# Public Transportation Safety Certification Training Program Interim Provisions Webinar

**Operator (Lori)**: [0:02] Hello, everyone. Welcome to the "Public Transportation Safety Certification Training Program Interim Provisions Webinar." Before we get started, I'd like to go over a few items so you know how to participate in today's event.

[0:16] You join the presentation listening using your computer speakers by default. If you would prefer to join over the telephone, just select **Telephone** in the audio pane and the download information will be displayed.

[0:30] You will have the opportunity to submit text questions to today's presenters by typing your question into the questions pane of the control panel. You may send in your questions at any time. We will collect these and address them during the Q&A session.

[0:44] And now, we have a very special guest to welcome everyone to today's webinar.

**Angela Dluger**: [0:50] Good morning and good afternoon to participants from across the country. My name is Angela Dluger. I'm the Deputy Associate Administrator for FTA's Office of Transit Safety and Oversight, and I'm here to welcome Therese McMillan, who is the Acting Administrator of the Federal Transit Administration.

**Therese McMillan**: [1:08] Thank you, Angela. I want to begin by thanking each of you today for joining us. We've been very fortunate to have your participation every step of the way as we've worked to implement our new safety authority under MAP‑21.

[1:25] Everyone at FTA really appreciates your engagement and your cooperation. We never miss the opportunity to say that our goal is to help a safe mode of travel stay safe, and together we've done a tremendous amount of work towards that goal over the last two years.

**Therese**: [1:46] Last year, we issued proposed interim provisions for the Public Transportation Safety Certification Training Program, and today, we are here to talk about the final interim training provision, designed to help our industry adopt Safety Management Systems, which you will hear referred to as SMS a lot today.

[2:11] Now, from the very beginning, we have known that we would need a flexible, adaptable approach to safety. I understand that there's approaching 300 of you participating today, and that means, by definition, that this group represents small, medium and large operators, I'm sure across the country, and operating in very different environments.

[2:36] And that just goes to underscore our belief that one size does not fit all, and that's why we've chosen SMS as the centerpiece of our safety programs. I do want to emphasize that although we're talking about final interim provisions today, we fully intend to monitor the program and make revisions as needed. Those interim provisions will be in effect until the final rule is published and the Technical Training Program we're discussing today will go a long way towards increasing the expertise of our Federal and SSOA safety personnel and their contractors so that together we can keep transit safe and reliable.

[3:23] So again, I want to thank you for your interest and your participation and most importantly for the work that you do every day to keep the transit safe across the nation. And now, I am going to turn it over to...

**Donna Aggazio**: [3:40] This is Donna Aggazio. I'm with the Office of Transit Safety and Oversight. Thank you, Acting Administrator McMillan for being here. We appreciate you taking the time to welcome our audience.

[3:52] And hello, everyone. We appreciate your time today to be on the webinar and which will be speaking to the interim provisions of FTA Public Transportation Safety Certification Training Program. This webinar is a forum for FTA to provide an overview of the program. We are recording the webinar and it will be available for viewing at a later date.

[4:16] Here to review the Interim Provisions is Ruth Lyons from the Office of System Safety. We also have Bruce Walker from our Office of Chief Counsel to help with the questions during the question and answer period.

[4:33] Now, Ruth, for your presentation.

**Ruth Lyons**: [4:37] Thank you and welcome everyone. I am really happy to have the opportunity to present the interim provisions webinar to you. And I'd like to say up front we really look forward to the questions and comments that you all may have. I know you're very interested in hearing more about the details of the implementation of this program.

[4:58] First a little background on the MAP‑21. Just, you know, when it started back in in 2012, FTA was provided the authority to establish a Public Transportation Safety Certification Training Program for Federal and State employees or other designated personnel, which are also most likely the contractors.

[5:23] And for these folks, those who conduct safety audits and examinations of public transportation systems. So the Safety Certification Training Program is also for employees of public transportation agencies who are directly responsible for safety oversight.

[5:43] And we did provide you a link for your review either now or after the webinar. The actual Federal Register notice that was published on February 27, 2015.

[6:01] Additionally, because the rulemaking process can be so long and, and extensive and sometimes very time, time consuming MAP‑21 also requires FTA to establish the interim provisions for the certification and training of the personnel described in the previous slide. What I wanted to do is just kind of set up a little bit of dialogue here on some of our expected outcomes of the implementation of the interim provisions.

[6:33] We expect the interim provisions to have a positive impact as the industry prepares for the FTA's final rules. And we'll do this by increasing ability to identify and control hazards before an accident happens, increasing effectiveness of oversight due to higher standards, and continuing to build a strong safety culture.

[6:57] And also, as Acting Administrator McMillan has said, we all have the same goals. It's to provide a safe mode of travel and to stay safe. That is one of our objectives. We will be achieving these, just some of these outcomes as there are additional outcomes, but just these three that I've listed, we'll be achieving them through advancing FTA's adoption of SMS to improve safety of public transportation.

[7:27] So, an overview of the interim provisions. It's broken down into really, like, three parts. There's a required training program that includes promoting the adoption of SMS components and there's a required Technical Training Plan component. And before anyone gets too nervous, it's for the Feds and the SSOs and their contractors.

[7:50] And then, also, there's a voluntary component.

[7:58] The interim provisions published February 2007 [*sic*], 2015, the effective date is May 27, 2015 although the Federal Register notice does say May 28. We can take the May 28, of course. Participants who start in the program as of the effective date have three years from the effective date to complete the curriculum. And that will be starting on May 28, 2015.

[8:28] Just a little bit more detail on the required participants. Pursuant to 49 US Code 5329 C2, the interim safety certification training provisions apply to the following covered personnel: Federal personnel and their contractors who conduct safety audits and examinations of public transportation systems, SSOA personnel and contractors who conduct safety audits and examinations of rail fixed guideway public transportation systems not subject to FRA regulation,

[9:05] And then we have our group of the employees who are working at the rail transit properties who are designated as safety oversight. And these are at the systems subject to 49 CFR Part 659 who are directly responsible for safety oversight.

[9:23] Now, each participant or grantee will be designating its covered personnel, identifying those who are directly responsible for safety oversight of its rail transit systems. Those are going to be the folks from the rail transit systems who will be participating in this required training program for them.

[9:47] So, if we discuss here who's directly responsible for safety oversight, at a minimum this means a Chief Safety Officer and safety staff who participate in the development, implementation, or maintenance of the requirements of an oversight agency's program standards.

[10:11] We also have the voluntary participants. We do encourage participation from – by the participants who are in this voluntary category. The following personnel may voluntarily participate in the interim provisions if they are directly responsible for safety oversight at – we've got (a) Personnel employed by recipients of Federal transit funds of non‑rail transit systems. For example, passenger ferry, bus, bus rapid transit, and community transportation providers.

[10:45] And (b) Personnel of State DOTs or other State entities that receive Federal transit funds, non‑rail transit systems such as passenger ferry, bus, bus rapid transit, and community transportation providers.

[11:04] Now, this slide here, I like it; it gives it a nice, nice overview of if you have this, what are your requirements? If you don't have certain things, it shows your different requirements.

[11:18] So on the column to the left, under **Curriculum** it shows some of the tools and the deliverables that we have that are supporting the implementation of the interim provisions. The first one is registering on the FTA Public Transportation Safety Certification Training and Resource website. We will have more discussion on this later on. But, as you can see, most of the folks across that row are required to register on this website with not including the voluntary folks on the last column.

[11:54] Going down and all of these courses have been listed in the Federal Register notice, but I just wanted to show on the second column over where it says for example, SSO/FTA *with* TSSP Certificate. So if you're coming into this program and you already have participated in FTA sponsored Safety Certification Training Program, the four courses that make up that, you will not be required to take again.

[12:22] However, if you go down I think it's the fourth or fifth row, it has the TSSP certificate “gap” course. It's a two‑hour e‑learning. This is the course that you will be required to take instead: a two‑hour e‑learning that will, that will provide you with the SMS components applied to the subject matter of the four courses that you already took.

