

State Safety Oversight (SSO) Program Final Rule

The State Safety Oversight (SSO) final rule (49 CFR part 674) replaces the current SSO rule at 49 CFR part 659 and significantly strengthens an SSOA's authority to investigate accidents and oversee a rail transit agency's implementation of its System Safety Program Plan (SSPP) and Public Transportation Agency Safety Plan. The SSO rule also gives FTA the authority to review and approve each State's SSO program and take enforcement actions against those States with non-existent or non-compliant safety oversight programs. The final rule can be viewed on the FTA public website [here](#).

Summary of Key Provisions

The final SSO rule strengthens the existing SSO program and includes the following guidelines:

- States assume greater responsibility for overseeing the safety of their rail fixed guideway systems
- FTA reviews and approves each State's SSO program standard, certifying whether States are meeting the statutory criteria
- FTA can impose penalties on those States with non-existent or non-compliant safety oversight programs

Effective Date and Funding

This rule becomes effective 30 days after publication.

- SSOAs have three years from date of publication to be fully compliant with the final rule (FTA believes many agencies will be in compliance before the deadline)
- Congress has authorized grant funds for States to use to develop and implement a new SSO Program

Changes from the NPRM to the final rule:

FTA made the following changes to reduce the burden on SSOAs:

- Adding greater clarity on accident/incident reporting, including a detailed appendix to assist with accident and incident notification and reporting requirements
- Revising the investigative responsibilities of the SSOAs, by giving them the option to conduct independent investigations or to review a rail transit system's investigation
- References to Safety Management System (SMS) have been removed from rule text

SSOA Requirements

Every state must establish a State Safety Oversight program and must ensure that the SSOA:

- Is financially and legally independent from any rail transit agency it oversees
- Does not directly provide public transportation services in an area with a rail transit system that the SSOA oversees
- Does not employ any individual responsible for administering a rail transit system
- Has authority to review, approve, oversee, and enforce a public transportation agency safety plan for a rail transit system
- Has investigative and enforcement authority with respect to the safety of the rail transit system
- At least once every three years, audits every system's compliance with safety plan requirements
- At least once a year, report the status of the safety of each system to the Governor, the FTA, the board of directors, or equivalent agency