FTA

FEDERAL TRANSIT ADMINISTRATION

Public Transportation Agency Safety Plan Final Rule

Multimodal Agencies

Office of Transit Safety and Oversight

August 6, 2018

U.S. Department of Transportation
Federal Transit Administration

Today's Presentation

- Public Transportation Agency Safety Plan (PTASP)
  - PTASP Background
  - PTASP Revisions from NPRM to Final Rule
  - Overview of the PTASP Final Rule
  - Performance Management Framework and the Planning Process
  - Safety Management Systems (SMS)
  - Outreach and Technical Assistance
- Questions

PTASP Background

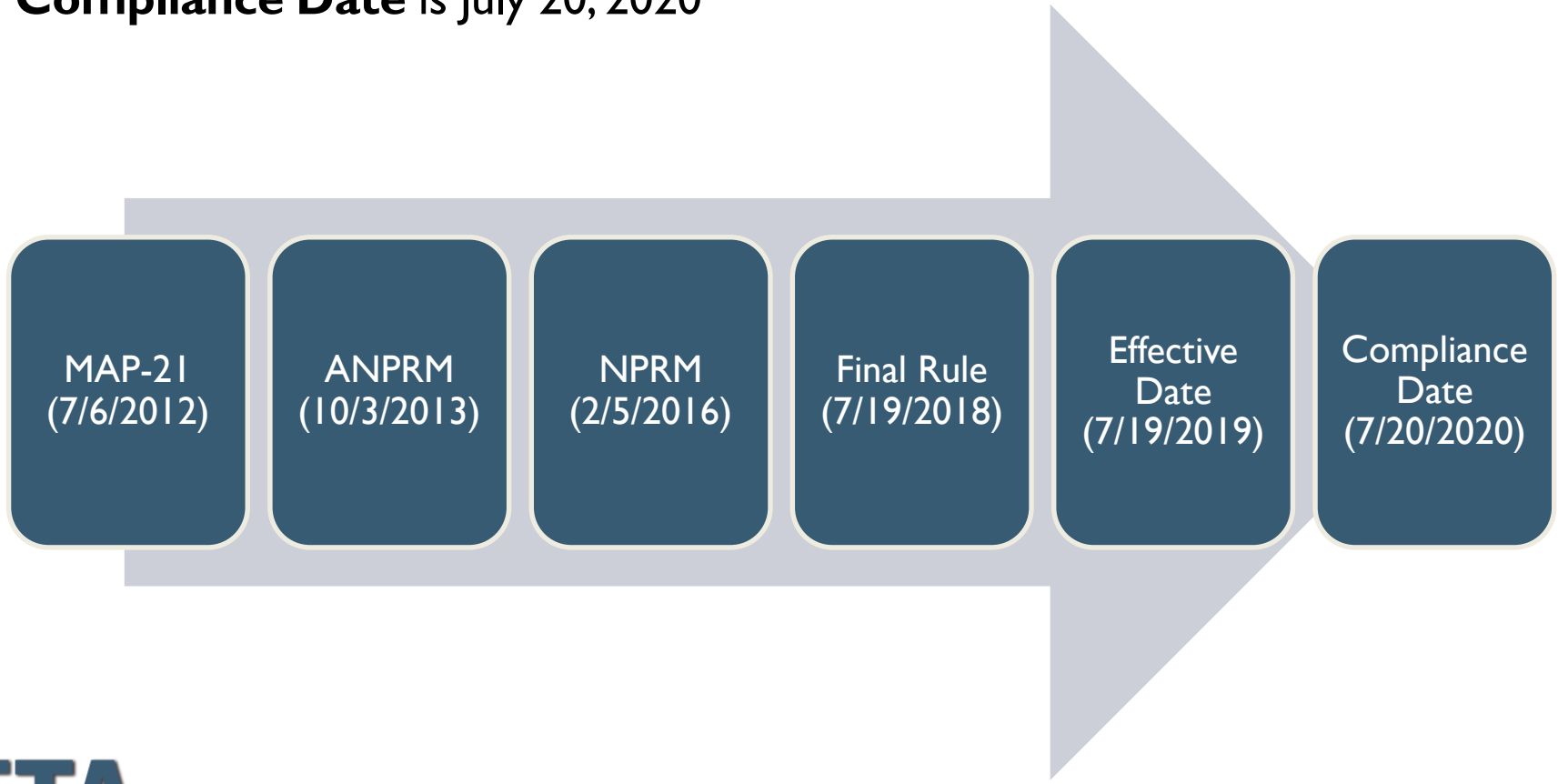
Statutory Requirements

- Through MAP-21 and the FAST Act, Congress required operators of public transportation systems that receive FTA funds to develop and implement a Public Transportation Agency Safety Plan (49 U.S.C. § 5329(d)).

- FTA is implementing this requirement through the PTASP final rule (49 C.F.R. Part 673).

The PTASP Process

Final Rule Published on July 19, 2018
Effective Date is July 19, 2019
Compliance Date is July 20, 2020



Revisions from PTASP NPRM to PTASP Final Rule

PTASP NPRM Changes

NPRM Comments

- 646 comments from 77 individual commenters.
- The majority of commenters were supportive of Safety Management Systems (SMS).

Major Issues Discussed by Commenters		
Comment Category	**FTA Response**	**Reduction in Burden/Cost***
Applicability	Final rule defers applicability to 2,000 small and rural operators under Sections 5310 and 5311.	$26 million
SMS Requirements	Final rule reduces SMS requirements for small operators.	$8.4 million
Record Keeping	Final rule reduces overall record keeping burden.	$6.4 million

**In relation to the costs calculated in the Notice of Proposed Rulemaking (NPRM)*

Other Changes

- Eliminates redundant safety performance target provisions and the Transit Asset Management Rule targets.
- Clarifies that training applies to those "directly responsible for" safety (as opposed to safety oversight).
- Clarifies that rail systems may incorporate existing emergency preparedness plans by reference.

