



FEDERAL TRANSIT ADMINISTRATION

# Public Transportation Safety Program

## *Notice of Proposed Rulemaking (NPRM)*

Webinar

September 17-18, 2015



U.S. Department of Transportation  
Federal Transit Administration

# Today's Webinar

1. Background
2. Contents of the NPRM
3. Next Steps

# About this Webinar

## **This is:**

- A forum for FTA to explain what is covered in the NPRM
- A recorded presentation that will be made publicly available in the NPRM 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 NPRM

# About the Questions

## **We can discuss:**

- Clarifying questions

## **We cannot discuss:**

- Questions about implementation
- Comments about implementation
- Suggestions related to proposals

# Public Transportation Safety Program

RULE

SMS

National Public  
Transportation Safety Plan  
GUIDANCE

RULE

National Public Transportation  
Safety Certification Training  
Program

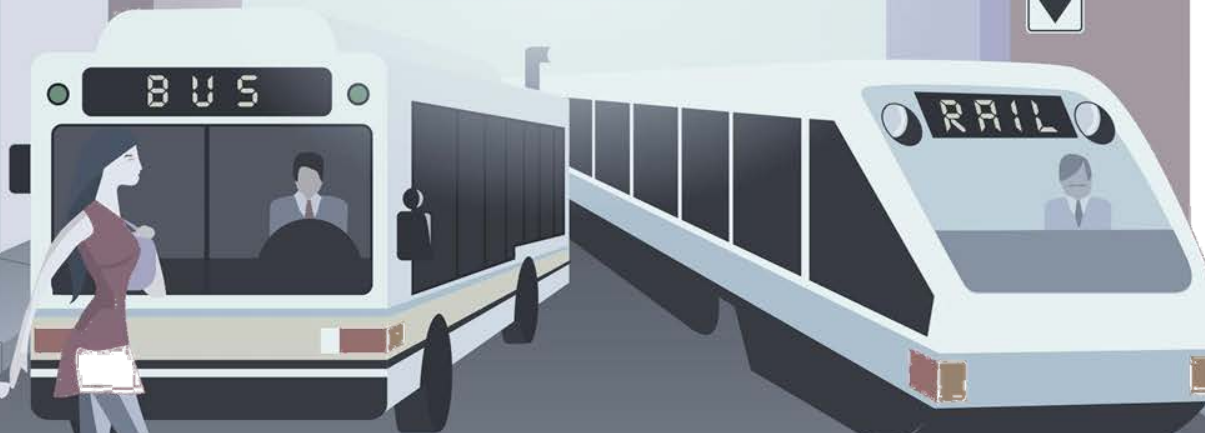
RULE

Public Transportation  
Agency Safety Plans

RULE

State Safety Oversight (SSO)  
Program

TRANSIT  
AGENCIES

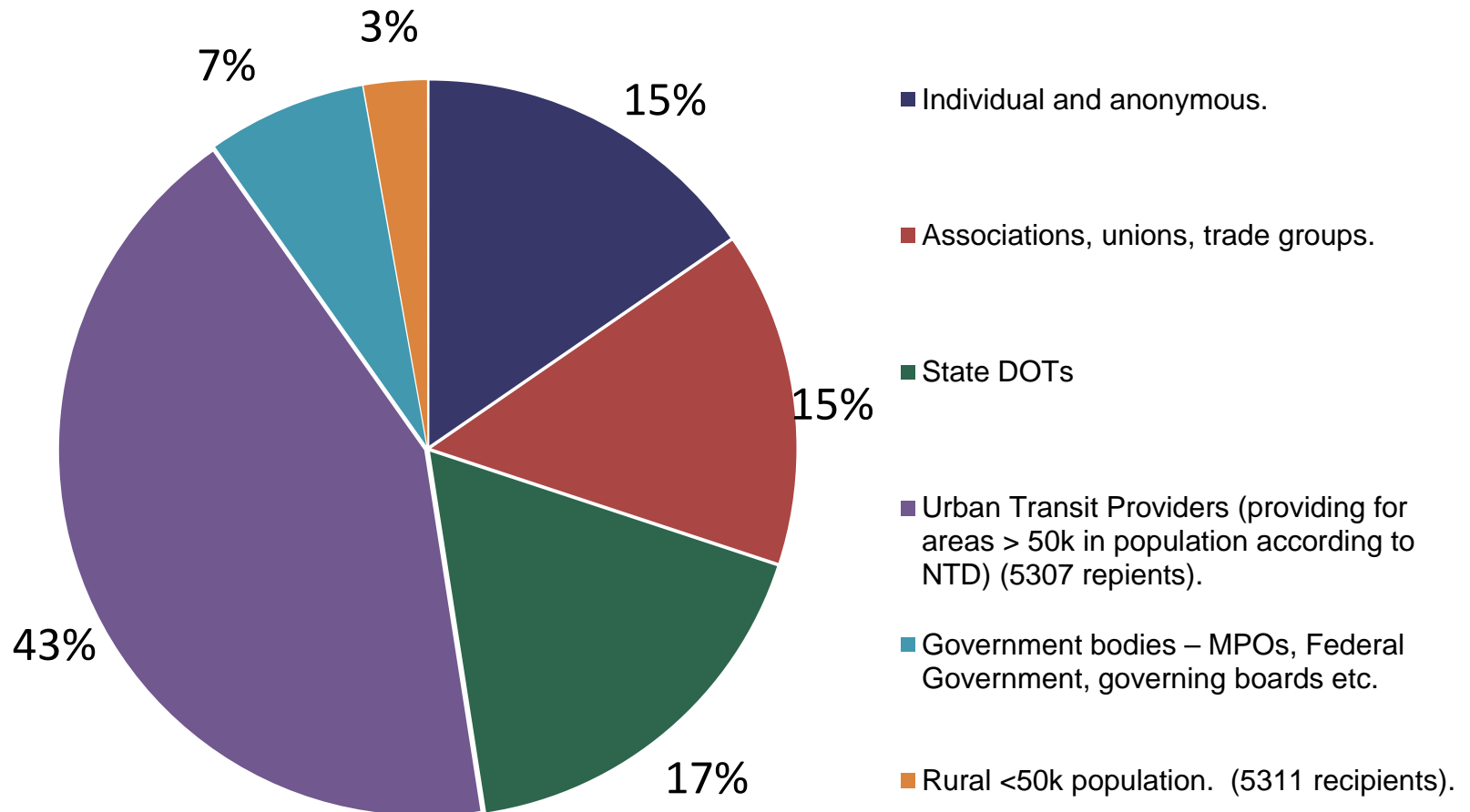


SAFER PUBLIC TRANSPORTATION

FTA

FEDERAL TRANSIT ADMINISTRATION

# ANPRM Responses



*146 Respondents, over 2500 pages of comments!*

# 2015 Safety Regulatory Activities

Public  
Transportation  
Safety  
Program

National Public  
Transportation  
Safety Plan

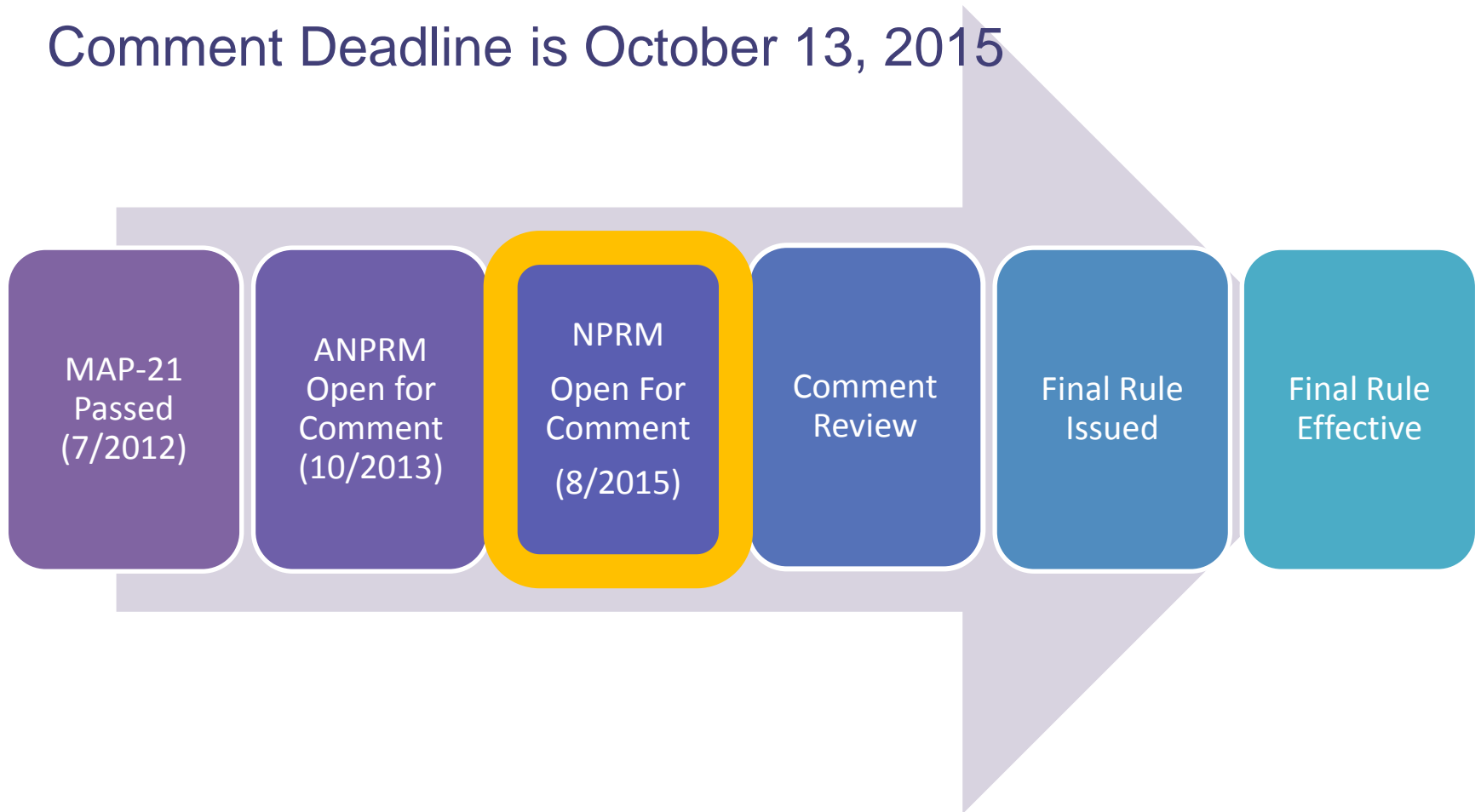
Safety  
Certification  
Training  
Program

