



FEDERAL TRANSIT ADMINISTRATION

# **Public Transportation Agency Safety Plan Final Rule**

## **State DOTs**

### **Office of Transit Safety and Oversight**

**September 12, 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

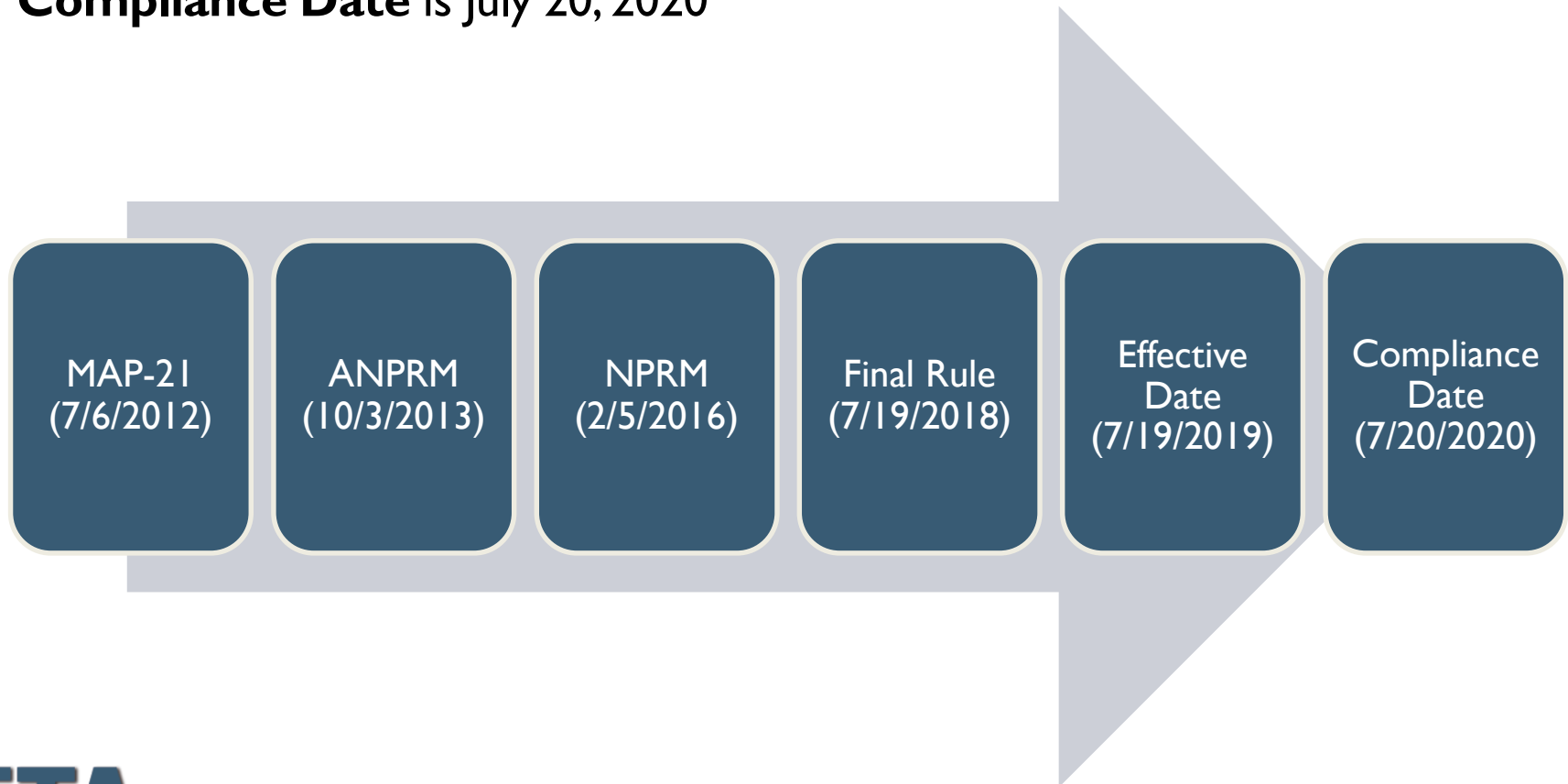
- Through MAP-21 and the FAST Act, Congress required operators of public transportation systems that receive FTA funds to develop and implement a Public Transportation Agency Safety Plan (49 U.S.C. § 5329(d)).
- FTA is implementing this requirement through the PTASP final rule (49 C.F.R. Part 673).