Overview of the PTASP Final Rule

PTASP Final Rule: Table of Contents

Title 49—Transportation
PART 673—PUBLIC TRANSPORTATION AGENCY SAFETY PLANS
Subpart A—General
Sec.
673.1 Applicability
673.3 Policy
673.5 Definitions
Subpart B—Safety Plans
673.11 General requirements
673.13 Certification of compliance
673.15 Coordination with metropolitan, statewide, and non-metropolitan planning processes
Subpart C—Safety Management Systems
673.21 General requirements
673.23 Safety management policy
673.25 Safety risk management
673.27 Safety assurance
673.29 Safety promotion
Subpart D—Safety Plan Documentation and Recordkeeping
673.31 Safety plan documentation
673.33 Safety plan records

PTASP Applicability and Requirements

Applicability	Requirements
Would Apply to: • Operators of transit systems that receive FTA funds (Section 5307) and all rail transit operators (regardless of funding source).	Public Transportation Agency Safety Plan • Approved by Accountable Executive and Board of Directors (and SSOA for rail transit agencies) • Annual Review/Update • Compliance with Public Transportation Safety Program/National Safety Plan • Assignment of Chief Safety Officer Safety Management System (SMS) Safety Performance Targets Rail Agencies Only: Emergency Preparedness Plan Employee Reporting Program
Would Not Apply to: • FTA recipients that do not operate transit systems. • Commuter rail service regulated by FRA. • Passenger ferry service regulated by USCG. • Deferring applicability for operators that only receive Section 5310 and Section 5311 funds (both recipients and sub-recipients).	

Safety Plan Development and Implementation

- Rail transit agencies and large bus operators must develop and implement their own safety plans.

- A State must develop a safety plan for small transit agencies within the State that receive Urbanized Area Formula Program funds (49 U.S.C. § 5307) and operate 100 or fewer vehicles in peak revenue service, unless the transit agency chooses to develop its own safety plan. In either case, small bus operators must implement their own safety plans.