[12:52] Over the next column over to the right, for example, if you're coming into this program as a required participant, and you have not taken any of the four courses that make up FTA's TSSP, you can see you have “Rs” pretty much in every section that are requiring you to take and participate in each course. And I have two of the down on the bottom, we have technical training plan. And we only have two Rs listed on that row. And that is because the SSOs and the Federal employees and their contractors are required to participate in submitting their Technical Training Plan.

[13:38] That's just an overview for you to see the various types of profiles that a participant may have when they register on the website – [to someone in the room] thank you…

[13:54] So here just a little bit on the Technical Training Plan itself. And we'll refer to it as TTP. There'll be an online template for developing and submitting the Technical Training Plan.

[14:10] As we'll see in additional slides further on, there are minimum elements that must be covered in the TTP. Those are included in the template as you are, when we do have access to the website, and you are for the first time creating your technical training plan proposal. Those minimum elements are built into the template that will guide you to completing that. Again, required for Federal, SSOs, and their contract personnel.

[14:47] The initial online submission is due to FTA by May 28, 2015, and FTA will be available to provide one‑on‑one technical assistance as needed. So you will not be alone during this process, we want to make sure that everyone has the tools they need to be successful.

[15:10] This is a nice little sneak peak snapshot of the Technical Training Plan that will be on the website and as you can see, you, if there's various training that you have either taken in the past, someone in your team has taken or one that you plan to take, that's offered by one of the RTAs in your jurisdiction entering the course name, course number if applicable, course type, you see this, the blue square, you, that's a drop‑down menu where you can select options.

[15:47] Course date, over to the right. You'll be able to build a number of, of participants, who are part of the Technical Training Plan from your State.

[16:01] So this is just a little snapshot. Again, you will not be alone when you are developing these Technical Training Plans. We will be here at FTA to assist you on one‑on‑one technical assistance.

[16:17] So this is just a, another briefing on the minimum Technical Training Plan areas.

[16:24] This was provided in the Federal Register notice, but I'd like to for folks who either didn't get a chance to read all of it, I thought it was important to provide what some of those minimum areas were.

[16:37] How are you, if you are a Fed or a State personnel or contractor, who are going to be providing oversight, safety oversight, how are you going to ensure that you are have an increased awareness or training on the Agency Safety Plan, and implementation or the systems safety program plan since technically still under 659 Agency Configuration Management Program at the transit property.

[17:07] How are you gaining knowledge in the following areas of the RTAs that are in your jurisdiction? The territory and revenue service familiarization. Bulletins, general orders, how are you becoming familiar with these items, operations and maintenance rulebooks, safety rules, roadway worker protection, employee hours of service, and as you see, there is this technical training is very important for folks to ensure that they have to provide effective safety oversight.

**Ruth**: [17:47] Now this is the fun part, the website and course availability. Where is all this good stuff, and when can you all get, get your hands on it? Our target date for the new Training and Resource website is expected to launch on April 30, 2015. Currently, a contractor who did the development doing a wonderful job with the beta testing, and we are conducting our own internal beta testing, and kind of kicking around, seeing how it looks.

[18:17] Very exciting, the industry I think you all are really going to find it as a useful tool. Here are just some of the things you're going to be able to do. Participants can register for courses, request to host a course at your agency, enter, and submit Technical Training Plan proposals. Again, this is for Fed, SSOs, and their contractors. And submit this by May 28, 2015.

[18:41] You'll be able to send questions to FTA, and get answers. Gain access to an extensive inventory of transit resource material. I like this one the best: participants can monitor their own profile based on your job function. So the participants will have a profile and it will be some analytics for the participants to see your own progress. And I think that will really help folks with moving through its increasing knowledge and competencies.

[19:20] What I'm trying to show here is our current training website which most of you are very familiar with. And it has the link also. We do have our current Federal Register notice listed here under the resources. Now, between now and launch date, which is April 30, 2015 please continue to, to register for courses anything that you are interested in outside of the interim provisions.

[19:51] As you know, we've got the bus and the rail training, emergency management and other public safety training. We will have updates as we get closer on this webpage as well as the next slide.

[20:08] Now, this is just a little, little teaser screenshot: new Training and Resource website, and you can go to that, use that link, you could go to this landing page and this is where updates will also be listed.

[20:23] Let's see. In some next steps that we have for discussion until the final rule is promulgated the interim provisions will be in effect. In the meantime, FTA periodically may revise the interim provisions following an opportunity for public notice and comments. So questions or comments made by participants on this webinar can play a role in how we address future changes to the training program.

[20:55] So this is not intended to be, we don't want it to be a static program. It will be ever‑changing based on needs of the industry, findings regulatory requirements, best practices, and because this training program is for you we really need your feedback, want your feedback and I have to say that the comments that we received from the Federal Register notice that went out last April very, very meaningful comments and those comments that were analyzed really created what we have today.

[21:33] And, so with that if by chance there are questions today either you don't get a chance to ask, or you ask and for some reason they don't get addressed during the timeframe, please use this contact information, call me or e-mail me. The information listed here are also for legal questions. There's Bruce Walker's information, and we really look forward to developing and implementing this program. So I guess now we're ready for some questions.

**Operator**: [22:12] Excellent. We're going to take some questions now. But I do want to remind everyone that you can submit your questions through the questions pane of the control panel.

[22:22] Our first question is from Joe. "When will we know how the SMS applies to the rural transit programs?"

**Ruth**: [22:34] And this is Ruth, if could you ask that again, I didn't hear you very well.

**Operator**: [22:38] Sure. "When will we know how the SMS applies to the rural transit programs?"

**Ruth**: [22:46] Did you say the rural, R‑U‑R‑A‑L?

**Operator**: [22:49] Yes.

**Bruce Walker**: [22:52] This is Bruce Walker with the Office of Chief Counsel. If I'm understanding the question correctly, at this juncture – SMS if you may recall Administrator Rogoff had administered, a, had published a Dear Colleague letter some time ago, I believe in the 2012 timeframe in which it was articulated that SMS would be the framework that FTA would be engaging in for its all of its safety rulemaking efforts.

[23:22] Now, insofar as rural transit is concerned many of our programs, even though they're voluntary at this juncture already include components of SMS so technically SMS is already available for the rural systems to apply with their training, as they engage in the bus safety training programs.

**Operator**: [23:45] Thank you. Our next question is from Velvet. Bear with me, this is a long question. "For the technical training to be developed and administered by the SSOs, please describe what will be permissible with regards to who must teach and train courses. For example, if the SSO hires a consultant for general technical support, that consultant may be tasked with developing the Technical Training Program."

[24:15] "However, all SSO consultants are required to complete the training program. How would this work, will consultants who deliver the training need to go through the training that is developed?"

**Ruth**: [24:28] That's a very good question. First of all when you're addressing the who must teach‑‑ just a second, where'd it go ‑‑it's up to the discretion if you are identifying technical training that is to be completed and proposed in a Technical Training Plan. Selecting someone who's got the qualifications that you deem are acceptable we're trying to, to give some independence to the SSOs with the Technical Training Plan proposals.

[25:09] By utilizing training that's either conducted at the rail transit agencies, or, using, using a contractor. The question, the question of if a contractor is actually delivering the training I'd say some of these would have to be on a case-by-case basis. Was it a train the trainer class, or was it just a direct so was it the train the trainer class, then the instructor had received the training. So, some of these would be on a case-by-case basis.

**Bruce**: [25:40] This is Bruce Walker. Ruth, if I might add to your response to that question. Keeping in mind that the SSO is the entity that's ultimately responsible for ensuring that the training is developed. So therefore, as part of the contractual framework that they're engaging with their consultants, those are specific issues that would be worked out between the SSOA and the potential contractor.

[26:07] Now, once the training's developed, of course it would be the expectation that the trainer would be competent in regard to the issues. But as Ruth indicated as it relates to the Technical Training Plans, FTA will provide one‑on‑one assistance as needed throughout our, through our office with Sean Thompson and/or Maria Wright.

