



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

Headquarters

1200 New Jersey Avenue, SE  
Washington, DC 20590

December 31, 2013

Dear State Safety Oversight Directors and Rail Transit Agency Chief Safety Officers:

The FTA is requesting that each State Safety Oversight (SSO) agency coordinate with every rail transit agency in its jurisdiction to complete and submit the checklist contained in the Safety Advisory to FTA's Office of Safety and Oversight **by close of business on Friday, February 28, 2014**. The FTA will use this information to better understand the current state of RWP practices as part of a larger analysis germane to NTSB urgent safety recommendation R-13-39.

In addition, as part of the hazard management process, I am requesting that each SSO agency require its rail transit agencies to conduct a formal hazard analysis regarding the presence of workers on the rail transit right-of-way. This analysis is requested **by close of business on Friday, May 16, 2014**. This analysis should cover situations, such as the "simple approval" addressed by the NTSB in the urgent safety recommendations (see <http://www.nts.gov/doclib/recletters/2013/R-13-039-040.pdf>), as well as emergency and scheduled access, in work zones and moving crews, under traffic and in exclusive occupancy. The FTA is also interested in how rail transit agencies view the benefits of "lock outs" (such as positive train control systems, secondary warning devices, and shunting) to improve worker protection through redundancy.

### **Background**

The NTSB urged the FTA to issue a directive requiring a redundant protection mechanism, such as positive train control, secondary warning devices, or shunting, to provide protection for these workers (R-13-39, Urgent). Further, the NTSB believes that the FTA should mandate an examination of the current rules and procedures in practice at all rail transit properties to verify adequate protection for workers (R-13-40, Urgent).

The FTA is committed to working with the NTSB, rail transit agencies and state safety oversight (SSO) agencies to improve rail transit safety. Central to our approach is Safety Management Systems, or SMS. An SMS provides a risk-based framework for identifying hazards, mitigating consequences through formal risk assessment, and ensuring accountability in decision-making. The FTA will be unveiling its SMS training program in 2014 along with supporting technical assistance materials and a pilot program. Information is available on FTA's adoption of SMS at [http://www.fta.dot.gov/tso\\_15176.html](http://www.fta.dot.gov/tso_15176.html).

In the interim, to begin the process of integrating the SMS approach into transit safety and oversight, the FTA has prepared guidance in the form of FTA Safety Advisory 14-1 (see [http://www.fta.dot.gov/documents/SA-14-01\\_RWP.doc](http://www.fta.dot.gov/documents/SA-14-01_RWP.doc)) in response to the NTSB's recommendations. This guidance is designed to support each rail transit agency in working with its SSO agency to conduct a comprehensive review of right-of-way worker protection (RWP) program elements and options for enhancement. It offers guidance and tools, and contains a

compilation of lessons learned from right-of way worker accidents over the last decade. This information is intended to help rail transit agencies assess their programs within the context of the broader national experience.

If you or your staff has questions regarding the contents of this safety advisory, please contact me at 202-366-9239. Thank you for your immediate attention to this advisory and your continued commitment to transit safety.

Respectfully,

A handwritten signature in black ink, appearing to read 'Th. Littleton', written in a cursive style.

Thomas Littleton  
Associate Administrator for Safety and Oversight