

FTA

FEDERAL TRANSIT ADMINISTRATION

Overview of the Safety and Transit Asset Management Advance Notice of Proposed Rulemaking (ANPRM)

November 18, 2013



U.S. Department of Transportation
Federal Transit Administration

About This Webcast

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 facts not included in the ANPRM
- An opportunity to identify dates for next steps in the rulemaking process

Agenda

- FTA's New Regulatory Authority for Safety
- Introduction to Advance Notice of Proposed Rulemaking
- National Safety Program
- National Transit Asset Management Program
- Request for Comment and Next Steps

A Message from FTA Administrator Peter Rogoff

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 Federal Transit Administration (FTA) with the authority to regulate safety for all modes of public transit
 - Initial focus on rail transit systems
- FTA does not intend to promulgate duplicative, inconsistent, or conflicting regulations

Advancing Top Priorities for Transit

- MAP-21 gives FTA the authority to act as the leader, facilitator, and final regulatory authority by conducting oversight and setting minimum safety criteria and standards.
- FTA proposes that State Safety Oversight (SSO) Agencies continue to serve as day-to-day regulators of rail transit systems
- FTA strengthened the Administration's call for State of Good Repair (SGR) by anticipating new SGR provisions through award of discretionary funding

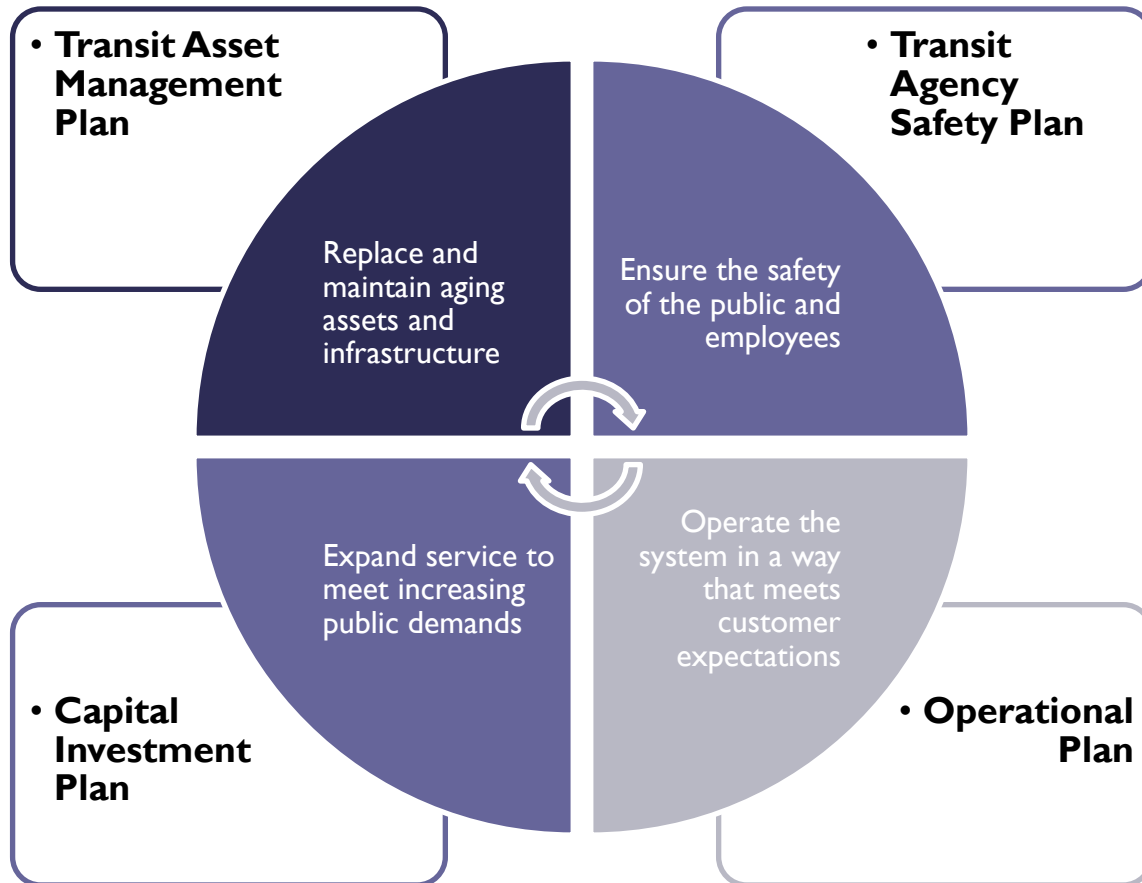
Advance Notice of Proposed Rulemaking

Topics Covered in the ANPRM

- The ANPRM is open for comments in the [Federal Register](#) through January 2, 2014.
- The ANPRM covers two important topics:
 - The National Public Transportation Safety Program (National Safety Program)
 - The National Transit Asset Management System (National TAM System), 49 U.S.C. § 5326(b) and 5326(c)
- Given the scope of the ANPRM, please make sure you explicitly reference the question(s) to which you are responding in each of your comments.