Multimodal Safety Plan Development and Implementation

- Multimodal transit agencies can decide whether to develop and implement one plan for the entire agency, or separate plans for each mode
- No requirement to draft plans in a particular way
- Things to think about:
  - Staff available to draft and implement the plan(s)
  - Size of system
  - Number of modes

Rail Safety Plan Development and Implementation

- Rail transit agencies must develop and implement their own safety plans
  - SSOAs **cannot** draft safety plans for the RTAs in their jurisdiction

- Rail modes may use some of their SSPP in their new Safety Plan, such as:
  - Safety Policy Statement with updates to reflect SMS principles
  - Hazard Management processes translating to Safety Risk Assessment and Mitigation
  - Sources for data collection
  - Accident Investigation processes
  - Assessing Modifications and Changes and translating to Management of Change
  - Internal Safety Reviews translating to Continuous Improvement
  - Internal Safety Training Program for employees and contractors

- Rail safety plans must also follow the SSOA's Program Standard

- SSPP stays in effect until July 20, 2020, the compliance date of this rule (one year after effective date)

Bus Safety Plan Development and Implementation

- Large bus transit agencies must develop and implement their own safety plans
- Large bus transit agencies are defined as having more than 100 vehicles in peak revenue service. Small bus transit agencies receive 5307 funds and operate fewer than 100 vehicles in peak revenue service.
- Some large bus agencies may already have a safety plan, but the ***requirement*** to have a safety plan is new
- Large bus transit agencies must incorporate all elements of SMS in to their safety plans. Small bus transit agencies do not need to incorporate Management of Change and Continuous Improvement processes.
- Use the Safety Plan Template for Bus Transit on FTA's website

Use of Grant Funds for Safety Plan Development and Implementation

- No additional funding provided to grantees for compliance with the PTASP Final Rule
- Federal funds may be used to develop and implement a safety plan:

• 5303	• 5309
• 5304	• 5337
• 5307	• 5339

- SSOA funds may **not** be used for any bus activities, only to be used for rail activities

Safety Plan Approval

- Safety plan must be signed by agency's Accountable Executive.
- Safety plan must be approved by agency's Board of Directors or an equivalent authority (such as a mayor, county executive, or grant manager).
- A State Safety Oversight Agency must review and approve the safety plan for a rail transit agency for which it has responsibility.
  - **For multimodal agencies that choose to draft one plan for the entire agency, SSOAs are only required to review the rail portions of the plan**

Safety Plan Certification

- Transit agencies, and States that draft plans on behalf of small operators, must initially self-certify through FTA's Certifications and Assurances process that they have established a Safety Plan by one year after the effective date of the rule.

- Annually, transit agencies and States self-certify that they are meeting the requirements of the rule.

Record Keeping

Transit agencies must keep records related to their safety plan for three years.

- Documents related to the implementation of its Safety Management System (SMS) and results from SMS processes and activities.

- Documents, in whole or by reference, that describe the programs, policies, and procedures for carrying out the Public Transportation Agency Safety Plan (PTASP).

Documents must be made available upon request by FTA, other Federal entity, or a SSOA.

PTASP Rule Oversight Framework

FTA Role

- Guidance
- Technical assistance
- Triennial reviews

Transit Agency Role

- Develop and implement PTASP
- Annual self-certification

SSO Agency Role

- Review and approve PTASP
- Oversees RTA compliance

Performance Management Framework and the Planning Process

FTA's Safety Performance Measures (by Mode)*

Injuries	• Total amount and rate per total vehicle revenue miles.
Fatalities	• Total amount and rate per total vehicle revenue miles.
Safety Events	• Total amount and rate per total vehicle revenue miles.
System Reliability	• Mean distance between major mechanical failures.

**Established in FTA's National Public Transportation Safety Plan*

MAP-21 Performance Management Framework

FTA

- Transit Asset Management
- National Public Transportation
- Safety Plan Public Transportation Agency Safety Plan

FHWA

- Safety Performance
- Pavement and Bridge Condition
- System Performance & CMAQ
- Highway Safety Improvement Program
- Highway Asset Management Plan

Statewide and Metropolitan Planning

Coordination with the Planning Process

- Transit agencies are required to make their safety performance targets available to States and Metropolitan Planning Organizations (MPO).
- This will assist with the selection of safety performance targets at the State and MPO levels.
- The safety performance targets will help States and MPOs develop their investment priorities for upcoming transit projects within their jurisdictions for at least the following four years.
- The FTA/FHWA Joint Rule on Planning (23 C.F.R. Part 450) provides more information on planning and coordination requirements.

