

# FTA

FEDERAL TRANSIT ADMINISTRATION

## Safety/TAM ANPRM Webinar for Small Transit Systems

December 3, 2013



U.S. Department of Transportation  
Federal Transit Administration

# Agenda

- About this Webinar
- FTA's New Regulatory Authority for Safety
- Safety Management Systems
- National Safety Program
- Relevance to the Bus Industry
- National Transit Asset Management Program
- Q&A
- Request for Comment and Next Steps

# About this Webinar

## **This is:**

- A forum for FTA to explain what is covered in the ANPRM and answer clarifying questions
- A recorded presentation to be made publicly available in the ANPRM docket and on FTA's website

## **This is not:**

- A public hearing for providing comments or posing questions about implementation
- A forum to discuss issues not included in the ANPRM

# ANPRM Overview

- For a more detailed overview of the ANPRM, please view the [ANPRM Overview](#) from Monday, November 18
- The [ANPRM](#) is open for comments through January 2, 2014 on all topics, including:
  - Safety Management System (SMS) approach
  - National Safety Program
  - National Transit Asset Management (TAM) System

# **FTA's New Regulatory Authority for Safety**

# FTA's New Regulatory Authority for Safety

- July 6, 2012: President Obama signed into law the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)
  - Provided FTA with the authority to regulate safety for all modes of public transit
- FTA does not intend to promulgate duplicative, inconsistent, or conflicting regulations

# **Safety Management System (SMS)**

# Safety Management System (SMS)

FTA proposes adoption of SMS approach to guide National Safety Program implementation.

SMS is built on four pillars:

## Safety Policy

- Delineates management and employee responsibilities for safety and ensures management is actively engaged in safety oversight

## Safety Risk Management

- Identifies and evaluates safety risks and develops safety risk controls to minimize the exposure of the public, personnel, and property

## Safety Assurance

- Ensures the effectiveness of safety risk controls are monitored

## Safety Promotion

- Includes training awareness, and communication



# Safety Management System (SMS)

- Published policy to adopt SMS in May 2013
  - Essential building blocks of a successful SMS already exist
  - Each transit agency to develop processes to implement SMS
- Safety Management System is:
  - Scalable and flexible to support transit systems of all sizes
  - Proactive method for managing system safety
  - A way to ensure data-driven safety decision making
  - Focused on the overall safety performance, not compliance with regulation and requirements

*See Questions 17-20 regarding SMS implementation*

# National Safety Program

# The National Safety Program

The National Safety Program includes four distinct components, three of which are addressed in the ANPRM:

## National Safety Plan

49 U.S.C. 5329(b)

- Establishes SMS as foundation for FTA's safety regulatory framework
- Includes the definition of State of Good Repair (SGR) and safety performance criteria

## Transit Agency Safety Plan

49 U.S.C 5329(d)

- Introduces SMS into practice
- Provides agencies with authority to set performance targets for safety and SGR based on requirements set out in the National Safety Plan

## Safety Certification Training Program

49 U.S.C. 5329(c)

- Introduces SMS concepts
- Improves technical competencies of safety oversight professionals

# National Safety Plan

# National Safety Plan

- At a minimum, the National Safety Plan will include:
  - Safety performance criteria;
  - Definition of State of Good Repair (SGR);
  - A public transportation safety certification training program;
  - Minimum vehicle safety performance standards.
- Data analysis will be used to identify national trends that suggest:
  - Gaps in safety performance;
  - Common hazards;
  - Leading practices for risk control.

# Safety Performance Criteria

- FTA will set safety performance criteria for all modes
- Criteria will support analysis and risk evaluation
- As a result, transit agencies will become more proactive in safety risk management

*See Questions 1-7 regarding Safety Performance Criteria*

# Minimum Vehicle Standards

- FTA's priority is to issue a proposed rule to establish a bus testing pass/fail standard
  - Rule will determine usage of FTA funds for bus purchase
- Performance standards define an end result, but allow flexibility on how that result is achieved
  - Congress did not intend FTA to replicate a regulatory model, with highly prescriptive regulations
  - FTA will consider leading industry practices and National Transit Safety Board (NTSB) recommendations

*See Question 15 regarding bus vehicle standards*

# Transit Agency Safety Plan



# Transit Agency Safety Plan

- The Transit Agency Safety Plan will demonstrate:
  - Compliance with the National Safety Plan
  - Implementation of SMS; *scalable and flexible*
- Agencies must establish and certify this comprehensive plan within a year of the final rule
- States may draft and certify Agency Safety Plans for rural areas and for small public transportation providers in urban areas

# Transit Agency Safety Plan

- The State's Role:
  - Large transit providers that are direct recipients of section 5307 funds will develop their own plans
  - Small transit providers that are recipients under section 5307 or section 5311 may have their plans drafted or certified by their State