**Operator**: [26:34] Thank you both. Next question is from Tabitha. "What is the role of the MPOs in safety oversight?"

**Bruce**: [26:45] Well, this is Bruce Walker, again. And safety oversight or safety itself, as a general rule is everyone's responsibility. But specifically as it relates to the Interim Training Program, or the Safety Certification Training Program, MPOs are not required participants. However, if they if members of an MPO are so desire to voluntarily participate, they will be more than welcome to do so, but they're not required participants under the Congressional statute.

**Operator**: [27:16] OK, our next question is from Cynthia. "So bus systems are not required to have a certified safety person."

**Ruth**: [27:26] At this time the mandatory participants do not include bus, however that does not that does not say that we do not encourage the bus folks to be to participate in this mandatory program in a voluntary fashion. with that said, there are going to be numerous potential in the NPRM, the final rule for training there may be an expansion, I don't know yet how this is going to grow, but, on a voluntary basis we do encourage that.

[28:06] However we also have the SMS, the bus SMS implementation pilots that are going on all throughout the country. Whether they are, some are planned now, or they will be rolled out in the next year or two. Additionally, it's...

[28:26] Bruce, do you have anything to add to that? I wasn't sure if you...

**Bruce**: [28:30] No, I would just would just want to reemphasize the fact that insofar as the Safety Certification Program is concerned, again, as it relates to the transit providers, it's primarily going to be targeted towards those who are directly responsible for safety oversight. Not the operations personnel, but again these those who are directly responsible for safety oversight.

[28:55] And there's a distinction that we, that we have to acknowledge and which will be explained more as we promulgate or publish the NPRM for our public transportation Agency Safety Plan rule.

**Operator**: [29:12] Well, thank you. Roger is asking, "Are Section 5310 providers part of the required participants?"

**Bruce**: [29:24] Interesting question, Roger. At this juncture, the voluntary, I should say the mandatory participants for the for this program are going to be those rail transit systems who are primarily funded under 5307 and there are some5311 participants who will be also voluntary.

[29:46] 5310 participants, or I should say 5310 recipients, are also encouraged to be voluntary participants. and I would also direct your attention to the Federal Register notice that we published back on I believe it was February 27 as 80 Federal Register number 39, and if you'll go to page, starting at page, give me a moment here to refer.

[30:19] 10619, I would encourage everyone to take some time to review the Federal Register notice articulating the final provisions for the Interim Training Program. I think you'll find many of the questions have already been addressed as we were responding to the comments that were submitted from the as we were first proposing this this program.

**Bruce**: [30:50] But again, keep in might though...

**Operator**: [30:52] Go ahead, Bruce.

**Bruce**: [30:53] I'm sorry for speaking over you, Lori, I was just going to reiterate that 5310 participants are more than encouraged to be voluntary participants in the program.

**Operator**: [31:03] Excellent, thank you. We have a question from Patrick. "What if you have a certificate from one of the required trainings, but it has been 10 years since you last took the class? Would you still be required to take all four required classes?"

**Ruth**: [31:19] Thank you very much for that question, that is a good question. Typically, we do have a period of three years in which you have to complete the four courses that are in the FTA Safety Certificate Program.

[31:34] However, during the, the 10 years we're going to do a case-by-case basis. When you are logging in to the website and you have established your profile, and if there's a course that you have taken that was taken 10 years ago we will need to evaluate to what extent revisions have been made to that course, and we will have to evaluate the situation on that one.

[32:06] But we are in a position to be able to work with you. You just need to let your question be known on your profile so that we can evaluate that.

**Operator**: [32:18] Thank you, Ruth. Patrick is also asking, "Is there a way to test out of some of the specifications, especially if you have performed many of these tasks, yet have not received a certification?"

**Ruth**: [32:33] And I think we've got. That could be a two‑part, a two‑part question. Well, I'm going to address it in a two‑part way. If right now we're establishing in the interim provisions, we're establishing a baseline with sending out the information for the industry to develop and implement components of SMS. And we're doing that through a lot of the training that we have in the required programs.

[33:02] With that said for the most part, we stated this in the in the interim provisions, that at this time, we're not necessarily going to be looking into equivalencies. However, in the NPRM, the final rule, we are contemplating establishing processes on how we will evaluate that.

[33:26] And the second part of the question... [short pause] I think the second part could be the technical training piece.

[33:40] So, if you have taken training that's addressing if you are an SSO, or a Federal employee, or a contractor, and if you have taken technical training but maybe have not received a certificate you will be able to propose in your plan has there been other means of identifying, [ding] if you have become competent in that technical area through observation, or through some other means with your supervisor.

[34:13] So, that could be addressed in your Technical Training Plan thank you.

**Operator**: [34:20] Thank you, Ruth. Our next question is from Joe and again, this is a long question, so bear with me, "Obviously, this program is geared for urban bus and rail. The required topics could be overwhelming to determine what does and does not apply to community transit. Will there be an outline/description of what will be “required” of the community transit providers?"

[34:45] "I know at this point that participation is voluntary for this group, but knowing what to apply will help to get the community transit providers in-line with the program now, instead of waiting until after the urban systems have become compliant."

**Bruce**: [35:12] Well, this is Bruce Walker again. I don't, I believe the questioner may be conflating some of the requirements with regard to mandatory participants who are RTAs, and the voluntary proponents, which are bus providers, whether they are urban or rural. So therefore, again, to reemphasize the mandatory participants with regard to the interim provisions are going to be those RTA personnel who are directly responsible for safety for the at the fixed rail guideway systems, that are subject to 49 CFR 659.

[35:59] And again, voluntary participants will be those who, those recipients who are directly responsible at bus systems, be they urban or rail. Hopefully, that clarifies the question for you, or the issue.

**Operator**: [36:15] Thanks, Bruce.

**Bruce**: [36:17] Please of...to if you have some additional questions with regard to that, we're going to be providing an e-mail address for follow‑on questions that will be provided at the close of the of this session today.

**Operator**: [36:36] I have another question. It's from Vijay, "If one of...If one has taken one or more of the required courses several years ago, will they have to repeat those courses, or just take the remaining courses to obtain FTA certification?"

**Ruth**: [36:54] Thank you for that question. Basically again, just like the, the previous question if it was recent, within a reasonable amount of time, where the courses have not been significantly revised then you will not be required to. But what we will ask is, in the profile, you can upload your certificates from your completed courses, and, and we will evaluate that.

[37:24] If you have problems with identifying the location of your certificate, you can contact me and I can work with TSI, or you can contact TSI to get that certificate to upload it. But that is a good opportunity to use that contact FTA, that'll be on your profile, where you can ask the questions, based on the nuances of, of your profile, and the requirements.

**Operator**: [37:56] OK, thank you. Our next question is from Peter, "Will the new website incorporate information from the current Bus Transit Safety website? In other words, will there be examples of best practices, templates, checklists, policies, etc., available through the website?"

**Ruth**: [38:16] So, since the...and we are very excited. We know folks really want to see this website today. There are still some nuances that we are dealing with, with the content of the website. We do know that the FTA bus safety website was, was highly, highly viewed and utilized by the bus community. I do not have the complete list of all the elements that will be on the bus portion. So you can, again, please give me an e-mail, and I can address this, and look into it, and get back to you.

[38:53] But if you e-mail me that detailed question whoever was the person who asked that question, I'd be happy to get back to you once I find out the answer.

**Operator**: [39:04] OK, Ruth, the next question is from Sarah" When do you expect a final rule to be promulgated? Will it go through the usual NPRM notice and commitment process?"

**Ruth**: [39:21] And, and the answer to that is yes, it will be going through the usual notice and comment period. We are trying very hard to push out the rules to get the industry what it needs with all this the changes and new safety authority that we have. We do have a very aggressive timeline in which we are pushing these rules out. We anticipate that the NPRM could go out summer or fall.