Issuing a Consolidated ANPRM

The Transit Agency Budget and Planning Process



National Safety Program

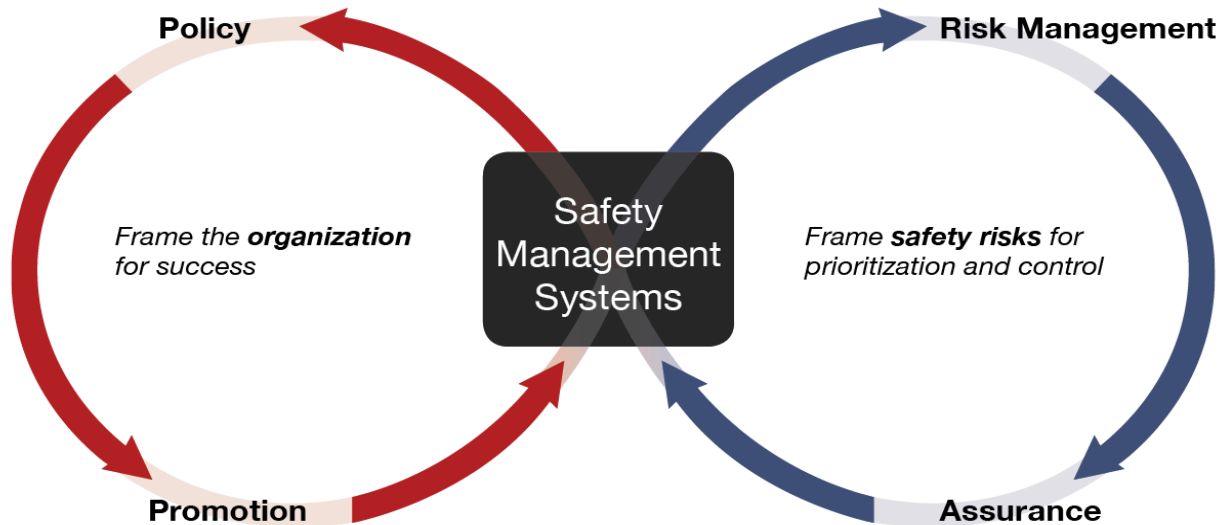
Safety Management System Approach

Safety Management Policy

- Accountable Executive
- Roles and responsibilities
- Management commitment
- Integration with existing programs
- Documentation

Safety Risk Management

- Hazard identification and analysis
- Risk assessment and mitigation



Safety Promotion

- Competencies and training
- Safety communication

Safety Assurance

- Safety performance monitoring
- Management of change
- Continuous SMS improvement

Safety Management System for Transit

- Consistent with DOT Policy
- SMS is scalable and flexible
- SMS has proven successful across industries globally
- Recommended by the Transit Rail Advisory Committee for Safety (TRACS)
- Responsive to MAP-21 requirements

The National Safety Program

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 and safety performance criteria

Transit Agency Safety Plan

49 U.S.C 5329(d)

- Introduces SMS into practice
- Agencies set performance targets for safety and State of Good Repair 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

- Sets national safety priorities through performance based requirements; articulates goals for improved safety risk analysis and performance management in future National Safety Plans
- Defines process for collecting improved, standardized industry safety data
- Establishes clear and consistent definitions/metrics for tracking performance allowing for performance comparisons across agencies and enabling FTA to formulate national trend data and set priorities

Transit Agency Safety Plan

- Defines how SMS is actually put into practice
- Sets safety performance targets per the criteria and standards set out in National Safety Plan
- Coordinates with state/MPO to inform investment choices

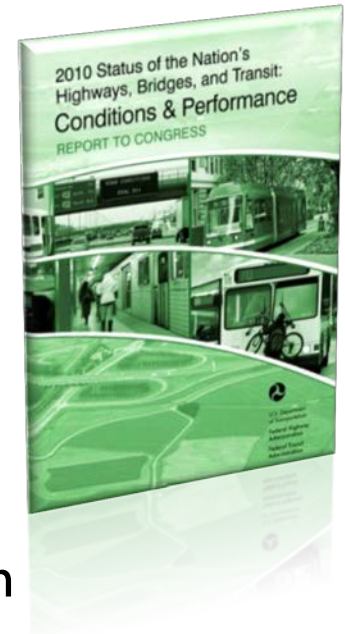
Safety Certification Training Program

- Establishes a minimum baseline for expertise within the industry for Federal, State and transit agency personnel responsible for oversight and transit agency personnel responsible for safety
- Certifies course completion, not ability to perform job duties
- FTA will soon publish proposed Interim Provisions in the Federal Register

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
 - Focuses on rail systems



The National Transit Asset Management System

National Transit Asset Management System

FTA Defines State of Good Repair (SGR)

49 U.S.C. 5326(b)(1)

FTA Establishes SGR performance measures;
Recipients set SGR targets based on the measures

49 U.S.C. 5326(c)(1) and (c)(2)

Recipients and subrecipients develop TAM Plans

49 U.S.C. 5326(b)(2)

Recipients report asset inventories and condition assessments

49 U.S.C. 5326(b)(3) and 5335(c)

FTA provides technical assistance

49 U.S.C. 5326(b)(5)

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

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

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

- Requirements will be scalable and flexible
- FTA will conduct risk-based oversight of TAM Plans

Technical Assistance

- Two statutory requirements:
 - Develop decision support tool for investment prioritization
 - Implement analytical process for capital investment needs (TERM-Lite)
- Transit Asset Management Guide
- Best practices from TAM pilot projects
- TAM courses

Request for Comment

We request that you please take the time to comment on this [ANPRM](#) and provide your thoughts to docket No. *FTA-2013-0030* by January 2, 2014.

You may do so via:

- Web: www.regulations.gov
- Fax: 202-493-2251
- Mail: USDOT HQ*
- Hand delivery: USDOT HQ*

*1200 New Jersey Ave. SE
Washington, DC 20590

Next Steps

FTA will consider separate NPRMs to implement the requirements of:

- The National Public Transportation Safety Plan
- The Public Transportation Agency Safety Plan
- The Public Transportation Safety Certification Training Program
- The National Transit Asset Management System

Upcoming Webinars

Safety/TAM ANPRM for Small Transit Systems

- **When:** Tuesday, December 3, 1:00 – 2:30pm EST

Safety/TAM ANPRM for Medium/Large Transit Systems

- **When:** Wednesday, December 4, 2:00 – 3:30pm EST