Safety/TAM ANPRM Webinar for Medium/Large Transit Systems

December 4, 2013
Agenda

• About this Webinar
• FTA’s New Regulatory Authority for Safety
• Safety Management Systems
• National Safety Program
• National Transit Asset Management Program
• Q&A
• Request for Comment and Next Steps
About this Webinar

**This is:**

- A forum for FTA to explain what is covered in the ANPRM
- A recorded presentation to be made publicly available in the ANPRM docket and on FTA’s website

**This is not:**

- A public hearing for providing comments or posing questions about implementation
- A forum to discuss issues not included in the ANPRM
The Nexus between Safety and TAM

**Accountable Executive**
- Board/Oversight Authority
- Strategic Plan
  - Business Plan
  - Budget
- Approves Safety Plan
- Signs TAM Plan
- Signs Safety Plan

**Agency Budget and Planning Process**
- Capital Planning
- Operational Planning

**TAM Plan**
- Asset Inventory with Condition Assessment
- Investment Prioritization
- SGR Targets

**Outputs**
- Performance Mitigation Strategies/Targets
- Costs

**TAM Program**
- Condition Assessment Monitoring
- Asset Rehabilitation and Replacement

**External Planning Process**
- TIP/STIP
- UWP

**Outputs**
- Risk Controls
- Safety Performance Metrics/Targets
- Costs

**Agency Safety Plan**
- Sets Safety Program Requirements
- Establishes Safety Targets

**Agency Budget Plan**
- Capital Planning
- Operational Planning

**External Planning Process**
- TIP/STIP
- UWP

**Strategic Plan**
- Business Plan
- Budget

**Outputs**
- Performance Mitigation Strategies/Targets
- Costs

**Safety Program**
- Assigns Resources to Risk
- Implements Controls (if required)
- Evaluates Performance of Controls

**Evaluates impact of asset condition on agency safety performance**
ANPRM Overview

- For a more detailed overview of the ANPRM, please view the [ANPRM Overview](#) from Monday, November 18
- The ANPRM is open for comments through January 2, 2014 on all topics, including:
  - Safety Management System (SMS) approach
  - National Safety Program
  - National Transit Asset Management (TAM) System
FTA’s New Regulatory Authority for Safety
FTA’s New Regulatory Authority for Safety

• July 6, 2012: President Obama signed into law the Moving Ahead for Progress in the 21st Century Act (MAP-21)

  • Provided FTA with the authority to regulate safety for all modes of public transit

  • FTA’s initial oversight and enforcement efforts will focus on rail transit systems

• FTA does not intend to promulgate duplicative, inconsistent, or conflicting regulations
Safety Management System (SMS)
Safety Management System (SMS)

FTA proposes adoption of SMS approach to guide National Safety Program implementation.

SMS is built on four pillars:

- **Safety Policy**
  - Delineates management and employee responsibilities for safety and ensures management is actively engaged in safety oversight

- **Safety Risk Management**
  - Identifies and evaluates safety risks and develops safety risk controls to minimize the exposure of the public, personnel, and property

- **Safety Assurance**
  - Ensures the effectiveness of safety risk controls are monitored

- **Safety Promotion**
  - Includes training awareness, and communication
Safety Management System (SMS)

• Published policy to adopt SMS in May 2013
  • Essential building blocks of a successful SMS already exist
  • Each transit agency to develop processes to implement SMS

• Safety Management System is:
  • Scalable and flexible to support transit systems of all sizes
  • Proactive method for managing system safety
  • A way to ensure data-driven safety decision making
  • Focused on the overall safety performance, not compliance with regulation and requirements

See Questions 17-20 regarding SMS implementation
National Safety Program
The National Safety Program

The National Safety Program includes four distinct components, three of which are addressed in the ANPRM:

- **National Safety Plan**
  49 U.S.C. 5329(b)
  - Establishes SMS as foundation for FTA’s safety regulatory framework
  - Includes the definition of State of Good Repair (SGR) and safety performance criteria

- **Transit Agency Safety Plan**
  49 U.S.C. 5329(d)
  - Introduces SMS into practice
  - Provides agencies with authority to set performance targets for safety and SGR based on requirements set out in the National Safety Plan

- **Safety Certification Training Program**
  49 U.S.C. 5329(c)
  - Introduces SMS concepts
  - Improves technical competencies of safety oversight professionals
National Safety Plan
National Safety Plan

• At a minimum, the National Safety Plan will include:
  • Safety performance criteria;
  • Definition of SGR;
  • A public transportation safety certification training program;
  • Minimum vehicle safety performance standards.

