Transit Rail Advisory Committee for Safety (TRACS) Meeting Minutes

November 21, 2013

Webinar and Conference Call

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# Attendance

## TRACS Members in Attendance

**Samir Ahmed,** Oklahoma State University

**William Bates**, AMTRAK and United Transportation Union

**Eric Cheng**, Utah Department of Transportation

**Diane Davidson (TRACS Chairperson)**, Oak Ridge National Laboratory

**James Dougherty**, Washington Metropolitan Area Transportation Authority

**Grace Gallucci**, Regional Transportation District

**William Grizard**, American Public Transportation Association

**Susan Hausmann**, Texas Department of Transportation

**Richard Krisak,** Metropolitan Atlanta Transportation Rapid Transit Authority

**Tamara Lesh**, Tri-County Metropolitan Transportation District

**Phyllis McDonald**, Johns Hopkins University

**Alvin Pearson**, Memphis Area Transit Authority

**Karen Philbrick**, Mineta Transportation Institute

**Nagal Shashidahara**, New Jersey Transit

**Edward Watt**, Transport Workers Union of America

## TRACS Working Group Member in Attendance

**Araceli De La Cruz,** Chicago Transit Authority

**John Goodwin**, Bay Area Rapid Transit

**Paul King**, California Public Utilities Commission

**Vijay Khawani,** Los Angeles County Metropolitan Transportation Authority

**Harry Saporta,** Tri-County Metropolitan Transportation District

**Joyce Rose**, Operation Lifesaver

## U.S. DOT and FTA Representatives

**Jeffrey Bryan,** Volpe TRACS Facilitator

**Aaron Jette,** VolpeMeeting Recorder

**Thomas Littleton,** Associate Administrator, Office of Transit Safety & Oversight

**Bruce Walker**, FTA Office of Chief Counsel

**Esther White**, FTA Office of Transit Safety & Oversight

**Richard Wong**, FTA Office of Chief Counsel

**Bridget Zamperini**, FTA Office of Transit Safety & Oversight

# Meeting Purpose

The facilitator welcomed participants and explained the purpose of the meeting. The purpose of the meeting is to review the draft National Public Transportation Safety Plan (NPTSP) and the Public Transit Agency Safety Plan (PTASP) memos. If the Committee agrees, a vote will be held to approve the memos for sending on to the FTA administrator.

# Working Group 12-1, National Public Transportation Safety Plan Report

## Summary of Task and Memo

The lead for TRACS Working Group 12-01, explained the FTA tasking associated with the NPTSP memorandum. The FTA Administrator asked the TRACS Committee to “Develop recommendations to the FTA regarding the framework, scope and implementation measures for the NPTSP.” The Administrator requested that the memorandum address the following issues:

* Identify appropriate safety performance measures
* Identify minimum performance-based safety standards for public transportation vehicles
* Recommend relevant safety measures and strategies
* Define a role of a national transit operations database in benchmarking safety performance
* Review safety certification training criteria; and
* Identify and evaluate potential enforcement tools and incentives.

The memo first explains the tasking and provides historical background on FTA’s safety planning programs and explains the FTA’s legislative authority, which was expanded under MAP-21. The memo then briefly explains the safety management system (SMS) approach to safety and defines a framework for the plan that conforms to that approach. The suggested framework includes the following components:

* **Introduction**
* **Safety Program Goals, Performance Measures, and Data -** The memo recommends safety program goals and aligned performance measures to track progress towards goals. The memo also recommends processes for collecting the data necessary to support the plan and recommends the development of leading safety indicators.
* **Public Transportation Safety Standards and Performance Criteria** - The memo describes safety standards and performance criteria. The working group has asked FTA to clarify its interpretation of its standard making authority. Is it limited to vehicles? The memo recommends that FTA broadly interpret its authority and recommends a process for developing vehicle and non-vehicle standards.
* **Training, Certification, and Technical Assistance** - The memo addresses training, certification and technical assistance. It suggests that FTA establish clear safety competencies and apply competency standards to transit agencies based on a maturity model.
* **Certification of State Safety Oversight Agencies** - The memo asks FTA to clarify the role and authority of State safety oversight agencies and state and local agencies responsible for transit.
* **Organizational Roles and Responsibilities** – The memo suggests appropriate roles and responsibilities for Federal, State and Operating agencies based on an SMS approach to safety.
* **Implementation, Monitoring and Updating -** The memo recommends a dispute resolution mechanism for resolving disputes between oversight agencies and transit operating agencies.

## Discussion

The facilitator explained how the group made changes to the previous draft memo. Specifically, the group softened language regarding the interpretation of FTA’s standard setting authority and added language to clarify the relationship between the National Plan and Agency Safety Plans.