Public  
Transportation  
Agency Safety  
Plan

State Safety  
Oversight  
Program

# Where Are We In the Process?

Comment Deadline is October 13, 2015



# Contents of the Public Transportation Safety Program NPRM

## **PART 670—PUBLIC TRANSPORTATION SAFETY PROGRAM**

### **Subpart A—General Provisions**

- 670.1 *Purpose and Applicability*
- 670.3 *Policy*
- 670.5 *Definitions*

### **Subpart B—Compliance Assessments**

- 670.11 *Inspections, Investigations, Audits, Examinations, and Testing*
- 670.13 *Request for Confidential Treatment of Records*

### **Subpart C—Enforcement**

- 670.21 *General*
- 670.23 *Use or Withholding of Funds*
- 670.25 *General Directives*
- 670.27 *Special Directives*
- 670.29 *Advisories*

### **Subpart D—National Public Transportation Safety Plan**

# What Does Adoption of SMS Policy Mean?

Consistent with the methods and principles of SMS, FTA will give priority in our rulemaking, enforcement, oversight, and resources towards those issues that pose the highest risk to the safety of public transportation systems.

- <https://safety.fta.dot.gov/cms/resources/view/fta-sms-framework>

# FTA's Safety Enforcement Authority

- Perform Compliance Assessments
  - Inspections
  - Investigations
  - Audits
  - Examinations
  - Testing
- Equipment, facilities, rolling stock, and operations

# Compliance Assessments

- Requests for production of documents
- Request for confidential treatment of documents

# Use or Withholding of Funds

- Establishes administrative process
- Triggers:
  - Pattern or practice of violation of regulation or directives
- Administrator may:
  - Require grantee to use funds to correct safety deficiencies
  - Withhold funds

# Directives

## General Directives

- Applicable to all (or subset of) grantees
- Effective upon notice in Federal Register
- Subject to public notice and comment

## Special Directives

- Applicable to one or more named grantees
- Effective upon direct notice to grantee
- Establishes process for reconsideration

# Advisories

Applicable to one or more grantees when an unsafe condition exists

- Recommends actions to identify and/or mitigate the unsafe condition
- Effective upon notice in the Federal Register
- Non-compliance may impact enforcement actions
- Establishes administrative process

# National Public Transportation Safety Plan

- Defines purpose and contents
- Includes statutorily required components and other FTA proposed content

# Next Steps

## 1. Comment!

- Comment period closes on October 13, 2015
- Comments should identify: Docket # FTA-2015-0009 or RIN # 2132-AB22
- For more information, please contact:  
[Lynn.Everett@dot.gov](mailto:Lynn.Everett@dot.gov) or [Candace.Key@dot.gov](mailto:Candace.Key@dot.gov)

## 2. Comment review

## 3. Develop final rule

## 4. Publish final rule

# Submitting Comments

- **Electronically:** <http://www.regulations.gov>
- **US Mail:**  
Docket Operations;  
USDOT  
1200 New Jersey Avenue SE,  
West Building  
Room W12-140, Washington, DC 20590-0001
- **Hand Deliver:** Docket Operations in Room W12-140 of the West Building, Ground Floor, at 1200 New Jersey Avenue SE, Washington, DC (M-F, 9:00am – 5:00pm)
- **FAX:** 202-493-2251