# 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
<b>Would Apply to:</b> <ul style="list-style-type: none"><li>Operators of transit systems that receive FTA funds (Section 5307) and all rail transit operators (regardless of funding source).</li></ul>	<pre>graph LR; A[Public Transportation Agency Safety Plan] --- B[Safety Management System (SMS)]; A --- C[Safety Performance Targets]; A --- D[Rail Agencies Only: Emergency Preparedness Plan]; A --- E[Employee Reporting Program]; A --- F[Approved by Accountable Executive and Board of Directors (and SSOA for rail transit agencies)]; A --- G[Annual Review/Update]; A --- H[Compliance with Public Transportation Safety Program/National Safety Plan]; A --- I[Assignment of Chief Safety Officer];</pre>
<b>Would Not Apply to:</b> <ul style="list-style-type: none"><li>FTA recipients that do not operate transit systems.</li><li>Commuter rail service regulated by FRA.</li><li>Passenger ferry service regulated by USCG.</li><li>Deferring applicability for operators that only receive Section 5310 and Section 5311 funds (both recipients and sub-recipients).</li></ul>	

# 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.

# State DOT Role and Responsibilities for Safety Plan Development

- State DOTs must develop safety plans on behalf of all small bus transit agencies within their state (fewer than 100 vehicles in peak revenue service)
  - Grant Manager
  - Transit Program Manager
- SSOAs cannot draft a plan for a Small bus transit agency
- No requirement to draft plans in a particular way
  - One plan for each bus agency or separate plans for each
- Things to think about:
  - Number of small bus agencies within your state
  - Similarities of the small bus agencies
  - Ability of each small bus agency to implement the plan based on staff, resources, etc.

# Small Bus Safety Plan Development and Implementation

- Small bus transit agencies must implement the safety plan
- Small bus transit agencies can opt to draft their own plan, but must notify the State DOT they are going to do so
- Some small bus agencies may already have a safety plan, but the **requirement** to have a safety plan is new
- Small bus transit agencies do not need to incorporate all elements of SMS in to their safety plans
  - Only implement Safety Performance Monitoring and Measurement
- 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 (State DOT) Role

- Develop (State DOT for small bus) 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