### State Authority to Set Safety Standards

Committee members discussed the statement in the memo that FTA’s standard setting authority “should not limit States.” Some Committee members argued since the goal of MAP-21 is to ensure that there are consistent transit safety standards across the Nation, there should be some limits on the safety standards that States can set. Those Committee members were concerned that allowing States to set their own safety standards would lead to diverse and burdensome safety requirements, particularly for transit agencies whose operating jurisdictions span multiple States.

A majority of Committee members interpreted MAP-21 as specifically not preempting stronger State safety standards. They noted that this type of authority, where the Federal government set minimum standards and States are allowed to go beyond those standards, is typical of State and Federal legislation. A representative from FTA explained that FTA interprets MAP-21 as setting minimum standards for States that States are permitted to exceed.

This argument was not resolved, so the Committee Chair suggested that, if necessary, a minority report could be issued.

### Safety Data

A Committee member expressed concerns about safety data issues. Will FTA be responsible for developing databases and collecting data for leading and lagging indicators? The National Transit Database currently used by FTA is deficient in terms of data quality, she noted. She suggested that the memo include a recommendation regarding the large amount of work that needs to be done to develop data systems to support the confidential collection and reporting of safety data.

Another Committee member protested that the memo does not sufficiently address bus safety issues because it will be a major challenge for bus operating agencies to come into compliance and be certified without sufficient funding. The Working Group lead explained that the group has asked the FTA for clarification regarding state and local roles for bus oversight; without clarification, she said it’s difficult to include broader language.

### Safety Culture Assessments

There was a discussion regarding recommendations to FTA to assess agency safety culture. Some argued that it is too difficult to assess safety culture. They suggested that the memo should say recommend that FTA should research and promote best practices for agencies to assess safety culture rather than say that the FTA should do it.

### Editorial Comments

Several Committee members offered editorial comments to improve the memo’s consistent use of terminology, punctuation and formatting.

### Incentives

There was a brief discussion of the lack of funding incentives for transit agencies to improve safety performance. One Committee member explained that MAP-21 provides for withholding of funds, not funding incentives.

#### Conclusion

The facilitator suggested that the memo should be revised before there is a final vote. The final vote can be conducted via email.

# Associate Administrator for Transit Safety and Oversight - Statement

Mr. Littleton the Associate Administrator for the Office of Safety & Oversight thanked TRACS Committee members and gave a brief summary of his personal history and the status of the new FTA Safety Office.

# Working Group 12-2, Public Transit Agency Safety Plan Report

## Summary of Task and Memo

The Working Group Lead summarized the contents of the Public Transit Agency Safety Plan (PTASP) memo and reviewed recent changes. The PTASP memo responds to the FTA Administrator’s task statement in which he requests that TRACS develop recommendations on the framework and elements that should comprise the PTASP. Specifically he asked TRACS to:

* Identify the role of the Board of Directors or equivalent in adopting PTASPs;
* Identify processes for conducting a review and update of the plan;
* Identify risk assessment strategies and tools;
* Review and evaluate use of performance targets based on safety performance criteria; and
* Identify components of a comprehensive staff training program.

The memo suggests a framework for the PTASP and provides recommendations to FTA for supporting implementation of PTASPs by transit agencies. The memo is organized into the following sections:

* Executive Summary
* Introduction
* Public Transit Agency Safety Plan Framework
* Recommendations for FTA

In the introduction the memo summarizes MAP-21 requirements, provides background on FTA safety programs, and briefly defines an SMS approach to safety risk management that includes: committed leadership, a safety culture, and management systems.

The framework for the PTASP provided by the plan includes core elements and supplementary elements. The core elements are:

* Prioritized Safety Risks
* Safety Goals
* Risk Control Strategies and Actions
* Safety Assurance
* Safety Training

Supplementary elements are:

* Policy Statement
* Core Safety Responsibilities
* Safety Risk Management Approach
* Document Revision and Control

The goal of the memo was to create a framework for a succinct and usable plan that is flexible and scalable and aligned with the SMS approach to safety management. Not all safety risks need to be identified in the plan – only those priority risks that the agency believed needed to be controlled. The plan should focus on what the priorities are and provide supporting documents on specific programmatic details.

## Discussion

One Committee member noted that she would like to see more language in the memo that explained that the plan should be a “living document,” and that risks and risk strategies should be constantly reviewed and modified as needed. The Working Group Lead responded that the concept put forth in the memo is that risks should be reviewed at least annually.

Another Committee member asked if the supplementary elements are optional. The Working Group Lead replied that the core of the plan is safety risks and control strategies. Supplementary components would provide detail on how those risks are identified. The goal is to keep the plan brief and usable. Mr. Saporta noted that there are examples of SMS plans for transportation agencies that are only 12 pages long.

Several others offered editorial comments. The facilitator then reiterated his suggestion that the memos go through a final revision before the Committee votes on them.