**Operator**: [39:54] Thank you. Next question is, "If we have taken some of the required classes over three years ago," and I believe this is probably already been answered, but I want to make sure I get these questions, "are we required to retake the training classes within the three‑year period? Do we need to retake the classes every three years going forward?"

**Ruth**: [40:16] Oh yeah and the answer to that is no. However, if it was a significant amount of time, when your sub, when you're submitting your, your certificate, based on what is on your profile, and you're, you're needing to show us that you have previously taken this course, if it was very long ago, and extensive revisions have been conducted you may be required to.

[40:40] But if it was, if it was recent, and again, we need to evaluate the revision schedule and, and we will let you know. But we're, we're not going to try to make things harder for participants. We want to be able to, to work together.

**Operator**: [40:57] OK, thank you, Ruth. Our next question is from David "How will FTA provide both the States and transit agencies management with access to training records?"

**Ruth**: [41:15] The good thing about using the website is that we're going to have various means to maintain training records. So if you are a Federal employee overseeing the States on one of the audits, then you will need to be presenting your training records to FTA when we do the triannual audit. Likewise, if you're the SSOs, and you are overseeing the RTA's compliance with the various programs that that you'll be developing and implementing to have those training records readily available, showing that you're overseeing your training compliance, that's very important.

[41:56] The website will allow you to not only track your training participation, but you will be able to, to print off the certificates from your profile. So, there should be various means in which you will have access to records. But basically, if you're participating in the program, it's your responsibility to maintain your proof of participating and completing the training.

**Operator**: [42:23] Our next question is from Nancy, "Is the TSI course registration website that SSOs used in the past not be used any longer?"

**Ruth**: [42:37] Currently, the way that the new website is going to be launched in the interim, when you are registering for a course, you will be registering onto the TSI website and, and in the future, that may there may be some changes to the mechanics of that. But currently, one‑stop shopping, you will go to the FTA Training and Resource website, go on to your profile, register for courses, some will be e‑learning, and some will be classroom training across the country.

[43:13] But when you do click on a class that's offered by TSI, it will bring you to the TSI registration webpage.

**Bruce**: [43:21] And Ruth, if I might add, when you say TSI just for those who may not be familiar with the acronym, that's the Transit Safety Institute.

**Operator**: [43:33] Thank you both. Next question is from Linda, "For the Technical Training Plan, will we be required to complete a form for each course expected to be part of the plan, or are we able to outline a plan and get the FTA concurrence before we develop individual courses?"

**Ruth**: [43:52] Yes there's going to be various ways you know, the, the template is, is one of the means in which we want you to have access to, so you can follow and ensure you're meeting the minimum requirements, what we're asking for. However if there's an additional tool, or an additional means in which you want to present your plan to us, we are open to that.

[44:15] If you want to present an outline, as long as you're providing the information that we need to ensure that you're meeting the minimum technical training component areas like I said earlier we want to be able to have one‑on‑one technical assistance with each of the entities that are developing the Technical Training Plan. And we want to be able to work with you to make sure that we're not making it an, an arduous process, that we're working with you to get the information in one place, and in a way that's going to work for both of us.

**Operator**: [44:53] Thank you, Ruth. Next question is from Tammy, "I'm with a State DOT, Public Transportation. Just to confirm that I understand, my employees that perform safety audits across the State on bus systems, not rail systems, my people would be considered volunteer, correct? Is there a required program for the community transportation people in my office with the bus transit system?"

**Bruce**: [45:20] Just to clarify... this is Bruce Walker again. To clarify again, for State DOT personnel who are conducting audits of bus systems, they are voluntary vice mandatory participants and so, therefore, they will not be required to undertake it, but strongly encouraged.

[45:40] And, as Ruth noted earlier as we develop the NPRM for the final rule we will be looking to explore this issue even more. So, it would be prudent for the bus systems to at least continue to engage in the FTA sponsored training that that we currently make available. And that's going to be, that can be found at the FTA's website under the bus safety training programs.

**Operator**: [46:09] Thanks, Bruce. Next question is from Mark, "When will this program be required for small urban systems to have staff in place and trained?"

**Bruce**: [46:27] Oh Lori, could you repeat that question please?

**Operator**: [46:30] Of course. "When will this program be required for small urban systems to have staff in place and trained?"

**Bruce**: [46:39] I'm not quite sure I'm tracking the question Mark has asked, but if he's referring to urban bus systems again, that is a voluntary component of the interim program. If he's referring to rail transit systems then as of the effective date, we would be looking for those participants to start the registration process. And as we've indicated with the interim provisions, we are anticipating a three‑year timeframe in which to comply.

[47:12] But we also recognize that as the interim program is implemented, that we will be going forward with a proposed rulemaking to finalize this program, so any training that is conducted during the interim period will naturally crossover to the final program.

**Operator**: [47:36] OK, thank you. Linda is asking, "None of the contractors have the training yet, so how can they be trained and certified in order for SSO to use the contractor?"

**Ruth**: [47:49] Thank you for that question, and that was addressed in either the ANPRM, or the Federal Register notice but basically, hiring the contract, you've got to make sure that you're hiring qualified, qualified staff to do to, to provide the functional areas in which the safety oversight so it's like a double‑edged sword, if you, if you require everybody to be trained and certified, then it'll be three years until everybody can go out there on the job, so we've got to keep, we got to keep the bus moving, and hiring qualified staff is something that's going to have to be addressed when hiring them.

**Bruce**: [48:28] But I, if I might clarify naturally, as Ruth is indicating, that initially you're right, the contractor would not have the certification, but the objective would be that the SSOA would be responsible for ensuring that whatever contractors it does hire, or procure, will be progressing towards certification as, as well as with the requisite personnel on the SSOA staff.

**Operator**: [48:55] Thank you both. Next question is from Joseph...

**Bruce**: [49:00] Lori, if, and, and I might want to add one, one final clarification for that. This issue, with regard to the SSOA staff and their contractor support, would also be covered, or addressed as the SSOAs are developing their certified work plans in consultation with FTA staff. So these would be issues that would be identified for further discussion, as those plans are, are unfolding for that particular effort.

**Operator**: [49:31] Thank you. Joseph is asking, "What is the cutoff date for SSOs currently in their job, but who have not yet started any TSI training courses? If they register for their first class tomorrow, does that qualify as ‘in the program, but not yet completed?’ Please clarify. Surely there's a sunset clause on this."

**Ruth**: [49:56] Yes that's another really good question, and there's going to be many. Even after the interim provisions is implemented, there may be phone, phone calls throughout the whole year to nuances of everyone's profile. But basically the answer is you have to...If you take a class tomorrow and it hasn't been revised yet, but will be in a year, and if there are changes to the interim provision, then there may be some type of a, a gap course for you to participate in.

[50:26] But most of the courses, if not all of the courses, that are currently being revised and piloted to satisfy the implementation of the interim provisions. They have been revised and piloted. Therefore, if you have taken one of those courses, when you...Once the effective date has hit for the interim provisions, and you have gone online, and you've developed your profile, you take that certificate, and upload it, and you will be, get credit for that.

[50:57] Now, if there's an interesting nuance if there are competencies that have not been addressed because of some unknown reason we will work with you to ensure that if there is a gap, that you do receive that, that information.

**Operator**: [51:17] Thanks, Ruth. Our next question is from John, “Please clarifies the technical training referring, is referring to training SSO personnel, and not agency line personnel, correct?"

**Ruth**: [51:31] Yes, that is true. The Technical Training Program is for the Federal personnel and their contractors, and the SSOA personnel and their contractors who conduct audits and examinations of public transportation systems. The training is for those personnel, not for them to train others, and it's not for the RTA employees to show us how they are meeting the minimum competency areas of the Technical Training Plan. So, yes, the answer is, it's for Federal and State employees to be trained.

**Operator**: [52:09] Thank you. Next question is from Matthew, "How was SMS selected as the best means determining the level of safety at rail transit agencies? What qualifies the FTA to make the determination that SMS is appropriate? What are the qualifications of the FTA staff to develop training templates?"