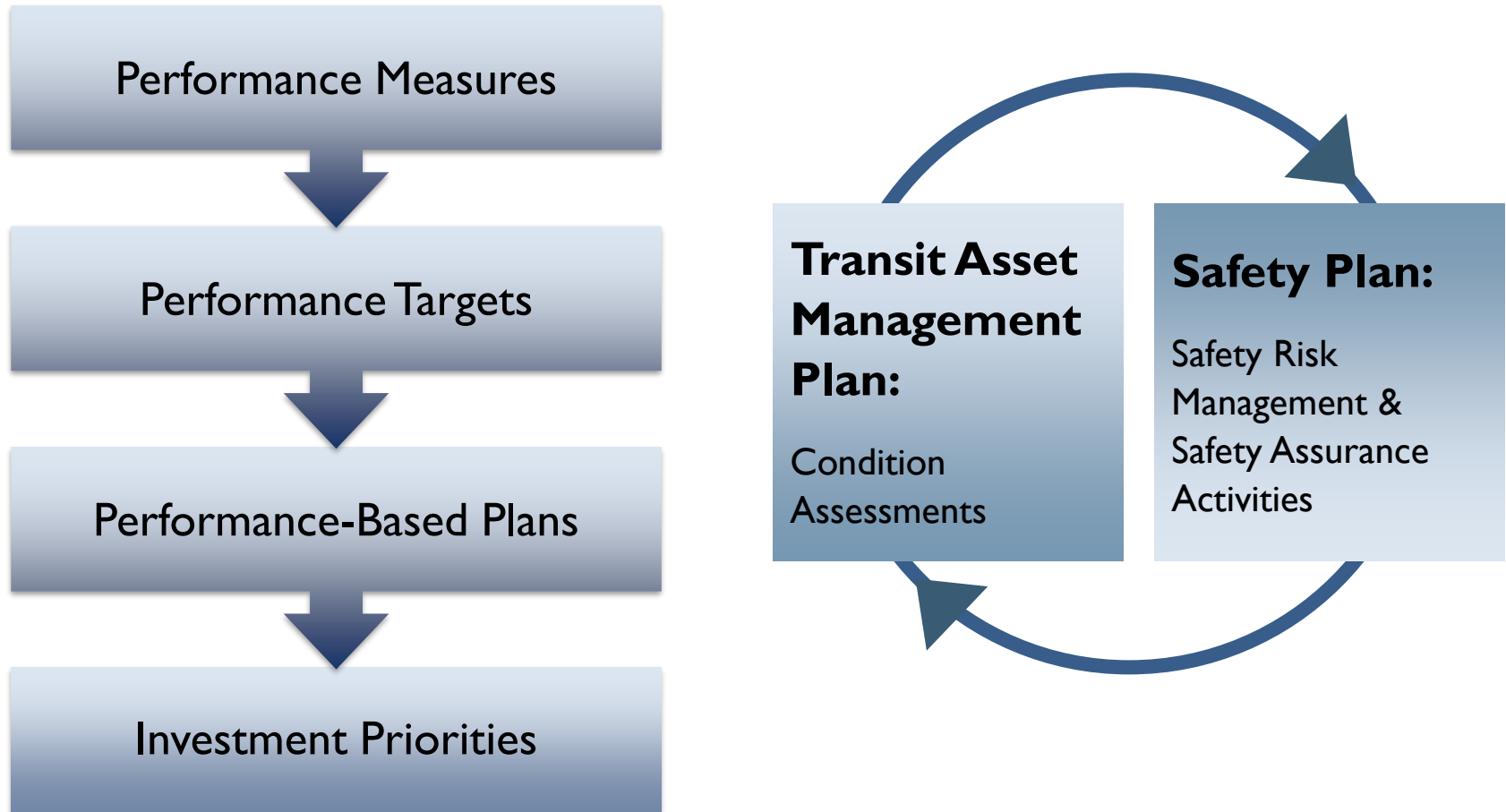
- Transit agencies are required to make their safety performance targets available to States and Metropolitan Planning Organizations (MPO).
- This will assist with the selection of safety performance targets at the State and MPO levels.
- The safety performance targets will help States and MPOs develop 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.

# State DOT and MPO Roles in the Planning Process

- Incorporate safety performance targets received from your transit agencies in to the statewide and MPO transportation plans and transportation improvement programs
- Provide guidance to transit agencies on the planning process for your state or MPO as needed
- MPOs have 180 days after the initial Safety Plans are finished (must be by July 20, 2020) to establish their own safety performance targets



# Linking Safety, Transit Asset Management, and Project Planning



# 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

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A employee reporting program

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Organizational  
accountabilities  
and safety  
responsibilities  
for:

1.Accountable Executive

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2.Chief Safety Officer

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3.Agency Leadership

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4.Key Staff Responsible for Safety

# Safety Risk Management

Establish A  
Process For:

**Identify** safety hazards.

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**Assess** the safety risks associated with the identified safety hazards.

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**Prioritize** safety hazards based on the level of risk.

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**Implement** safety risk mitigations.

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# Safety Assurance (All Transit Agencies)

Establish  
Activities  
For:

Safety  
Performance  
Monitoring and  
Measurement

Monitor compliance with/sufficiency of operations and maintenance procedures.

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Identify mitigation(s) that may be ineffective, inappropriate, or not implemented as intended.

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Conduct investigations of safety events to identify causal factors.

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Monitor safety-related information.

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# 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.

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Continuous  
Improvement

Assess safety performance and correct safety deficiencies.

# Safety Promotion

## Elements:

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

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Communicate an agency's safety performance throughout the organization.



