remain the same, it is crucial to monitor these changes to ensure employees are appropriately subject to Part 655 requirements as covered employees. For instance, an "Operations Manager" who previously performed some dispatching functions and operated a revenue service bus but has since shifted to only overseeing operations and assigning routes would no longer be classified as a safety-sensitive employee, even if their title remains unchanged. Careful evaluation of job duties ensures that safety-sensitive designations remain accurate and in compliance with FTA regulations, promoting an accountable work environment.

\*"Are Your Managers *Really* Safety-Sensitive", [April 2021 issue](#).

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## Receiving and Maintaining Alcohol Testing Forms

Accurate documentation is central to DOT alcohol testing, and a clear understanding of required forms and handling procedures helps ensure consistent compliance. All DOT alcohol tests must be recorded on a [DOT Alcohol Testing Form](#) (ATF), per 49 CFR Part 40.225(a). The DOT ATF is a three-part carbonless manifold form that includes critical details related to the test and is a formal record of the test results. At the completion of a test, the alcohol testing technician transmits Copy 1 of the ATF to the employer.



It is essential that employers receive Copy 1 of the ATF for all alcohol tests. ATF's must be used for every DOT alcohol test, per 49 CFR Part 40.225(a). A collection site or third-party administrator may provide an employer with an alternative report with much of the information found on the DOT ATF. Without the ATF, there is no compliant record of the testing event.

In addition to ensuring receipt of Copy 1 of the ATF for all alcohol tests, employers must also ensure they comply with ATF record retention requirements. For alcohol test results of less than 0.02, the ATF must be maintained for a minimum of one year, per 49 CFR Part 40.333(a)(4). For alcohol test results of 0.02 or greater, the ATF must be maintained for a minimum of five years, per 49 CFR Part 40.333(a)(1)(i). Ensuring the proper receipt and retention of the ATF promotes accessible records and reinforces the employer's alcohol testing practices.

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## Shy Lung on an Alcohol Test

Under 49 CFR Part 40.265, if an employee does not provide sufficient breath to permit a valid breath test, the Breath Alcohol Technician (BAT) must contact the Designated Employer Representative (DER). The DER must direct the employee to obtain, within five days, an evaluation from a licensed physician who is acceptable to the DER and has expertise in the medical issues raised by the employee's failure to provide a sufficient breath specimen.

The employer is required by 49 CFR 40.265(c)(1) to notify the evaluating physician that the employee was unable to provide enough breath to complete a DOT alcohol test, and the consequences for refusing to take the required alcohol test (to include immediate removal from performing safety-sensitive functions). The employer must also instruct the evaluating physician to provide a signed statement of their conclusions on whether the employee has a medical condition that had, or likely had, precluded them from providing a sufficient breath specimen.

The DER may not remove the employee from a safety-sensitive function based on the initial screening test result. Per 49 CFR 40.265, the final determination will be made by the evaluating licensed physician, who must provide a written statement of their conclusions directly to the DER. If the evaluating physician determines the employee has a valid medical explanation for their failure to provide a specimen, the employer must cancel the test. Otherwise, the result is a refusal to test. Employers should follow these steps to handle each case with consideration for unique circumstances, accuracy, fairness, and compliance in mind.



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Office of Transit Safety Oversight

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

## Available Training Courses

**Safety Training:** Register for the FY 2026 virtual and in-person [safety training courses](#) for transit personnel through the [Transportation Safety Institute \(TSI\)](#). These courses support FTA grantees subject to the [Public Transportation Safety Certification Training Program \(PTSCTP\)](#) regulation with initial training and recertification training requirements.

**Drug and Alcohol Program Training:** FTA is sponsoring training events related to FTA's Drug and Alcohol testing program. Register for upcoming events and access supporting tools and resources by visiting the [Training Page](#). Explore [FTA's Office of Transit Safety Oversight Training Page](#) to view other FTA-sponsored training events as well as on-online training resources.

## Upcoming FTA TSO Office Speaking Engagements

### [APTA Mobility Conference](#)

May 17-20, 2026  
Salt Lake City, UT

### [NEPTA Biennial Conference](#)

June 9-11, 2026  
Warwick, RI

### [APTA Rail Conference](#)

June 28-July 1, 2026  
Baltimore, MD

## Announcements

If you are interested in receiving the latest updates in **Rail Transit / Multimodal Safety**, make sure to [sign up](#) for our new GovDelivery mailing list and/or pass this information along to other organizations.

*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.*