**Ruth**: [52:31] Well so basically, back in, I believe, 2012, our then administrator Rogoff proposed the adoption of Safety Management Systems into the transit environment. And we are moving in that direction, and we have worked at developing numerous SMS awareness courses. We've overlaid SMS components into all of our existing courses that are being pushed out to the transit industry.

[53:03] So it was the then administrator Rogoff who moved us in this direction, and we are very excited about it.

**Bruce**: [53:13] Yes, this is Bruce Walker. I might add that this decision was not made in a vacuum. FTA empanelled an advisory committee, some time ago, called the Transit World Advisory Committee, and SMS was also a recommendation of that, was provided by that committee as a means for improving safety within the public transportation system.

[53:35] And insofar as FTA personnel, and their ability to train for SMS, again, keep in mind that we use our we're utilizing FTA‑sponsored training facilities who have the requisite staff, or instructors, on board, to provide the training.

[53:55] Now, as we unfold the notice of proposed rule‑making, for the final ruling, we will also be looking at other organizations that can provide, or do provide training in this venue, as well.

[54:10] But again, that will be addressed further in the notice for proposed rule‑making.

**Ruth**: [54:14] And, and to answer the second part of that question with regard to the training developing training templates, and the qualifications of FTA staff we're very proud of the work that we do for the transit industry. We have developed processes in place we've got folks on staff who are previous educators certified teachers adjuncts instructors for universities. We reach out to our TSI, to our intra‑agency coordination, working with other government entities. An amazing contract staff who have the qualifications, and the skills, and the proven best practices to develop the training template.

[55:05] So what we do, and how we do it's so that the industry gets the products that it deserves.

**Operator**: [55:13] Thank you. Our next question is from Luciano. "Do transit agencies that provide bus public transportation services, such as fixed‑route and paratransit services required to participate in this program?

**Bruce**: [55:28] This is Bruce Walker again. I believe we've addressed that question, but this was probably submitted prior to that, but again, just to reiterate the bus or the classification of providers that was just described, would be voluntary participants in the interim program.

[55:48] And they're strongly encouraged to do so.

**Operator**: [55:54] Thanks, Bruce.

[55:54] Our next question "When will State DOTs are required to develop and implement transit bus safety programs?"

**Bruce**: [56:08] I'm not sure that I'm tracking that question that was submitted because there is no requirement under the interim provisions for State DOTs to do so.

**Operator**: [56:21] Our next question. Nancy's asking, "What responsibilities do SSOs have in ensuring that RTA staff complete the required training?"

**Ruth**: [56:33] So basically and again, I think that the SSO rule is, is out. A lot of these rules are not final yet so I don't want to speak out of turn but the, either the, the System Safety Program Plan or the Agency Safety Plans, what the SSOs are overseeing the effective implementation that the RTAs ensure or the, the SSOs ensure the effective implementation of these programs.

[57:04] As we move forward after a final rule is in place for the training program the SSOs will oversee to see what, in what way are the RTAs complying with their participation in this program. But the RTA will also have other responsibilities outside of this this training rule.

**Operator**: [57:34] Thank you. David is asking, "Can an SSOA ask a transit agency to provide the technical training?"

**Ruth**: [57:43] Absolutely. What we hope to do is, is, you know, to foster through the implementation of the interim provisions then, in the future, the final rule. We want to foster, you know, collaboration between the SSOs and the RTAs. The RTAs many of them have a, a very robust Technical Training Program and, and some don't have a robust but they may have depending upon your jurisdiction, the SSO has a very large transit property in their jurisdiction and they have a very robust technical training.

[58:16] And, you know, we really hope that folks will take advantage of the local training that's provided and to work with your transit, property in your jurisdiction to participate in their training.

**Operator**: [58:31] Thanks, Ruth. Our next question is from Sam. “Can you elaborate on the course material for the ‘Systems Safety’ components of this certification?”

**Ruth**: [58:43] For this question, I would like to I'd like to be able to...I don't have all the information in front of me. I'd like to invite Sam to, to e-mail me. You've got my contact information and I'd be more than happy to give you a very a very detailed response to that.

**Operator**: [59:03] Thank you. Our next question is from Ben. "Where can I find a bus SMS program?"

**Bruce**: [59:18] I would suggest that one place to start would be to look at the, let's take the FTA Bus Safety website. There are courses and templates and best practices that have been identified as it relates to SMS. And that would be a good starting point.

[59:38] And following that, we have we have program managers within the FTA bus program, Joseph Powell specifically, who would also be able to assist with identifying such programs.

[59:53] But we also suggest you all, you look at the programs that are, that have already been identified under our, under slide 12 here. And which we have some TSI programs that are being revamped, as well as the training that the web based training that is currently being developed, as well.

**Operator**: [60:14] Thank you. Sabrina is asking, "The RTAs then do not need to create a Technical Training Plan and submit by 5/28/15, correct?"

**Ruth**: [60:25] And that is correct. And we do, because the employees that are act, active rail transit agencies, we do anticipate that through their own in-house training requirements based on their job functions, we anticipate that they are receiving the training that they need because they are there on the, on the transit property doing that type of work.

[60:46] So the focus on the interim provisions is to increase the technical increase and maintain the technical competencies in the minimum areas that we've discussed for the Federal employees and their contractors and the SSO personnel and their contractors.

**Operator**: [61:06] Bruce is asking, "If a bus-only agency volunteers for this program, can it be penalized if it doesn't meet deadlines, etc.?"

**Ruth**: [61:17] And answer to that is no. It's a voluntary...I mean, at this time to ensure that we're not providing an, an undue burden on, on the bus the bus industry, the voluntary program. We encourage your participation in it and we also have as you're aware, the SMS implementation pilots that are going to be rolled out this year at, at, at various properties.

[61:47] But we encourage your participation and no, there will not be penalties if you do not meet the deadlines as a voluntary participant.

**Operator**: [61:57] Thanks, Ruth.

[61:58] Our next question is from Franklin. " MAP‑21 expires May 31. Will these requirements still be implemented voluntarily for Tribal Transit systems?"

**Bruce**: [62:14] I'm sorry, Lori. Could you repeat that question, please?

**Operator**: [62:17] Of course. "MAP‑21 expires May 31. Will these requirements still be implemented voluntarily for tribal transit systems?"

**Bruce**: [62:28] Well, these requirements have been codified in 49 United States Code 5329. Therefore, even with the expiration of MAP‑21, the US Code will remain in effect. So, to answer the question specifically, yes, it, they still will be required.

**Operator**: [62:45] Thank you.

[62:47] Matthew is asking, "Why did the FTA elect to disregard special safety organizations such as National Safety Council, the American Society of Safety Engineers, and the Board of Certified Safety Professionals?"

**Ruth**: [63:03] So, I mean, in a, in a, you know, we did not elect to disregard these professional safety organizations. As we developed the NPRM for the Public Transportation Safety Certification Training Program it's in that, the final rule that we are contemplating how we're going to identify processes to be able to, you know, receive, you know, one‑to‑one correspondence for various training or certifications that we've had and to what, to what level are we going to have it take the place of an existing course that we have that we're requiring.

[63:43] So, no. It's not our intent to disregard any of those professional agencies or registrations or licenses. But what we're trying to do is to as we adopt and, and implement Safety Management Systems and the components as they overlay into the transit industry the courses that are in our curriculum we're applying those components, in a meaningful way and it doesn't always, it's not always seen in say for CSP, or PEs.

[64:19] So it's not necessarily a one‑to‑one correlation on what we're looking for. So for the interim provisions as we're trying to establish a baseline to get the industry on the same page at the same time as we're adopting SMS we will be contemplating these professional safety organizations, and licenses, and registrations of folks in the NPRM.

**Operator**: [64:50] Thank you. David is asking, "If an agency does not have a specifically designated employee who has safety oversight, would the General Manager (CEO) or the Safety Committee be required to complete the required training?"