• Data analysis will be used to identify national trends that suggest:
  • Gaps in safety performance;
  • Common hazards; and
  • Leading practices for risk control.
Safety Performance Criteria

- FTA will set safety performance criteria for all modes
- Criteria will support analysis and risk evaluation
- As a result, transit agencies will become more proactive in safety risk management

See Questions 1-7 regarding Safety Performance Criteria
Transit Agency Safety Plan
Transit Agency Safety Plan

• The Transit Agency Safety Plan will demonstrate:
  • Compliance with the National Safety Plan
  • Implementation of SMS
• Agencies must establish and certify this comprehensive plan within a year of the final rule
Transit Agency Safety Plan

- At a minimum, plans must include:
  - Approval by Board of Directors, or equivalent
  - Methods for identifying / evaluating safety risk
  - Strategies to minimize exposure to hazards
  - Process / timeline for annual review and update
  - Performance targets based on safety performance criteria
  - Assignment of safety officer
  - Comprehensive operational staff training program

See Questions 21-32 regarding Transit Agency Safety Plan requirements
Transit Agency Safety Plan

• For Rail Transit Fixed Guideway systems, current 49 CFR Part 659 requirements remain in effect until FTA promulgates regulations for both the Transit Agency Safety Plans and a new regulation for the SSO Program.

• FTA plans to conduct pilot programs and provide technical assistance to aid in this transitional process
Safety Certification Training Program
Safety Certification Training Program

• The Safety Certification Training Program focuses on:
  • Competencies and training outcomes
  • Certification training for those responsible for the safety oversight of rail transit, as an initial effort
• Interim Provisions will soon be published in Federal Register

See Questions 48 – 55 regarding the Safety Certification Training Program
Safety Summary

• FTA’s initial oversight and enforcement efforts will focus on rail transit systems

• SMS is scalable and flexible and recognizes that *one size does not fit all*

• All transit agencies will be required to develop Transit Agency Safety Plans

• FTA plans to provide pilots and technical assistance
National Transit Asset Management (TAM) Program
Bringing Transit Into a “State of Good Repair”

- SGR Backlog, estimated to be $78B and growing
  - Conditions & Performance Report
  - Rail Modernization Study
  - SGR: Beginning the Dialogue Report

- New MAP-21 Formula Program
  - Replaces Fixed Guideway Modernization Program
  - Eventually, all projects in this program must be identified in an agency’s TAM Plan
## The National Transit Asset Management System

### National Transit Asset Management System

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<tr>
<th>FTA Defines State of Good Repair (SGR)</th>
<th>FTA Establishes SGR performance measures; Recipients set SGR targets based on the measures</th>
<th>Recipients and subrecipients develop TAM Plans</th>
<th>Recipients report asset inventories and condition assessments</th>
<th>FTA provides technical assistance</th>
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<tr>
<td>49 U.S.C. 5326(b)(1)</td>
<td>49 U.S.C. 5326(c)(1) and (c)(2)</td>
<td>49 U.S.C. 5326(b)(2)</td>
<td>49 U.S.C. 5326(b)(3) and 5335(c)</td>
<td>49 U.S.C. 5326(b)(5)</td>
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4 Proposed Methods for Defining SGR

- **Age-based**
  Assets should be scheduled for replacement beyond a certain maximum age.

- **Condition-based**
  Assets should be replaced once inspections identify deteriorated conditions.

- **Performance-based**
  Assets should be replaced when their deteriorated condition reduces speed or reliability.

- **Comprehensive-assessment**
  Combines age, condition inspections, performance data, and maintenance history.

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Less Burden  More Accuracy
Performance Measures and Targets

- FTA must define SGR using objective standards for measuring conditions
- FTA must establish performance measures based on the definition of SGR
- Each recipient must set their own targets within 3 months of FTA establishing the measure:
  - No reward for making a target
  - No penalty for missing a target
- Annual reports to FTA by the recipient
Transit Asset Management Plans

• Recipients and subrecipients must develop a TAM Plan

TAM Plan Requirements:

1) Asset inventory with condition assessments
2) Investment prioritization
3) Certification by the recipient to FTA

• FTA will conduct risk-based oversight of TAM Plans
Technical Assistance

• Two statutory requirements:
  – Decision support tool for investment prioritization
  – Analytical process for capital investment needs (TERM-Lite)

• Technical assistance underway
  – Transit Asset Management Guide
  – Best practices from TAM pilot projects
  – TAM courses

• What other technical assistance is needed?
Other Areas for Comment
Certification of Plans

- Both the Agency Safety Plan and the Agency TAM Plan must be certified by the recipient
- How should the certification be implemented?
- How should certification for subrecipients work?
Metropolitan Planning

- MPOs are established in urbanized areas of 50,000 or more population, and must prepare a long range plan of at least 20 years in duration (updated every 4-5 years)

- Both safety and SGR performance measures and targets must be integrated into the Metropolitan Planning Process

- How should these plans be integrated into the Unified Planning Work Program (“UPWP”) and Congestion Management Process (“CMP”)?
Cost-Benefit Analysis

• Each future NPRM issued by FTA will include a cost-benefit analysis for comment

• This ANPRM is an opportunity to contribute specific information that FTA will rely upon in developing our cost-benefit analysis
### About the Questions

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<td>Clarifying questions</td>
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<td>Comments about implementation</td>
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<td>Suggestions related to questions</td>
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Request for Comment and Next Steps

We request that you please take the time to comment on this ANPRM and provide your thoughts to docket No. FTA-2013-0030

You may do so via:

- Web: [www.regulations.gov](http://www.regulations.gov)
- Fax: 202-493-2251
- Mail: USDOT HQ*
- Hand delivery: USDOT HQ*

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