SWTA Community Mobility Workshop

Safety Rulemaking Updates

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Office of Transit Safety and Oversight

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Today’s Agenda

- Moving Ahead for Progress in the 21st Century Act (MAP-21) and Fixing America's Surface Transportation (FAST) Act
- Rulemaking Process
- Rulemaking Timeline
- Resources
MAP-21 (2012) and FAST Act (2015): What’s Changed?

• Explicit authority to issue nationwide safety directives and prohibit/restrict operations
• Requires the National Public Transportation Safety Plan to include minimum safety standards (other than vehicle performance standards)
• Requires FTA to conduct a review of public transportation safety standards and protocols, and issue a report with recommendations and actions to improve the safety of the public transportation industry
• Requires a study and report on evidentiary protection for safety program data
• Requires an Notice of Proposed Rulemaking (NPRM) on transit driver safety and risk of assault
# FTA Rulemaking Process

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<thead>
<tr>
<th>Authorization</th>
<th>Proposed Rule Development</th>
<th>Comment Period</th>
<th>Final Rule Development</th>
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<tr>
<td><strong>Legislature (Congress)</strong></td>
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<td>Issue Legislation or Statue (e.g. MAP-21 and FAST Act)</td>
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<td><strong>Federal Transit Administration (FTA)</strong></td>
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<td>Develop Advance Notice of Proposed Rulemaking (ANPRM)*</td>
<td>Seek comments from the public about ANPRM*</td>
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<td>Develop Final Rule</td>
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<td>Develop a Notice of Proposed Rulemaking (NPRM)</td>
<td>Internal FTA Review</td>
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<td>Sign off from FTA Administrator and Associate Administrators</td>
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<td>Publish NPRM to Federal Register</td>
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<td><strong>Office of the Secretary (DOT)</strong></td>
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<td>Review NPRM</td>
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<td>Review Final Rule</td>
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<td><strong>Office of Management and Budget</strong></td>
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<td>Review Final Rule</td>
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<td>Statutory References</td>
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<td>Rulemaking Timeline</td>
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<td>FAST Act §3020</td>
<td>Preventing Transit Worker Assault NPRM</td>
<td>NPRM Expected: 2017</td>
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Public Transportation Safety Program
Final Rule

What you need to know
1. “Umbrella” document for all of the other Safety rulemakings and guidance
2. Formally establishes FTA’s safety policy - Safety Management Systems (SMS)
3. Commits FTA to creating and implementing a National Public Transportation Safety Plan
Proposed National Public Transportation Safety Plan (National Safety Plan)

What you need to know
1. It is not a rule
2. It is FTA’s strategic plan
3. It sets safety performance criteria for Agency Safety Plan performance targets
Public Transportation Agency Safety Plan
NPRM (PTASP or Agency Safety Plan)

What you need to know
1. Requires transit agency to implement an SMS through an Agency Safety Plan
2. Larger transit agencies certify they have established and implemented a Plan
3. Smaller transit agencies may have State DOT draft and certified a Plan
What you need to know
1. Training program for rail transit system auditing and oversight
2. Interim Provisions and NPRM only apply to rail fixed guideway systems
3. Bus agency participation is voluntary, but highly encouraged
FTA Training Website

https://safety.fta.dot.gov/
What you need to know
1. Oversight of rail fixed guideway public transportation systems
2. SSO Final Rule (49 CFR Part 674) replaces the current SSO rule at 49 CFR Part 659
3. SSO Programs have to be certified by April 15, 2019
Preventing Transit Worker Assault NPRM

What you need to know
1. FAST Act requirement
2. FTA’s Online Dialogue on Operator Assault NPRM
3. NPRM expected in 2017
Transit Asset Management (TAM) Final Rule

What you need to know
1. Business model designed to keep transit networks in a State of Good Repair
2. Sets state of good repair standards for Agency Safety Plan performance targets
3. TAM uses condition of assets for transit agencies to prioritize and guide funding
Five Pillars

Define state of good repair

Require TAM Plans for all recipients and sub-recipients

Establish SGR performance measures

Report data to the NTD

Receive Technical assistance from FTA
TAM Website

https://www.transit.dot.gov/TAM
Bus Testing Final Rule

What you need to know
1. Requires newly procured buses to meet minimum thresholds
2. Scoring system that makes it easier to compare similar bus models from different manufacturers
3. Better inform local transit agencies as they evaluate and purchase buses for use in their communities
Coordinating Council on Access and Mobility (CCAM)

Current Status
- Last met on July 21\textsuperscript{st}, 2016
- 30 representatives from six agencies
- Working groups focused on access issues, federal coordination, and innovation and technology
CCAM Website

https://www.transit.dot.gov/ccam/about
Upcoming Webinars

• Program Rule Webinars
  – Tuesday, August 30, 2-3 PM EST
    • https://www.transit.dot.gov/about/events/public-transportation-safety-program-final-rule-webinar
  – Thursday, September 1, 3-4 PM EST
    • https://www.transit.dot.gov/about/events/public-transportation-safety-program-final-rule-webinar-0
# Resources to Help You Prepare Now

## Read, watch, and participate
- Review FTA’s SMS Framework
- Participate in webinars explaining new regulations and guidance
- Visit FTA’s YouTube page to view previous webinars
  - Read our newsletter 
    *TSO Spotlight*

## Get trained
Through FTA’s safety website:
- Take the SMS Awareness online course
- Sign up for classroom courses
- Request an Individual Training Profile (ITP) – Courses based on your role

## Sign up to receive updates
Sign up for GovDelivery
- FTA announcements and new documents
- [https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new](https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new)

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Questions? Comments? Email us at [FTASafetyStakeholder@dot.gov](mailto:FTASafetyStakeholder@dot.gov)
Questions?

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