



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

1200 New Jersey Avenue, SE
Washington, DC 20590

September 14, 2026

Mr. Demetrius Crichlow
President
New York City Transit
2 Broadway
New York, NY 10004

Subject: Immediate Action Required to Protect NYCT Rail Transit Workers

The Federal Transit Administration (FTA) exercises oversight and enforcement authority under 49 U.S.C. § 5329 to ensure the safety of public transportation systems and transit workers. Despite repeated interventions and formal directives issued by FTA, New York City Transit (NYCT) continues to expose personnel working in its rail transit system to unsafe conditions or practices that create a substantial risk of death or personal injury. This risk was again realized on September 3, 2026, when a flagger was fatally struck by a southbound D train while setting up warning lights near the 161st Street–Yankee Stadium station. This tragic loss of life is unacceptable, and FTA is requiring immediate action to provide additional protection to transit workers within the NYCT subway system.

FTA previously issued concurrent special directives to NYCT and its State Safety Oversight Agency (SSOA), the New York Public Transportation Safety Board (PTSB), due to an escalating number of safety incidents and concerns affecting NYCT roadway workers:

- **Special Directive 24-6 (August 2024):** FTA issued a directive requiring NYCT to address safety risks to roadway workers following a 58% spike in near-miss events in Calendar Year 2023 (38 Potential Employee Contact incidents), a fatal flagger strike in November 2023, and a critical head injury to a flagger in June 2024. FTA found widespread rule violations, including improper flagging setup, lack of supervision, and failure to inhibit Automatic Train Operation in Communication-Based Train Control (CBTC) territory.
- **Special Directive 24-7 (August 2024):** FTA issued a concurrent directive to PTSB, finding that PTSB must expand its activities to oversee NYCT's Roadway Worker Protection (RWP) program. The directive required PTSB to take several actions, including conducting an independent audit of NYCT's RWP training program.

In 2024, FTA promulgated the RWP regulation at 49 CFR Part 671. This regulation establishes minimum standards to ensure the safe operation of public transportation systems and prevent injuries and fatalities for transit workers who may access the roadway in the performance of work. The regulation requires rail transit agencies nationwide to establish and implement RWP programs to improve transit worker safety. (49 CFR § 671.11(a)). Each rail transit agency was required to obtain State Safety Oversight Agency (SSOA) approval of its RWP program by December 2, 2025. (49 CFR § 671.25(a)(1)).

Despite these required actions and temporary NYCT safety stand-downs, FTA has determined the fatality on September 3, 2026, indicates that unsafe conditions or practices exist that create substantial risk of death or personal injury for NYCT transit workers who perform work on the roadway that must be immediately addressed. In accordance with 49 U.S.C. 5329(h), FTA is prohibiting NYCT from allowing roadway track access until NYCT takes the actions required below.

Immediate Actions

Beginning on Monday, September 21, 2026, all roadway track access is prohibited unless NYCT submits evidence to FTA that it has:

1. **Implemented the Following Work Zone Procedures:**
 - a. General Orders must be in effect prior to installation of physical mitigations and any transit worker presence in or around the roadway.
 - b. NYCT must establish positive, physical track-hold confirmation between the Operation Control Center (OCC) and train operators before permitting any personnel onto active roadway.
 - c. NYCT must prohibit roadway workers from fouling track to place, adjust, or retrieve flagging lights, flags, or portable train stops except under foul time, exclusive track occupancy, or suspension of train movements. This prohibition must remain in place until NYCT submits an alternative protection approach in writing to PTSB and FTA, and both PTSB and FTA approve such alternative approach. The submission to PTSB and FTA must include how the information will be distributed to all NYCT transit workers and OCC personnel.
 - d. NYCT must establish operating restrictions of 10 mph in all work zones, regardless of visible personnel. Operators must stop and proceed with direct OCC commands.
2. **Ensured All Rail Workers Receive Required Job Safety Briefings:**
 - a. NYCT must ensure all roadway workers who foul the track receive a job safety briefing with critical safety information prior to fouling the track, as required at 49 CFR § 671.33.