## 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**.

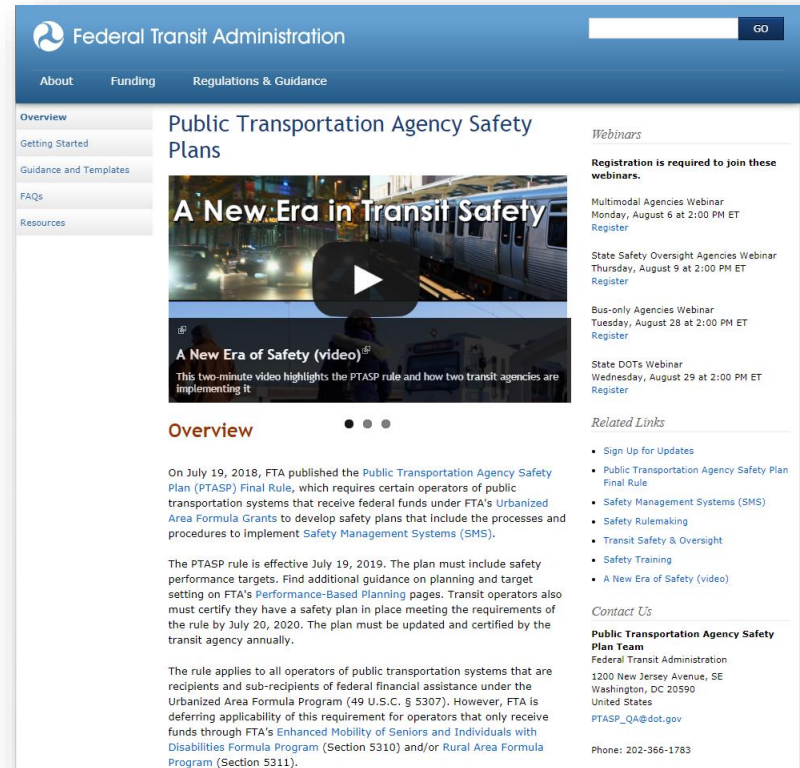
**Please do not wait to begin development of your agency safety plan. FTA cannot waive or extend the compliance deadline.**

# 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](#)



Federal Transit Administration

About Funding Regulations & Guidance

Overview  
Getting Started  
Guidance and Templates  
FAQs  
Resources

## Public Transportation Agency Safety Plans

### A New Era in Transit Safety

**A New Era of Safety (video)**  
This two-minute video highlights the PTASP rule and how two transit agencies are implementing it.

#### Overview

On July 19, 2018, FTA published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS).

The PTASP rule is effective July 19, 2019. The plan must include safety performance targets. Find additional guidance on planning and target setting on FTA's [Performance-Based Planning](#) pages. Transit operators also must certify they have a safety plan in place meeting the requirements of the rule by July 20, 2020. The plan must be updated and certified by the transit agency annually.

The rule applies to all operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the Urbanized Area Formula Program (49 U.S.C. § 5307). However, FTA is deferring applicability of this requirement for operators that only receive funds through FTA's Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310) and/or Rural Area Formula Program (Section 5311).

#### Webinars

Registration is required to join these webinars.

- Multimodal Agencies Webinar  
Monday, August 6 at 2:00 PM ET  
[Register](#)
- State Safety Oversight Agencies Webinar  
Thursday, August 9 at 2:00 PM ET  
[Register](#)
- Bus-only Agencies Webinar  
Tuesday, August 28 at 2:00 PM ET  
[Register](#)
- State DOTs Webinar  
Wednesday, August 29 at 2:00 PM ET  
[Register](#)

#### Related Links

- [Sign Up for Updates](#)
- [Public Transportation Agency Safety Plan Final Rule](#)
- [Safety Management Systems \(SMS\)](#)
- [Safety Rulemaking](#)
- [Transit Safety & Oversight](#)
- [Safety Training](#)
- [A New Era of Safety \(video\)](#)

#### Contact Us

**Public Transportation Agency Safety Plan Team**  
Federal Transit Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
United States  
[PTASP\\_QA@dot.gov](mailto:PTASP_QA@dot.gov)  
Phone: 202-366-1783