***See Questions 33 – 47 regarding the States role and defining a Small Transit Provider***

# Transit Agency Safety Plan

- At a minimum, plans must include:
  - Approval by Board of Directors, or equivalent
  - Methods for identifying / evaluating safety risk
  - Strategies to minimize exposure to hazards
  - Process / timeline for annual review and update
  - Performance targets based on safety performance criteria
  - Assignment of safety officer
  - Comprehensive operational staff training program

***See Questions 21-32 regarding Transit Agency Safety Plan requirements***

# Safety Certification Training Program

# Safety Certification Training Program

- The Safety Certification Training Program focuses on:
  - Competencies and training outcomes
  - Certification training for those responsible for the safety oversight of rail transit, as an initial effort
- Interim Provisions will soon be published in Federal Register

***See Questions 48 – 55 regarding the Safety Certification Training Program***

# Relevance to the Bus Industry

# Relevance to the Bus Industry

- ANPRM elements of the National Safety Program relevant to smaller bus operations include:
  - Safety Management System (SMS)
  - Performance criteria
  - Minimum bus testing pass / fail standards
  - Public Transportation Agency Safety Plan
  - Public Transportation Safety Certification Training Program

***See Questions 15, 22, 32,47 regarding bus requirements***

# Safety Summary

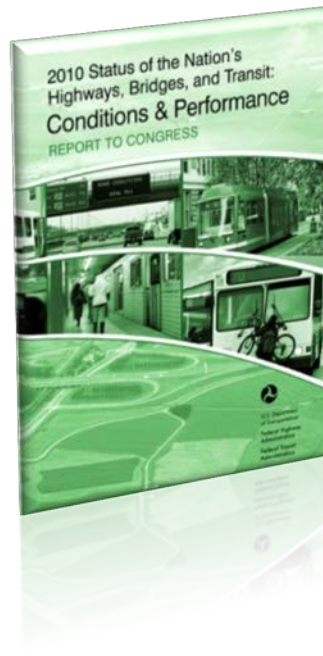
- SMS is scalable and flexible and recognizes that *one size does not fit all*
- All transit agencies, regardless of mode, size or operating characteristics will be required to develop Transit Agency Safety Plans
- States may help develop and certify Transit Agency Safety Plans for Small Providers
- FTA is developing bus testing pass/fail standards



# National Transit Asset Management (TAM) Program

# Bringing Transit Into a “State of Good Repair”

- SGR Backlog, estimated to be \$78B and growing
- Includes backlog among rural and small urban systems



# The National Transit Asset Management System

## National Transit Asset Management System

FTA Defines *State of Good Repair* (SGR)

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

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

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

Recipients and subrecipients develop TAM Plans

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

Recipients report asset inventories and condition assessments

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

FTA provides technical assistance

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

# 4 Proposed Methods for Defining SGR

## Age -based

Assets should be scheduled for replacement beyond a certain maximum age

## Condition-based

Assets should be replaced once inspections identify deteriorated conditions

## Performance-based

Assets should be replaced when their deteriorated condition reduces speed or reliability

## Comprehensive-assessment

Combines age, condition inspections, performance data, and maintenance history

Less Burden

More Accuracy

# Performance Measures and Targets

- FTA must define SGR using objective standards for measuring conditions
- FTA must establish performance measures based on the definition of SGR
- Each recipient must set their own targets within 3 months of FTA establishing the measure:
  - No reward for making a target
  - No penalty for missing a target
- Annual reports to FTA by the recipient

# Transit Asset Management Plans

- Recipients and subrecipients must develop a TAM Plan

## TAM Plan Requirements:

- 1) Asset inventory with condition assessments
- 2) Investment prioritization
- 3) Certification by the recipient to FTA

- Requirements will be scalable and flexible
- FTA will conduct risk-based oversight of TAM Plans
- Are there specific ways these can be tailored to small operators?

# Technical Assistance

- Two statutory requirements:
  - Decision support tool for investment prioritization
  - Analytical process for capital investment needs (TERM-Lite)
- Technical assistance underway:
  - Transit Asset Management Guide
  - Best practices from TAM pilot projects
  - TAM courses
- Is there technical assistance specifically geared towards small operators that FTA should consider?

# Metropolitan & Statewide Planning

- MPOs are established in urbanized areas of 50,000 or more population, and must prepare a long range plan of at least 20 years in duration (updated every 4-5 years)
- Statewide planning process for non-urbanized areas
- Both safety and SGR performance measures and targets must be integrated into the planning process – at both the MPO and Statewide levels



# About the Questions

## **We can discuss:**

- Clarifying questions

## **We cannot discuss:**

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

# Request for Comment and Next Steps

We request that you please take the time to comment on this ANPRM and provide your thoughts to docket No. *FTA-2013-0030*

You may do so via:

- Web: [www.regulations.gov](http://www.regulations.gov)
- Fax: 202-493-2251
- Mail: USDOT HQ\*
- Hand delivery: USDOT HQ\*

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