State DOTs and the PTASP Rule

How to get to compliance

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In today’s presentation…

• Timeline to compliance
• State DOT Roles, Responsibilities and Opting Out
• Applicability and Definition of Small Provider
• Funding
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Timeline to Compliance

July 19, 2018 – PTASP Rule Published

State DOTs set process/date for opt outs

State DOTs begin determining process to draft plan(s)

July 19, 2019 – PTASP Rule Effective Date

State DOTs draft agency safety plan(s)

State DOTs share plan(s) with small bus agencies

State DOTs finalize agency safety plan(s)

State DOTs certify compliance with PTASP rule

July 19, 2020 – PTASP Rule Compliance Date
Timeline to Compliance

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7. State DOTs share plan(s) with small bus agencies
8. State DOTs certify compliance with PTASP rule
9. July 20, 2020: PTASP rule compliance date
State DOT Roles, Responsibilities and Opting Out

§ 673.11(d) states: “A State must draft and certify a Public Transportation Agency Safety Plan on behalf of any small public transportation provider that is located in that State. A State is not required to draft a Public Transportation Agency Safety Plan for a small public transportation provider if that agency notifies the State that it will draft its own plan. In each instance, the transit agency must carry out the plan…”
State DOT Roles, Responsibilities and Opting Out

§ 673.11(d), cont.: “…If a State drafts and certifies a Public Transportation Agency Safety Plan on behalf of a transit agency, and the transit agency later opts to draft and certify its own Public Transportation Agency Safety Plan, then the transit agency must notify the State. The transit agency has one year from the date of the notification to draft and certify a Public Transportation Agency Safety Plan that is compliant with this part. The Public Transportation Agency Safety Plan drafted by the State will remain in effect until the transit agency drafts its own Public Transportation Agency Safety Plan.”
State DOT Roles, Responsibilities and Opting Out

• Responsibility lies with the State DOT for small urban bus system plans
• State DOT role includes:
  • Drafting the plan, or multiple plans if that makes more sense based on the types of small urban bus systems in your state
  • Certifying in the Certs and Assurances process that you have met the requirements
• FTA recommends setting a formal process for opting out
  • Set a deadline for opting out
  • Decide what type of notification is sufficient (email, phone call, signed letter, form, etc.)
State DOT Roles, Responsibilities and Opting Out

- FTA recommends that the State DOTs work with the small urban bus agencies as much as is practical to ensure you are writing a plan that will be able to be implemented
  - If you don’t know your small urban bus agencies yet, now is the time to get to know them!
Applicability and Definition of Small Provider

**Definition:** *Small public transportation provider* means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

- Interpreting the definition in the same way as the TAM Tier II Definition
  - 100 or fewer vehicles in peak revenue service across all fixed-route modes or one non-fixed route mode

- This is a good time to start figuring out which agencies in your state would be in the plan
  - What are their characteristics?
    - Operating environment, fleet size, number of routes/distance covered, etc.
    - What are their current resources?
  - Do they have a safety office or safety staff?
Funding

• Work with your Governor to reapportion 5307 funds if you will need more than usual to write the plans

• 5310 and 5311 may not be used

• How you choose to use the funds is up to you
  • Hire a contractor
  • Hire new staff
  • As long as it is an eligible 5307 expense
Where can I get assistance?

- Bus template and guidance document
  - Available on FTA’s website
  - Watch the webinar recording
- FTA courses on SMS
  - SMS Awareness (Online course)
  - Safety Assurance (e-Learning course)
  - SMS Principles for Transit
  - Effectively Managing Transit Emergencies
- Transit Bus System Safety
- Fundamentals of Bus Collision Investigation
- SSOA in some circumstances
  - Guidance and questions are ok, but SSOA should not be involved in drafting/writing plan(s)
Things to think about

- Economies of scale
  - Will one plan work for all of your small bus agencies?
- You can set the processes to be followed across the state
  - Consistency
- Do targets make sense to be the same at each bus agency?
  - Size
  - Operating environment and characteristics
  - Resources
  - Past performance data/trends
Questions?

- PTASP Questions: PTASP_QA@dot.gov
- Other questions? Call the Office of Transit Safety and Oversight main number at 202-366-1783

https://www.transit.dot.gov/PTASP