

FTA



F E D E R A L T R A N S I T A D M I N I S T R A T I O N

Public Transportation Agency Safety Plan Regulation Applicability

January 21, 2020



U.S. Department of Transportation
Federal Transit Administration

Webinar Objectives and Topics

- Objectives
 - To help States and transit providers determine whether the Public Transportation Agency Safety Plan (PTASP) regulation applies to their organization and, if so, which requirements apply
- Topics
 - General Applicability
 - Applicability Categories
 - Requirements by Category

General Applicability

Who needs to meet PTASP regulation requirements?

- The PTASP regulation applies to any State or provider of public transportation that receives Federal financial assistance under 49 U.S.C. Section 5307 (Urbanized Area Formula Program)
- The PTASP regulation also applies to any rail transit provider subject to the State Safety Oversight program, regardless of funding source

General Applicability

An organization must meet PTASP regulation requirements if it's a:

Transit Provider

- ✓ A provider of public transportation
- ✓ A recipient or subrecipient of a Section 5307 grant open on July 20, 2020
- ✓ An entity that operates a rail fixed guideway system under FTA's State Safety Oversight Program

**AND/
OR**

OR

State DOT

- ✓ A State with one or more applicable small public transportation providers in the State

General Applicability – Transit Providers

A provider of public transportation

- Public transportation is regular, continuing shared-ride surface transportation services that are open to the general public or a segment of the general public defined by age, disability, or low income
- Regardless of whether the service is provided directly, through a contractor, or other provider
- Excludes modes under the safety jurisdiction of the Federal Railroad Administration (FRA) or U.S. Coast Guard

General Applicability – Which modes?

Bus Modes

- Bus
- Bus Rapid Transit
- Commuter Bus
- Demand Response
- Demand Response Taxi
- Publico
- Trolley Bus
- Vanpool

Rail Modes

- Cable Car
- Heavy Rail
- Hybrid Rail
- Inclined Plane
- Light Rail
- Monorail/Automated Guideway
- Streetcar

Remember: Modes under the safety jurisdiction of FRA and U.S. Coast Guard—including commuter rail and ferries—don't count!

General Applicability – Transit Providers

- ✓ **A recipient or subrecipient of a Section 5307 grant open on July 20, 2020**
 - May be in combination with any other FTA grant
 - As of July 20, 2020, transit providers must certify that they meet PTASP regulation requirements, if applicable, to be awarded FTA grant funds

Don't have an open Section 5307, but anticipate one in the near future?
Consider beginning preparations to meet PTASP regulation requirements.

General Applicability – Transit Providers

- ✓ **An entity that operates a rail fixed guideway system under FTA's State Safety Oversight Program**
 - Regardless of current funding status
 - Even if not a Section 5307 recipient or subrecipient

Question 1 – choose one

What is the deadline to meet PTASP regulation requirements?

- June 20, 2020
- July 1, 2020
- July 20, 2020
- January 1, 2021

General Applicability

What is the deadline to meet PTASP regulation requirements?

- States and transit providers must meet PTASP requirements no later than **July 20, 2020**
 - Includes requirements such as:
 - Developing an ASP
 - Implementing an ASP
 - Certifying compliance with the PTASP regulation

General Applicability

What is the penalty for not meeting PTASP regulation requirements?

- A transit operator would be ineligible to receive FTA grant funds until the operator satisfies the requirements of the regulation
- Failure to comply with the regulation may subject a grantee to a range of FTA enforcement options depending upon the circumstances

General Applicability

Frequently Asked Questions

I receive Section 5307 funding from my State DOT. I don't get the money directly from FTA. Do the PTASP requirements apply to me?

Yes. As a subrecipient of Section 5307 funding, you need to meet PTASP requirements.

General Applicability

Frequently Asked Questions

I'm a subrecipient and I receive Section 5307 funding from a large transit agency in my city. I don't get the money directly from FTA. Do the PTASP requirements apply to me?

Yes. As a subrecipient of Section 5307 funding, you need to meet PTASP requirements.

General Applicability

Frequently Asked Questions

We previously used Section 5307 funding to purchase vehicles, but we won't have a Section 5307 grant in open status on July 20, 2020. Do we have to meet PTASP requirements by July 20, 2020?

No. If you won't have an open Section 5307 grant on July 20, 2020, you are not currently required to comply with PTASP requirements. However, in order to be eligible for future Section 5307 funding, you will need to meet PTASP requirements.

General Applicability

Frequently Asked Questions

My transit agency only uses Congestion Mitigation and Air Quality Improvement (CMAQ) program funds from the Federal Highway Administration that are flexed to 5307 funds. Do I need to meet PTASP requirements?