**Bruce**: [65:07] Our objective with this interim provision is not to identify specific individuals within a system who will be required participants. However, what we, what we articulated is that those who are directly responsible for safety and again, with the required components, it's highly unlikely that the you would have, you would not have someone at the Chief Safety Officer level, at a minim who would fit the bill.

[65:36] So we're not going to specifically require a CEO to engage, or the Board to be required participants in the program. But again, we would encourage them to take relevant courses to help to facilitate their knowledge of SMS, especially the web‑based training.

**Operator**: [65:59] Thank you, Bruce. Next question is from Peter. "Does this rule apply to personnel of State DOTs with both FHWA and FTA funding?"

**Bruce**: [66:12] The rule specifically applies to those State DOT personnel who would be administering FTA funding under a voluntary basis. It does not incorporate FHWA recipients.

**Operator**: [66:27] OK, thank you. Our next question is from Peter.

**Bruce**: [66:33] And I want to clarify that this is not the rule, this is the specific binding obligation that we have provided under the requirements of notice and comment under 49 USC 5334k. We are proposing a rule which will be promulgated we anticipate sometime during the summer. That is a proposed rule.

[66:55] So I just, it may sound technical, but it is a distinction that is worth noting.

**Operator**: [67:02] Thank you. Peter is asking regarding Mr. Walker's Statement about the, the designation of safety oversight versus operations personnel. "Does this mean that when smaller operations those disciplines will have to be separated, i.e., will the designated safety oversight personnel have to be separated from the operations personnel?"

**Ruth**: [67:24] The simple answer to that is no, the personnel do not have to be separate. And again, as if someone from a, a smaller agency, you know finds themselves in a situation where you're feeling the pinch that's when you need to reach out to us and we'll talk to you about how we can make sure that you're complying with not only the interim provisions or the final training.

[67:49] But any assistance, technical assistance in complying with the rules and how they may affect you as we push out SMS we want to make sure again, that you're aware that it's flexible, scalable. We don't want to put an undue burden on the industry. We want to be able to provide one‑on‑one technical assistance with you to ensure that you can satisfy what we're trying to do without giving yourself a you know, heartburn.

**Operator**: [68:19] Thank you, Ruth. The next question is, "Since security is not one of the elements, why is Transit System Security one of the required courses?"

**Ruth**: [68:31] Oh that is a really good question. Technically, we're still under US Code, you know, US 49 US Code, Part 659, and we're technically under that rule until our rules are finalized. So because security was an element under 659, we're, when our, we're kind of in a middle of, middle ground here. We need to continue with what we're operating under, while moving in the direction of where we're going. So, that is why we are, we are maintaining that.

**Operator**: [69:12] Thank you, Ruth. Christopher is asking, "Does RTA stand for Rail something or other?"

**Ruth**: [69:19] Christopher, great question. I apologize, the world of acronyms. Rail Transit Agency. So you'll see rail transit agency, you'll see rail fixed guideway system, but RTA, in, in the context here is rail transit agency.

**Bruce**: [69:37] And to be more to the point ‑‑ and this is Bruce Walker ‑‑ we're referring to those rail fixed guideway systems that are not subject to FRA regulations. That do receive FTA funding.

**Operator**: [69:49] Thank you both. Tim is asking a "I contacted TSI the other day and the SMS courses are not yet available. TSI also stated that their website may be changing soon as well. Maybe the listeners may need to know this as I'm sure some will be trying to register after the webinar."

**Ruth**: [70:12] I appreciate that question. All of us are, are struggling with this. We're building as we're going, and a basically when you do register for a TSI course from our current website or our new website, to be launched in April, it's expected to be seamless. When you click on a course that may be a TSI‑sponsored course, it will go to their website to register. It's expected to be seamless. It may look different, but it should all operate the same way.

[70:43] But let me just review the first part of that, oh the first part of that question was, that the courses availability. The effective date of the interim provisions is May 28 of 2015. It is at that date that we will start the clock for the three‑year timeframe to comply with folks participating. The products to support the interim provisions are being piloted now and will be ready for folks to register as of the effective date.

**Operator**: [71:20] Thank you. We have a question from Vijay. "Will the level of experience of safety staff who have actually performed the task on a hands‑on basis be taken into account in determining whether a particular course must be retaken if the course was taken 10 or more years ago?"

**Ruth**: [71:42] I guess I think this could be two parts, one could be the classroom curriculum and the other part could be the technical training. The course curriculum again, if there are courses in your curriculum on your profile on the website that you want credit for submit the certificate and if we need additional information we will reach back out and contact you.

[72:06] As far as the technical, I seem to think this is more related to technical training if you took technical training 10 years ago with no refresher, you may need to propose in your Technical Training Plan, because I see that Vijay asked this question if you are in a category where you're conducting or needing to develop your Technical Training Plan, if you say that you have participated in various technical training but it was 10 years ago, perhaps you need to identify re refresher training.

[72:40] Tell us how you are going to ensure that your knowledge is updated on whether whatever that training was and propose, propose that to us.

**Bruce**: [72:52] This is Bruce Walker. I just want to make a clarification on that point as it relates to the Technical Training Plan. Keep it in mind that the Technical Training Plan requirements are specifically limited to SSO and personnel and their contractor support as well as FTA personnel.

[73:07] And that said as SSOs have to develop their work plans, and do their annual certification. One of the things that they'll need, that they will be doing is consulting with the FTA personnel to ensure that the members of their staff meet the professional competencies and requirements. And that is part of the purpose of what the Technical Training Plan is intended to accomplish.

[73:35] So as was indicated before, as the Technical Training Plans are developed, one‑on‑one assistance will be provided through FTA to assist with ensuring that the target is being hit.

**Operator**: [73:48] Thank you. Nancy is asking, "Will safety courses and/or certificate, certification from organizations other than the TSI be considered for the core curriculum requirements, not the technical training?"

**Ruth**: [74:05] Not, not at this time. You know, as we said earlier in the NPRM, the final rule, right now we're working on identifying processes on how we will identify equivalencies for cert, cert, certificates or courses that you have participated in, that you're getting, you're trying to get credit for, for what is in the final rule curriculum.

[74:28] So for the interim provision, we're, we're trying to provide a baseline training where SMS is offered, SMS courses are offered through e‑learning, and the SMS components are overlaid onto our existing courses that we find meaningful to be in the interim provision.

[74:48] But for technical training, that's I think you said but not technical training, but I will add that for the technical training piece it does not matter what entity FTA‑sponsored or not for the technical training that is up to your discretion on where you're getting it, and you're proposing that in your Technical Training Plan.

**Operator**: [75:13] Thank you, Ruth. Kate is asking, "Is a triennial audit the same as a triennial review?"

[long pause]

**Richard Wong**: [75:28] Well there's the triennial review...Sorry, this is Richard Wong with FTA’s Office of Chief Counsel. There is the triennial review, which is an overall, three‑year review that we conduct of every transit agency and it's a broad review over it, an agency's entire operation. And that may differ from a review that is conducted every three years on other aspects of a transit agency's compliance.

[75:56] So there are, there's a broad tri‑review with a capital T&O, and then there may be separate three‑year audits that can be conducted.

**Bruce**: [76:04] This is Bruce Walker. To speak specifically to the, to the question, if I'm understanding it correctly based on what Richard has explained here, the answer is they are two separate and distinct functions that occur.

**Operator**: [76:26] Thank you. Cynthia's asking "Do bus systems have to be certified safety person," I'm sorry, "do bus systems have to have a certified safety person, or is this only required for rail?"

**Bruce**: [76:42] The interim provisions are specifically the mandatory component is specifically geared towards rail transit personnel who are directly responsible for safety, and for SSOA personnel and FTA personnel who conduct safety audits and examinations. So the specific question, answer to the question is no, bus systems are not required to, to have a, a certified person under the interim program.

[77:10] However, this subject will be addressed in the, in the NPRM as it is, as it's being developed, and we'll be looking for public comment with regard to that subject.

**Operator**: [77:22] Thanks, Bruce. John is asking, "Are you going to make TSI more available so small agencies do not have to spend," sorry, "do not have to send people halfway across the country to get required training?"

