



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

June 22, 2018

1200 New Jersey Avenue, SE
Washington, DC 20590

Mr. Paul J. Wiedefeld
General Manager and Chief Executive Officer
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

Dear Mr. Wiedefeld:

As you know, the Federal Transit Administration (FTA) has temporary, direct responsibility for overseeing the safe operation of the Washington Metropolitan Area Transit Authority (WMATA) Metrorail system. By this letter, and pursuant to Federal public transportation law (49 U.S.C. § 5329(h)), FTA is requiring WMATA to take immediate action to address safety risks associated with the rubber between car barriers (BCBs) used on WMATA's 7000-series railcars manufactured by Kawasaki Rail Car, Inc.

On May 25, 2018, a visually impaired customer fell onto the track at Van Ness-UDC Station. The customer was using a white cane and searching for the open door of a stationary train car, when she mistook the opening between cars 7251-7250 as a doorway, stepped off the platform, and fell onto the track, sustaining minor injuries. This accident highlights the ineffectiveness of the rubber barriers on WMATA's 7000-series railcars in mitigating safety risks for passengers with visual impairments.

The rubber barriers used on WMATA's 7000-series trains are different from the chain barriers used on WMATA's other railcars. The rubber barriers create inconsistency in WMATA's BCB system, which can be difficult for passengers who are blind or have low vision to recognize. They also are more difficult to detect with a cane, being recessed from the side of the railcar further from the platform than the chain barriers. In addition, unlike the chain barriers, the rubber barriers leave as much as a nine-inch gap at the platform level, which can be mistaken for an opening.

The U.S. Department of Transportation's regulations implementing the Americans with Disabilities Act require at 49 CFR § 38.63 that rapid rail vehicles be equipped with suitable devices or systems to prevent, deter or warn individuals from inadvertently stepping off the platform between cars. On January 7, 2016, FTA sent a letter to WMATA requesting information regarding the adequacy of the 7000-series cab-end BCBs in meeting the requirements of 49 CFR § 38.63 in response to a citizen inquiry, and later directed WMATA to test its BCBs for compliance with 49 CFR § 38.63. In response, WMATA provided FTA with a copy of a hazard analysis of cab-end BCBs addressing WMATA's internal design criteria, and although WMATA claimed this testing indicated that its BCBs met the requirements of 49 CFR § 38.63, WMATA decided to conform all 7000-series BCBs to the chain design on all other series cars in service. WMATA initially committed to completing the changes by the end of 2017. Since then, WMATA has experienced delays in its implementation schedule due to the

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design process and availability of components, and now projects that it will be November 2019 before all 7000-series cars in service will have new BCBs installed.

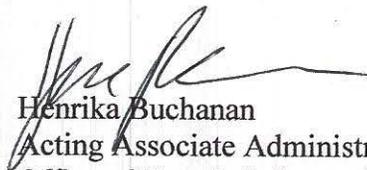
The FTA finds that the 7000-series BCBs do not provide adequate warning for passengers with visual impairments, and create an unsafe condition that poses a substantial risk of death or personal injury. Accordingly, FTA is requiring WMATA to take immediate action to mitigate the risk to transit passengers. By June 29, 2018, WMATA shall submit a work plan via email to Ms. Jamie Pfister, Director of FTA's WMATA Safety Oversight Office at (Jamie.Pfister@DOT.Gov) that:

- Demonstrates how WMATA is educating and advising passengers and special interest groups about the inconsistency in BCBs within its fleet.
- Identifies any additional actions that WMATA will take to assist passengers in safely boarding 7000-series trains until WMATA completes installation of the chain barriers on all 7000-series cars; and
- Demonstrates that WMATA and the vehicle manufacturer, as well as other relevant suppliers, will expedite delivery of parts and installation of the chain BCBs such that the 7000-series cars in revenue service are equipped with these BCBs promptly, and in no event later than December 31, 2018.
- Demonstrates that all new 7000-series cars not yet in revenue service will be equipped with the chain BCBs prior to entering revenue service.

The work plans must set forth actions that WMATA already has taken and will take to mitigate the risks posed by the design and usage of the BCBs on WMATA's 7000-series rail cars. The FTA will review and approve WMATA's work plan and will monitor the agency's progress in resolving each required action.

If WMATA fails to comply with the required actions stated herein, FTA has the authority under Federal public transportation safety law to, among other possible responses withhold up to 25 percent of WMATA's Section 5307 Urbanized Area Formula funds until the requirements have been met. Your commitment to take all necessary steps needed to immediately address these safety concerns is expected. Please do not hesitate to contact Ms. Pfister or me with any questions or concerns.

Sincerely,


Henrika Buchanan
Acting Associate Administrator
Office of Transit Safety and Oversight

cc: Mr. Joseph Leader, Chief Operating Officer, WMATA
Mr. Andrew Off, Assistant General Manager for Rail Services, WMATA
Mr. Patrick Lavin, Chief Safety Officer, WMATA
Mr. Angel Peña, Managing Director, Quality Assurance, Internal Compliance & Oversight, WMATA
Ms. Sharmila Samarasinghe, Chair, Tri-State Oversight Committee