No. CMAQ funds that are flexed to 5307 do not trigger PTASP regulation applicability.

PTASP requirements vary by mode and transit provider type

Provider Type	Applicability Criteria		
<i>Rail Transit Mode</i>	<input type="checkbox"/> Public transportation	<input type="checkbox"/> Under FTA's State Safety Oversight Program	
<i>Bus Transit Mode</i>	<input type="checkbox"/> Public transportation	<input type="checkbox"/> Provider is a recipient or subrecipient of an open Section 5307 grant	
<i>Small Public Transportation Provider</i>	<input type="checkbox"/> Provider of public transportation <input type="checkbox"/> Provider <u>does not</u> operate rail transit	<input type="checkbox"/> A recipient or subrecipient of an open Section 5307 grant	<input type="checkbox"/> 100 or fewer vehicles in revenue service during peak regular service <u>across all fixed</u> route modes <input type="checkbox"/> 100 or fewer vehicles in revenue service during peak regular service <u>in each non-fixed</u> route mode

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Rail Transit Modes

Frequently Asked Questions

My transit agency operates both rail and bus modes. Do I have to develop separate ASPs for my rail and bus modes?

No. Agencies that operate both rail and bus modes may develop one ASP to cover both rail and bus or may develop an individual ASP for their rail and bus modes.

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How is a Small Public Transportation Provider different from other providers?



100 or fewer vehicles in revenue service during peak regular service across all fixed route modes



100 or fewer vehicles in revenue service during peak regular service in each non-fixed route mode



Does not operate rail transit

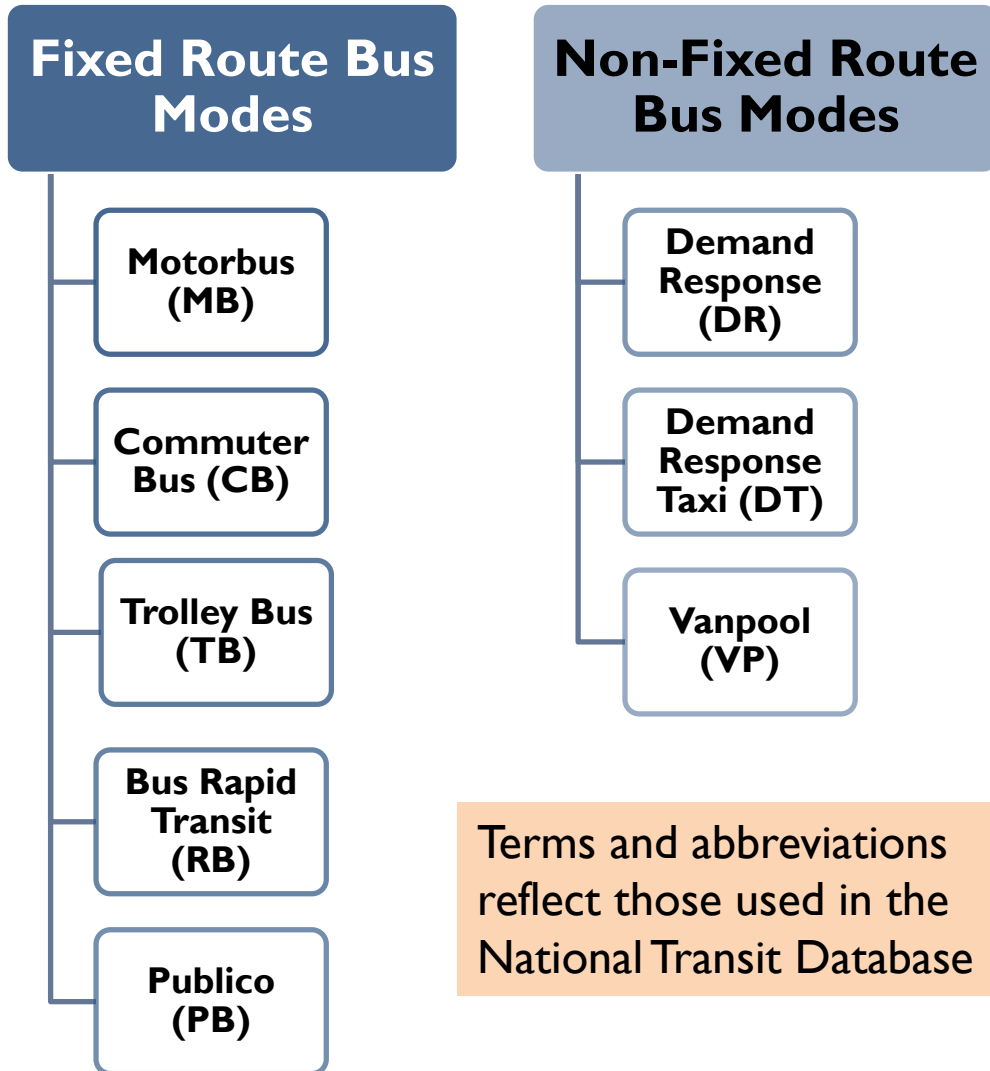
Small Public Transportation Providers

How are vehicle numbers calculated?

