

Fact Sheet: Public Transportation Agency Safety Plans Notice of Proposed Rulemaking (NPRM)

Overview

Pursuant to 49 U.S.C. 5329(d), FTA must promulgate a rule to implement the statutory requirements for Agency Safety Plans. Under the proposed rule, each operator of public transportation that receives Federal financial assistance under 49 U.S.C. Chapter 53 would be required to develop and implement an Agency Safety Plan based on the principles of Safety Management Systems (SMS). Each transit operator would be required to develop an Agency Safety Plan within one year after the effective date of a final rule.

General Requirements for Agency Safety Plans

The proposed rule would require an operator to develop and implement an Agency Safety Plan based on SMS principles. Each operator’s plan would require, at minimum:

- Approval of the plan by the board of directors or equivalent entity;
- Methods for identifying and evaluating safety risks throughout the system;
- Strategies to minimize the exposure of the public, personnel and property to hazards;
- An annual review and update of the plan;
- Performance targets based on the safety performance criteria established in a National Public Transportation Safety Plan;
- An adequately trained Safety Officer who reports directly to the general manager, president, or equivalent officer; and
- A comprehensive training program for personnel directly responsible for safety.

Who Would the Agency Safety Plan NPRM Not Apply To?

The NPRM requirements **would not apply** to:

- An operator that does not provide public transportation.
- A commuter rail operator that is subject to the Federal Railroad Administration’s safety requirements.
- A passenger ferry operator that is subject to the U.S. Coast Guard’s safety requirements.

What are the Proposed SMS Components of an Agency Safety Plan?

<p>Safety Management Policy</p> <ul style="list-style-type: none"> • Safety Objective and Performance Targets • Confidential Employee Reporting Program • Organizational Accountabilities and Safety Responsibilities 	<p>Safety Assurance</p> <ul style="list-style-type: none"> • Safety Performance Monitoring and Measurement • Management of Change • Continuous Improvement
<p>Safety Risk Management</p> <ul style="list-style-type: none"> • Hazard Identification and Analysis • Safety Risk Evaluation and Mitigation 	<p>Safety Promotion</p> <ul style="list-style-type: none"> • Safety Communication • Competencies and Training

Who Develops and Implements an Agency Safety Plan?

- Large operators would develop and implement their own Agency Safety Plans.
- A small, rural, or tribal operator could develop its own plan or have the State develop a plan on its behalf; in either case, each operator must implement its own Agency Safety Plan.

Who Approves an Agency Safety Plan?

- Each plan would be annually certified by an operator's Accountable Executive.
- Each plan would be approved by the board of directors or equivalent entity (such as a mayor, county executive, or grant manager).
- For rail transit operators only, the State Safety Oversight Agency would review and approve the operator's Agency Safety Plan.

What is the Relationship Between an Agency Safety Plan and a Transit Asset Management Plan?



- An operator would consider the results of its condition assessments while performing safety risk management and safety assurance activities.
- The results of the condition assessments, and subsequent SMS analysis, would inform an operator's determination as to whether an asset meets the state of good repair standards.
- The Accountable Executive has the ultimate responsibility for decisions related to both plans.

What is the Relationship Between the Agency Safety Plan NPRM and the Proposed National Public Transportation Safety Plan?

Under the Agency Safety Plan, an operator would be required to set safety **performance targets** based on the following performance measures in the Proposed National Safety Plan.

- Fatalities
- Injuries
- Safety Events
- System Reliability (State of Good Repair)

Additional Information:

- The public comment period closes on April 5, 2016.
- Submit electronic comments to <http://www.regulations.gov/#!documentDetail;D=FTA-2015-0021-0001>.



For questions, please contact:

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For more information, please visit the Rulemaking Page on FTA's website at http://www.fta.dot.gov/tso_15918.html.