**Ruth**: [77:38] So basically the two part answer to that one, and I can appreciate this question very much, because I know it's on a lot of folks minds, even if they're not a small agency.

[77:50] We got some of this really, we got wonderful comments from the ANPRM and from the initial interim provisions that went out back in April.

[78:00] Folks were really concerned about the burden and were looking for some various other opportunities to receive training and we're moving in the direction of offering more e‑learning. We do now have at least two of the courses, two of the required courses under these interim provisions are provided in the e‑learning format. But also our training model has been industry you know, rail transit agencies will, request to host a course.

[78:31] And what we hope to do is that if you have the opportunity to, to register for a course that's being hosted in a nearby agency. If that's not possible, and you feel like you're not ever getting a break, contact me and I will help you and TSI will also help you to make sure that we can decrease that burden, as, as much as we can.

**Operator**: [78:55] Thank you, Ruth. Christopher is asking, "What will FTA do in deciding on final regulations not to overburden rural transit systems that are subject to two or more state oversight, because they operate interstate service?"

**Bruce**: [79:14] This is Bruce Walker. At this juncture I am not, I am reluctant to speak of anything that would be in the final regulation, because it still have to go, undergo the statutory requirements of public notice and comments before we come out with a specific rule. However, keeping it with that said, FTA's intent is to ensure that any requirements developed are flexible and scalable depending on the mode of transportation and the size of the entity.

**Richard**: [79:45] And this is Richard Wong. Just to clarify we did the SSO State Safety Oversight Webinar on Tuesday, and we have a provision in our part, proposed part 674 that will address rail, passenger rail transit systems that operate interstate, and in those situations, we do require a uniform system of oversight by the two states that oversee that system. So that way we ensure that one operator will be under one uniform system of oversight.

**Operator**: [80:26] Thank you. I have a question from Sabrina. "Are contractors then volunteers?"

**Ruth**: [80:33] Could you repeat that question please?

**Operator**: [80:36] Of course. "Are contractors then volunteers?"

**Ruth**: [80:40] No, and I don't, I don't know what the context is, but I believe contractors of Federal personnel or State safety oversight personnel, so if you're a contractor that's working in-line with the Federal employees or the State, or the SSOAs to conduct audits and examinations, then you're not a volunteer, you're participating as a, as a participant in this program as a required participant in this program.

**Operator**: [81:13] Thank you. Our next question, "Can RTAs develop and use training courses to meet certification requirements?"

**Ruth**: [81:23] I would say yes with, however for the technical training piece since RTAs don't have to comply with the developing a Technical Training Plan, that in that capacity, no. But if you are an RTA, and if you have to comply with the interim provisions at this time under the interim provisions, the courses that we have provided in the curriculum is what is required for folks to take.

[81:59] However, in the future, as Bruce had discussed, in the NPRM, there, there may be many more opportunities for folks to meet the competencies that will be listed in the NPRM.

**Operator**: [82:16] Thank you. Next question is from Eli. "How does the phrase 'directly responsible for safety' square with the concept that safety is everyone's responsibility?"

**Bruce**: [82:30] This is Bruce Walker. Eli, to address that question specifically, you must go back to 5329, which specifically states that FTA's required to develop a training certification program for those who are directly responsible for safety. So, therefore, that's a statutory requirement that we are undertaking.

**Operator**: [82:53] OK, thank you, Bruce. John is asking, "All of my certificates from TSI seem to have been lost in a move. Are they retrievable even if some were taken as far back as 2000?"

**Ruth**: [83:07] Wow, I don't know, I'll have to really think about that one. I'm just kidding, no, we want to work with you to make sure if you can e-mail me with the contact information, ruth.lyons@dot.gov I'm going to work with you to see what I can do, and, and we don't want to overwhelm TSI with having them retrieve certificates.

[83:29] But perhaps we can get some type of electronic confirmation and so just case-by-case basis, I want to make sure that we can help everybody as best as we can, if you could please e-mail me and I'll see how we can help you out.

**Operator**: [83:47] Thank you. David is asking, "When will the TTP template be available?"

**Ruth**: [83:54] OK, so if you are a Federal employee or contractor conducting audits or examinations, and similarly, an SSO who, or contractor, who's conducting audits or examinations of a public transportation system you will have that technical training template in your profile when you register on our website when it is anticipated to be launched on April 30, 2015. So at that time, that's when it's expected to be available for you.

[84:27] But I will say between now and then you, you will be able to gather some information identifying, identifying who is who are the folks that you're going to be tracking if you're an SSO. Who on your team are you going to be including in the Technical Training Plan, and also you can also start to gather based on the minimum elements of the Technical Training Plan that were listed in today's presentation, but also in the Federal Register notice.

[84:57] You can start to gather some information to get ahead of that so that when the Technical Training Plan, template is on the launched website you, you'll be ahead of the game. It'll just be a matter of entering in what you've already what you've already completed.

**Operator**: [85:15] Thank you. Next question, “Since it was implied that staff who examine heavy rail structures will need the training, are structural inspection staff required to take on the courses?”

**Bruce**: [85:33] This is Bruce Walker. I'm not sure where that implication came from but just to reiterate. The as it relates to the technical training pl...

[85:46] Well, the RTA personnel who are required to undertake this training will be those who are designated as being directly responsible for safety oversight. At a minim as we've indicated in the Federal register of notice we're looking at the we're expecting that to be the Chief Safety Officer in this principle staff.

[86:04] Now, when it comes to operational personnel, they are not specifically targeted for the interim training provisions under this program. In all likelihood, that will be, covered under the ASP.

[86:18] Now, that said, you then need to look over at SSOA personnel who are required to develop Technical Training Plans. And in all likelihood, they would need to work with the with the RTA to, as they develop and explain the specific training requirements that they are going to have to undergo.

**Operator**: [86:40] Thank you. I have a question from Linda. "If SSOs use other DOT staff, such as FRA‑certified inspectors for investigations, are those other DOT staff required to take this training?"

**Ruth**: [86:57] Yeah. And that, that is...You know, all these questions are really good, cause they're getting into all the nuances in the, of, of the program being implemented.

[87:05] Whoever is, whether you're a contractor, if you're, if you're a Federal employee and, or if you're with a Federal agency and you are needing to conduct audits or examinations, and if you are going to be reaching out and using resources to conduct audits and examinations, they need to be in the program.

**Operator**: [87:30] Thank you, Ruth. I just want to remind everyone that we are still taking questions, so please feel free to type your questions into the question pane of the control panel.

[87:40] Our next question is from Colin. Colin asked, "As a regional transit agency, is the new training certification program required for solely the Chief Safety Officer or the entire safety department, i.e., Transportation Safety Specialists?"

**Ruth**: [88:02] So...

**Ruth**: [88:05] So basically what we're asking...First of all, what was, what FTA was required to do was to develop Safety Certification Training Program for Federal and State employees that conduct audits and examinations, but also for designated personnel at the transit properties who are designated to conduct safety oversight.

[88:32] So, we're leaving up, we're giving the independence to the transit property, because you know transit properties know best as to, as to who's in a position to identify the designated personnel.

**Operator**: [88:50] Thanks, Ruth. Steve is asking, "Will there be an effort from FTA to make the classroom training courses be scheduled more available?"

**Ruth**: [89:02] And yes, absolutely. We're, we're working with TSI under the interim provisions. During this period where we're still developing the final rules...You know, TSI has worked very hard to ensure that we can meet demand for all the folks that need to take this training.

[89:22] We are moving towards trying to provide additional e‑learning. That's separate from the e‑learning that we already have in the curriculum. But as we move forward, we want to make sure that we are offering...

[89:35] Not every training class can, you know, is effective to be provided in the e‑learning format. But TSI is working very hard to ensure that they can meet demand, and they're developing models and processes to ensure that we can get out there as, to as, to as many parts of the country as we can.

**Operator**: [89:58] Thank you, Ruth. I have a question from Ben. "Does the CTAA CSSO certification meet the requirements of these new FTA requirements?"