- **It depends on how many vehicles operated in maximum service (VOMS) you have for each mode**
 - VOMS: The revenue vehicle count during the peak season of the year, on the week and day that maximum service is provided (defined in the National Transit Database (NTD))
 - Excludes atypical days and one-time special events
 - Most recipients already report VOMS data to the NTD


Small Public Transportation Providers



Which bus transit modes are fixed vs non-fixed route?







Terms and abbreviations reflect those used in the National Transit Database


Examples of Small Public Transportation Providers






	21 MBVOMS
	14 DRVOMS







	65 MBVOMS
	55 DTVOMS
	65 DRVOMS






	85 MBVOMS
	15 CBVOMS
	62 DRVOMS

Examples of Transit Providers that are not Small Public Transportation Providers



	65 MBVOMS
	55 CBVOMS
	30 DRVOMS



	102 MBVOMS
	12 DRVOMS

Question 2 – choose one

Is your organization required to meet PTASP regulation requirements?

- Yes – We're a transit provider
- Yes – We're a State DOT with small public transportation providers in the State
- No – PTASP regulation requirements don't apply to us
- I don't know

PTASP requirements vary by mode and transit provider type

Transit provider type	Responsible for Agency Safety Plan development	Responsible for Agency Safety Plan implementation	Unique requirements for Agency Safety Plan contents
Rail Transit Mode	Transit provider	Transit provider	<ul style="list-style-type: none"> • Include an emergency preparedness and response plan (§673.11(a)(6)) • Include any additional requirements established under the State Safety Oversight Program or by the State Safety Oversight Agency
Bus Transit Mode	Transit provider	Transit provider	
Small Public Transportation Provider	State DOT, unless the transit provider opts to develop the plan and notifies the State DOT	Transit provider	<ul style="list-style-type: none"> • Not required to include Management of Change and Continuous Improvement (§673.27(c) and (d))

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Question 3 – choose one

If a small public transportation provider does not opt to develop their own Agency Safety Plan (ASP), and has not notified the State DOT it intends to develop its own plan, can the State DOT avoid developing the plan for the small provider?

- Yes, in some situations
- No, never
- I don't know

State DOTs and Agency Safety Plans

- State DOTs are responsible for developing ASPs for applicable small public transportation providers in their State
 - Regardless of State laws, State regulations, State resource constraints, common practices, etc.
- A State DOT is responsible unless a small public transportation provider voluntarily opts to develop their own plan AND notifies the State of their intent to do so
 - A State cannot require a small provider to opt out
 - Opt-out notification documentation should be maintained

State DOTs and Agency Safety Plans

- State DOTs could develop:
 - Individual ASP for each small provider
 - A single ASP that addresses all requirements for all small providers in the State
- State DOTs and small providers could collaborate to develop plans
 - For example, a State DOT could develop a template and collaborate with small providers to create individualized ASPs

State DOTs and Agency Safety Plans

- Regardless of whether the State DOT or the small public transportation provider develops the ASP, the transit provider is required to implement the plan

Developing an ASP

Frequently Asked Questions

I'm a contractor providing transit service to a transit agency. The transit agency receives Section 5307 funding. Do I have to develop an ASP?

Not necessarily. The PTASP regulation does not require contractors to develop their own ASP.

- The Section 5307 recipient or subrecipient is responsible for fulfilling PTASP requirements, including developing an ASP
- The recipient or subrecipient may require you to develop and/or implement the ASP on their behalf
- Ultimately, the recipient or subrecipient, not the contractor, is responsible for complying with PTASP requirements

PTASP TAC Links and Contact Information



Technical Assistance Center

- www.transit.dot.gov/PTASP-TAC

PTASP Community of Practice

- www.transit.dot.gov/PTASP-COP

Frequently Asked Questions

- www.transit.dot.gov/PTASP-FAQs

		transit.dot.gov/PTASP-TAC
		1 - 877 - 827 - 7243
		PTASP-TAC@dot.gov
		PTASP Technical Assistance Center 943 Glenwood Station Lane, Suite 301 Charlottesville, VA 22901