Linking Safety, Transit Asset Management, and Project Planning

Performance Measures

Performance Targets

Performance-Based Plans

Investment Priorities

Safety Management Systems (SMS)

Safety Management System (SMS)

Safety Management Policy

Establish A Written Statement of Safety Policy, Communicated Throughout the Agency, that Includes:

- Safety objectives for the agency
- A employee reporting program
- Organizational accountabilities and safety responsibilities for:
  1. Accountable Executive
  2. Chief Safety Officer
  3. Agency Leadership
  4. Key Staff Responsible for Safety

Safety Risk Management

Establish A Process For:

Identify safety hazards.

Assess the safety risks associated with the identified safety hazards.

Prioritize safety hazards based on the level of risk.

Implement safety risk mitigations.

Safety Assurance (All Transit Agencies)

Establish Activities For:

Safety Performance Monitoring and Measurement

- Monitor compliance with/sufficiency of operations and maintenance procedures.
- Identify mitigation(s) that may be ineffective, inappropriate, or not implemented as intended.
- Conduct investigations of safety events to identify causal factors.
- Monitor safety-related information.

Safety Assurance (Rail/Large Bus Systems Only)

Establish Activities For:

Management of Change	Identify and assess changes that may introduce new hazards or impact safety performance.
Continuous Improvement	Assess safety performance and correct safety deficiencies.

Safety Promotion

Elements:

Comprehensive safety training program for agency employees/contractors directly responsible for safety.

Communicate an agency's safety performance throughout the organization.

How is PTASP Different from SSPP?

SSPP	PTASP
21 fixed program elements	SMS components are scalable and flexible. Performance-based regulation.
Integrates risk management into the overall system design and engineering process	Focuses on management of safety risk through all aspects of a transit agency's operations by addressing hazards as a day-to-day operational consideration. Encourages a more integrated and multi-disciplinary approach to identifying hazards and assessing safety risk. Specifies management accountability for resource decisions to resolve safety risk at all lifecycle stages.
Assumes that technical compliance with engineered solutions will result in safe operations	Promotes the collection and analysis of information from the frontline, supervisors, automated systems, customers, audits of normal operations, and other activities to help the rail transit agency: 1) identify changes from the safety baseline, 2) evaluate and mitigate associated safety risks, and 3) regularly monitor the effectiveness of safety risk mitigations.

PTASP Effective Date

The rule is effective on **July 19, 2019**. Transit agencies must develop, certify, and implement an agency safety plan by **July 20, 2020.**

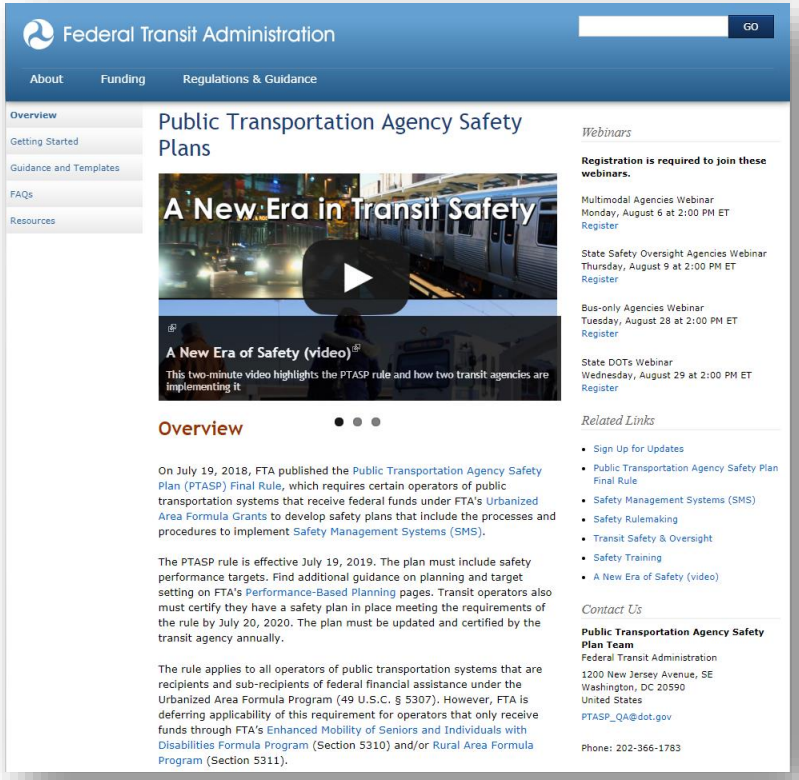
Please do not wait to begin development of your agency safety plan. FTA cannot waive or extend the compliance deadline.