**Ruth**: [90:13] Well, basically you know, not at, not at this time. Under this interim provisions the competencies that we have identified are, are really different than the competencies that are provided in CTAA's certification. Not to say any one is good or bad or better, or just...But they are different, and the competencies that we've identified are needed for the participants in our program.

**Operator**: [90:42] Thank you. Christopher is asking, "Why have bus programs been made volunteer‑only in regards to the training program?"

**Bruce**: [90:54] This is Bruce Walker. As we were developing the proposal for the interim provisions, we went out and asked or, or we went out suggesting that the interim provisions would only be limited to FTA and SSOA personnel initially as mandatory participants, and then all other participants would be voluntary.

[91:17] Based on the response...And, and the reason we did that was we recognized that this was a new program that has to grow by steps, and we also recognized the fact that there are limited resources that have to be prudently managed.

[91:30] So, therefore, we were looking at the best way to meet the congressional intent while still recognizing the reality of the availability of personnel and the training requirements. That's why we initially indicated those, those two classes as required participants.

[91:50] Based on the feedback we got it was readily... of all the commenters the majority indicated that RTA personnel should also be required participants. And after consulting with the within FTA, we determined that that recommendation should be adopted for the interim program. However, we still recognize that for bus participants we still needed to take the time to grow that particular area.

[92:19] So in the future, it is, it is a possibility that they can become voluntary or should I say required participants vice voluntary. However, we're not ready to make that recommendation. But if and when we should do so, we would put that out for notice and comment before making that revision.

**Operator**: [92:41] Thank you, Bruce. Luciano is asking, "Contractors that provide bus public transportation services are then considered volunteers as well as under this program. Correct?"

**Bruce**: [92:57] Well again, if it's a contractor providing bus services, then that is a voluntary component if they are directly responsible for safety oversight. So you have to keep in mind who the program, or inter, the interim program applies to.

[93:16] Again directly responsible for safety oversight, so if the, if the contractor is performing that function for a bus system, then yes. We would look for them to be voluntary participants.

[93:30] But we'd also encourage since, a, as, as one commenter or participant today pointed out, since safety is a concern for everyone FTA is more than willing to encourage all who, who have any safety functions to at least consider participating in the program as a program.

**Operator**: [93:53] Thank you.

**Bruce**: [93:54] But keeping in mind that, there...

**Operator**: [93:57] Go ahead, Bruce.

**Bruce**: [93:59] Also resource strengths that that apply to that.

**Operator**: [94:03] Our next question is "Can a training coordinator for our agency create and maintain training profiles for our staff on your new training website?"

**Ruth**: [94:18] Well, great minds think alike. I was thinking of that question and of that capability, rather. That’s a really good idea, and I actually didn't contemplate that much. But I'm so glad that, that you asked this question.

[94:32] That would be something that would really be useful for the industry. And I'm going to look into that to see if that's something that is, that is feasible for us to do.

**Operator**: [94:43]...

**Ruth**: [94:45] Actually... I'm so sorry. If I could ask if the, if you please e-mail me that question so I don't, so I have your contact information that, whoever asked that question. That would be really, really helpful.

**Operator**: [95:04] OK. You'll get a, a copy of all the questions, Ruth, at the end of the, the webinar. OK, so our next question is from Robert.

[95:07] Robert asks, "We recently received a visit from our rep from the Department of Homeland Security promoting their BASE, B‑A‑S‑E, Certification Program. Is the FTA coordinating their efforts with DHS so small agencies are not overwhelmed with having to certify with multiple competing agencies?"

**Ruth**: [95:28] Robert, I have to say that that, as we grow with all the rules that we're developing and, and implementing, it's really something to be considered. Currently have not been doing that, and it's, it's really something for us to consider as we move forward.

[95:43] The last thing we would want to do is to, is to participate in providing a burden to the smaller agencies. So we're definitely going to keep that in mind as, as we move forward.

**Bruce**: [95:56] But I would also point out, though, that DHS's program is geared towards security issues. So therefore those requirements would, would need to be definitely complied with. Now, a, whereas FTA's positions or training is more related towards safety. So of course, if there is any duplication of requirements, we would be looking to ensure that any redundancy is eliminated.

[96:24] However, a, if the specific requirements are not overlapping, then a, you'd be required to, to, to comply with the DHS requirements as well as whatever FTA requirements are, are there.

**Operator**: [96:38] Thank you. Linda is asking, "Are there definitions for audits and examinations in the context of the regulations?"

**Ruth**: [96:47] I'll actually, you know, I'll kick this over to our legal folks. But I'd like to take the first stab at it as we've been working on writing the, the final rule. And in the final rule is where a lot of these definitions are being developed that will be available for public comment. Bruce, do you have anything to add to that?

**Bruce**: [97:07] Yes, I'd just like to clarify that this is the notice of proposed rulemaking. It's not the final rule itself; so therefore, we will be looking for your input across the transit industry for the terms that we are looking to identify. And audits and examinations are two terms that we will be looking for additional input.

**Operator**: [97:31] Thank you. Our next question is from Patrick, and Patrick asks, " what about doing online classes to meet demand for some classes?"

**Ruth**: [97:46] Oh, I think that's a wonderful question. And we discussed this a little bit earlier but you know, we can never talk enough about how we want to provide various means of, of offering the training to the industry. And we do have e‑learning that is developed, piloted, and that will be available for folks participating in the interim provisions and across industry.

[98:10] Moving forward, there are additional opportunities that we have to develop and provide the e‑learning for very critical courses. So that's something that we're definitely looking into.

**Operator**: [98:23] Thank you, Ruth. William is asking, "Is the Accountable Executive considered to be a mandatory participant for safety‑certified training?"

**Ruth**: [98:33] And really appreciate that question, and what we're trying to do is to provide the, to provide the opportunity for, for folks to designate themselves who are designated as safety oversight at your transit, at your transit property.

[98:54] And, so, it depends on the type of transit property you have, how complex it is, how many people you have. So basically, designated personnel, we believe that the transit property is in the best position to identify who that is.

**Operator**: [99:14] Great. Thanks, Ruth. Again, I want to remind everyone we have a lot of great questions coming in, but please do submit your questions by typing them into the questions pane of your control panel.

[99:27] Our next question is from Cindy. "Will the FTA continue with the SSO program triennial audits specifically if 2015 is the SSO audit year?"

**Bruce**: [99:43] Operator, could you repeat that question, please?

**Operator**: [99:45] Of course. "Will the FTA continue with the SSO program triennial audits specifically if 2015 is the SSO audit year?"

**Bruce**: [100:00] We have Maria Wright also with the Transit Safety Office to respond to that question. Please, Maria.

**Maria Wright**: [100:06] Hello, everyone. Yes, the SSO audits will continue.

**Richard**: [100:12] And this is Richard Wong, also with the...Maria and I both handle the SSO program, and the answer is yes. The audits will continue because there is that three‑year interim period between the FTA's adoption of the final rule implementing 49 CFR, or the proposed 49 CFR Part 74, and the sun setting of the existing Part 659 regulation.

[100:38] So during this interim period, we are not going to cease the three‑year reviews because it's not in anyone's interest to you know to eliminate any sort of safety oversight. So we will be continuing the Part 659 audits until the States have formally adopted the Part 674 standards.

**Operator**: [101:09] Thank you very much. We will wrap up questions now. Thank you all for joining and for your participation today. If we were unable to get to your question, you can reach out to the contacts list on the slide.

[101:24] We will notify everyone by e-mail when the video and the transcript are available and provide you links. Look for this within the next two weeks. And now Donna will give us a final reminder on how to send questions to FTA.

**Donna**: [101:41] Thanks. If you have further questions, don't hesitate to send them directly to Ruth Lyons at Ruth, R‑U‑T‑H, .Lyons, L‑Y‑O‑N‑S, at dot.gov, and include interim provisions comment on the subject line. So look for more news on the safety program on FTA's website, and we thank everyone for being on this webinar today.