- b. NYCT must ensure job safety briefings include all elements required at 49 CFR § 671.33(b), including information about the specific hazards involved in performing the work.
- c. NYCT must review its track-access guide to ensure that all work on curved (non-tangent) track requires mitigations sufficient to ensure on-track safety for transit workers. These mitigations must be included in applicable job safety briefings.

Beginning on Monday, September 28, 2026, roadway track access is prohibited unless NYCT submits evidence to FTA that it has:

3. Re-Trained Rail Transit Workers on RWP Safety Requirements:

- a. Using the full training program adopted pursuant to 49 CFR § 671.41(a), NYCT must re-train and recertify all operations control center personnel, train operators, and roadway workers in-person before they may perform the duties of a control center personnel who oversees or supervises access to the track zone, roadway worker, or operate vehicles, on-track equipment, or roadway maintenance vehicles on the rail system.
- b. NYCT must provide in-person supplemental training to all rail transit workers on the required actions in this Immediate Action Letter, including work zone procedures and job briefing requirements.

4. Re-Trained all Rail Vehicle Operators and OCC Personnel:

- a. NYCT must immediately re-train and re-certify all rail vehicle operator and OCC personnel on active work zone entry rules and CBTC hold protocols.
- b. Before any work on the roadway is performed, and prior to operating in or near a work zone, each rail vehicle operator must receive and sign a checklist or other document to acknowledge in writing their understanding of all protocols and speed restrictions associated with work in and around the roadway. (For example, a 10-mph operating speed is required in work zones, regardless of whether an operator sees yellow lights.) Should conflicting information be received, or questions arise, the operator must stop and proceed only after direct communication with the OCC.

5. Reviewed Its RWP Manual and Initiated Revisions:

- a. NYCT must complete a thorough review of its RWP Manual to ensure compliance with NYCT bulletins, SSOA requirements, and 49 CFR Part 671. NYCT must host workshops for PTSB and FTA on the content of the RWP Manual.
- b. Committed to FTA that, by November 30, 2026, NYCT will: (1) revise its RWP Manual as necessary to ensure compliance with all NYCT bulletins and applicable requirements; (2) submit the RWP Manual to PTSB and FTA for

approval; and (3) distribute the approved RWP Manual to all transit workers who may access the roadway.

6. Begun Reporting Near-Misses to FTA:

- a. NYCT must provide FTA and PTSB with NYCT's definition of a "near-miss" occurrence. FTA and PTSB must approve this definition.
- b. NYCT must begin reporting near-miss occurrences on its rail transit system to FTA and PTSB within two hours of the occurrence.
- c. NYCT must investigate each near-miss occurrence.
- d. NYCT must provide FTA and PTSB with its preliminary investigation report of each near-miss occurrence within 7 business days of the near-miss occurrence.
- e. NYCT must provide FTA and PTSB with its final investigation report for each near-miss occurrence within 30 business days of the near-miss occurrence.

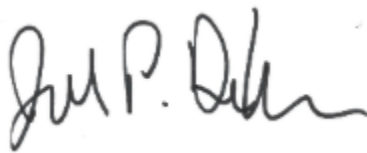
7. Issued a Safety Bulletin to All NYCT Rail Workers and Operators:

- a. NYCT must issue a Department of Subways bulletin providing a summary of the required actions of this Immediate Action Letter.

These actions constitute the immediate steps NYCT must take to ensure every transit worker is safe while performing tasks on the roadway. FTA may take additional actions to ensure that NYCT and the PTSB are fully complying with all applicable Federal safety regulations and directives. Ensuring safety requires constant vigilance, and FTA will pursue all appropriate means to protect NYCT transit workers and the riding public.

I appreciate your prompt attention to this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe P. DeLorenzo".

Joe DeLorenzo
Associate Administrator/Chief Safety Officer
Office of Transit Safety Oversight