Outreach and Technical Assistance

FTA Technical Assistance

To assist with the implementation of these final rules and to reduce administrative and financial burdens, FTA is publishing templates, guidance and technical assistance, including:

- Rail (forthcoming)
  - SSPP to PTASP Roadmap
  - Rail Guidance
- Bus
  - PTASP Template
  - Bus Guidance



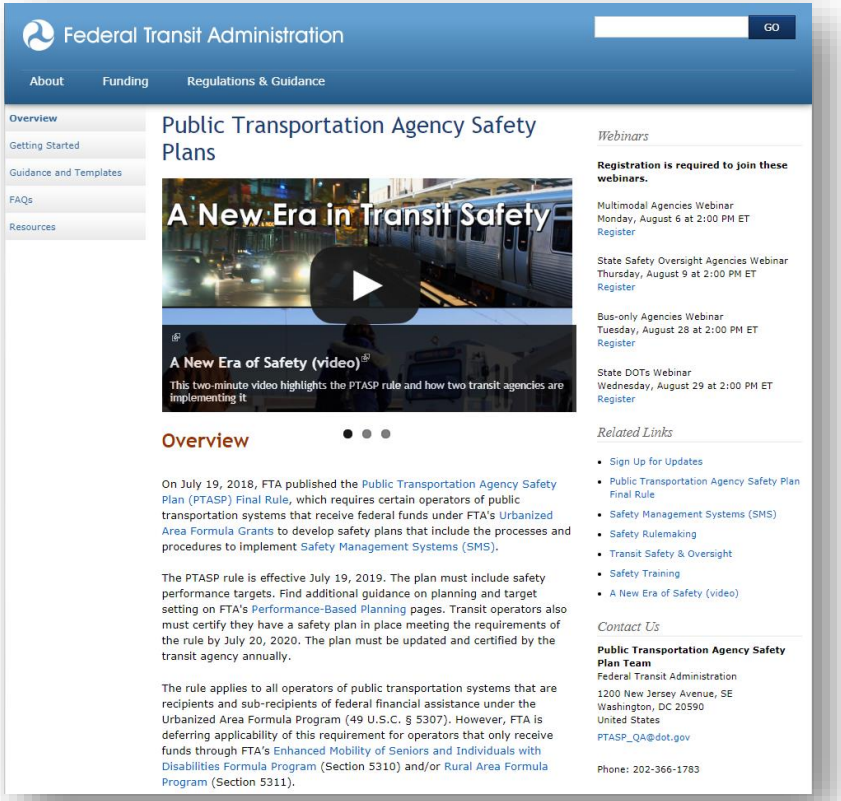
https://www.transit.dot.gov/PTASP

Upcoming Webinars

Webinars	Dates
Public Transportation Agency Safety Plan Final Rule	SSO Agencies | Register Thursday, August 9 at 2:00 PM ET Bus-only Agencies | Register Tuesday, August 28 at 2:00 PM ET State DOTs | Register Wednesday, August 29 at 2:00 PM ET Multimodal Agencies | Register Thursday, August 30 at 2:00 PM ET SSO Agencies | Register Wednesday, September 5 at 2:00 PM ET Rail-Only Agencies | Register Thursday, September 6 at 2:00 PM ET State DOTs | Register Wednesday, September 12 at 2:00 PM ET
Public Transportation Safety Certification Training Program Final Rule	Thursday, August 16 at 2:00 PM ET | Register

More Information and Follow-up Questions

- Questions: PTASP_QA@dot.gov
- Other questions? Call the TSO Main Number at 202-366-1783



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