**Transit Rail Advisory Committee for Safety (TRACS)**

*Work Group 2 Meeting Minutes*

*Thursday, February 3-4, 2011*

**Attendees:**

Matt Bassett – Virginia Department of Rail and Public Transportation

Jeff Bryan – Volpe Center

Richard Clark – California Public Utilities Commission

Dianne Davidson – Oak Ridge National Laboratory

Jim Dougherty – Washington Metropolitan Area Transit Authority

Cheryl George – Metropolitan Transportation Authority

John Goodworth – Regional Transportation Authority

Aaron Jette – Volpe Center

Vijay Khawani – Los Angeles County Metropolitan Transportation Authority

Sean Libberton – Federal Transit Administration

Alvin Pearson – Memphis Area Transit Authority

David Perlman – Volpe Center

Iyon Rosario – Federal Transit Administration

Rich Inclima – Brotherhood of Maintenance of Way Employees Division (BMWED)

Jim Winseck – Metropolitan Transportation Authority

Richard Wong – Federal Transit Administration

**General Announcements**

* Meeting was held by Webinar due to inclement weather made it impossible for the Workgroup members to assemble in Atlanta as planned.
* Sean Libberton will be the acting chair of TRACS, as Mike Flanigon recently accepted a position with the National Transportation Safety Board (NTSB).
* Jeff Bryan briefly reviewed the progress of Work Group 1, which met during the Transportation Research Board (TRB) Annual Meeting. During the meeting, Work Group 1approved its memo to FTA Administrator Rogoff and developed a set of ten recommendations, both of which will be provided to the members of Work Group 2 by March 15 for their review.

**Revisions to Work Group 2’s Draft Memo to the FTA Administrator**

* All subgroups provided sections of the memo to Volpe. Volpe filled in the outline using these section drafts, though it consolidated much of the submitted text in order to avoid duplication.
* Work Group 2 discussed edits and revisions to its draft memo based on the following general themes:
  + The memo should clearly state that the essential functions of an effective state safety oversight agency (SSO) are presented in no particular order.
  + The essential function of Onsite Monitoring was removed; day-to-day safety oversight should be the responsibility of the rail transit agency.
  + The work group discussed whether an SSO should be discouraged or prohibited from providing funding to an RTA. The memo was revised to warn that sufficient safeguards should be in place if an SSO funds an RTA, though this issue requires additional discussion.
  + The work group discussed the implications of providing an SSO with the authority to enforce standards and regulations and impose penalties on RTAs in noncompliance. John Goodworth, Rich Inclima and Matt Bassett will rewrite the section “Strong Legislative Authority to Enforce Standards” to reflect a range of incentive and enforcement strategies.
  + The work group discussed the model organizational structure presented in its draft memo. Intended to serve as a model, the group was concerned that its proposed organizational structure could appear prescriptive. The group also discussed how to distinguish between functions and positions in an organizational chart format. The model does not imply the need for a full staff position within each box, but rather the need for capacity in each function. Matt Bassett, John Goodworth, Jeff Bryan and Dave Morgan (NJ Transit) will revise the model organizational structure chart to reflect the group discussion. They will also develop definitions for small, medium, and large SSOs.
  + The work group discussed need to define minimum qualifications for SSO roles that include both education levels and experience. The group agreed that it would be difficult to find staff that meets both thresholds. The group was also concerned about precluding SSOs from hiring experienced staff that do not hold a college or graduate degree. As a result, the group agreed to remove the table of roles and qualifications and, instead, describe functional characteristics of each role.
  + All of the recommendations were reviewed on the second day and edits were made to the language. One issue that remained after the formal meeting was some disagreement about federal vs. state’s rights to develop enforcement regulations. On one side the group wanted to ensure that there are minimum federal standards so that all SSOs have some consistency. On the other hand other’s felt that if the FTA does not get legislative approval to develop enforcement regulations or where the federal government does not address certain standards then the state should be able to do so as long as the two do not conflict. Final wording of recommendation #1 will be finalized once the issue is discussed further.