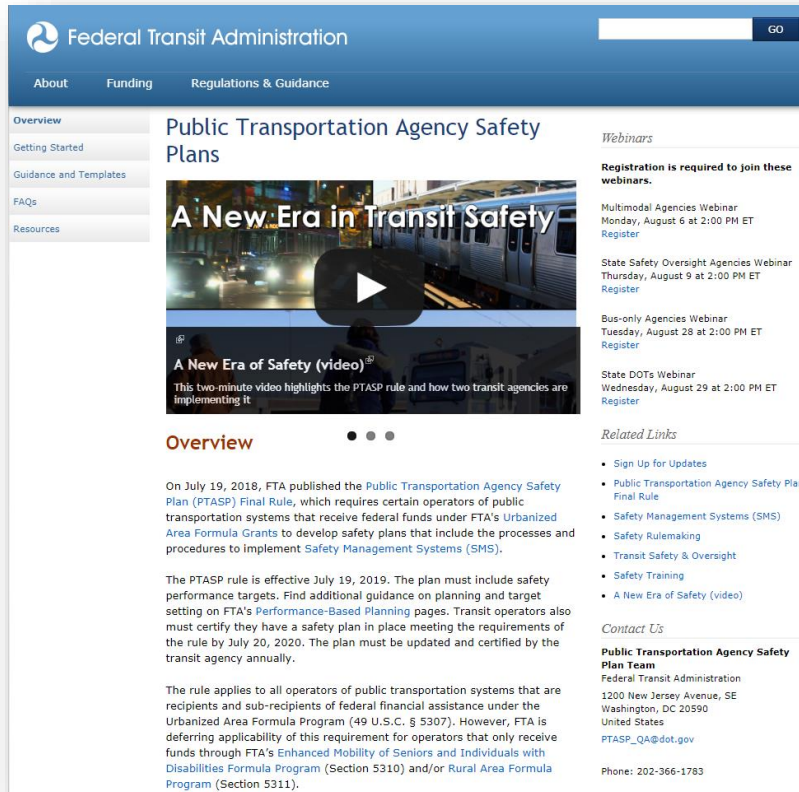
<https://www.transit.dot.gov/PTASP>

# Upcoming Webinars

Webinars	Dates
<b>Public Transportation Agency Safety Plan Final Rule</b>	Bus-only Agencies   <a href="#">Register</a> Thursday, September 13 at 2:00 PM ET
<b>Public Transportation Safety Certification Training Program Final Rule</b>	Tuesday, September 18 at 2:00 PM ET   <a href="#">Register</a>

# More Information and Follow-up Questions

- Questions: [PTASP\\_QA@dot.gov](mailto:PTASP_QA@dot.gov)
- Other questions? Call the TSO Main Number at 202-366-1783



The screenshot shows the Federal Transit Administration (FTA) website. The header includes the FTA logo and navigation links: About, Funding, and Regulations & Guidance. The main content area is titled "Public Transportation Agency Safety Plans". Below the title is a video player with the title "A New Era in Transit Safety" and a play button. To the right of the video player is a section titled "Webinars" with a list of upcoming webinars: "Multimodal Agencies Webinar" (Monday, August 6 at 2:00 PM ET), "State Safety Oversight Agencies Webinar" (Thursday, August 9 at 2:00 PM ET), "Bus-only Agencies Webinar" (Tuesday, August 28 at 2:00 PM ET), and "State DOTs Webinar" (Wednesday, August 29 at 2:00 PM ET). Below the webinars is a section titled "Related Links" with a list of links: "Sign Up for Updates", "Public Transportation Agency Safety Plan Final Rule", "Safety Management Systems (SMS)", "Safety Rulemaking", "Transit Safety & Oversight", "Safety Training", and "A New Era of Safety (video)". At the bottom of the page is a "Contact Us" section with the "Public Transportation Agency Safety Plan Team" contact information: Federal Transit Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590, United States, [PTASP\\_QA@dot.gov](mailto:PTASP_QA@dot.gov), and Phone: 202-366-1783.

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