

# Transit Safety and Oversight Spotlight Newsletter

U.S. Department of Transportation  
Federal Transit Administration

## Message from the Acting Associate Administrator

November 2021  
Vol. 6 No. 11

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Dear Transit Colleagues:

At last month's [FTA Joint State Safety Oversight \(SSO\) and Rail Transit Agency \(RTA\) Virtual Workshop](#), FTA hosted nearly 300 participants with representatives from all 31 SSO programs and over 50 RTAs. This year's virtual workshop focused on effective working relationships among SSOs and RTAs, combating cyber threats in the transit industry, current transit safety policy and guidance updates. Our team worked hard over the past several months planning this event to support your important safety work. Thank you to our participants for their active engagement throughout the workshop using the chat and poll features, and for the many questions submitted that FTA addressed during the virtual workshop. We will continue the discussions and collaboration throughout the upcoming year and hope to see many of you at next year's workshop!



**Gail Lyssy**  
Acting Associate Administrator for Transit Safety and Oversight & Chief Safety Officer, FTA

On October 25, 2021, FTA issued a [Public Transportation Agency Safety Plan \(PTASP\) industry survey](#) to the 755 applicable States and agencies that have certified compliance with the PTASP regulation ([49 CFR Part 673](#)) and the 31 State Safety Oversight Agencies. If you have not already done so, please take a few moments to respond to the survey questions before it closes on November 24, 2021. Your feedback is invaluable and will assist FTA to determine priorities for new PTASP technical assistance resources in Fiscal Year 2022. Thank you to those who have already submitted feedback.

On October 26, 2021, FTA published the calendar year [2022 Drug and Alcohol Random Testing Rates](#) for transit employers. The minimum random drug testing rate will remain at 50 percent, and the random alcohol testing rate will remain at 10 percent. FTA requires drug and alcohol testing for transit employees performing safety-sensitive functions and for employers to submit annual drug and alcohol testing reports by March 15 of each year.

We would also like to thank you for responding to our most recent [Request for Information \(RFI\) on Transit Worker Safety](#) that focuses on rail transit roadway worker protection and transit worker assault prevention. The RFI closes on November 23, 2021, so if you have not had an opportunity to submit your feedback, please do so today. FTA will use your feedback to help gain a better understanding of the current safety challenges impacting transit workers.

Sincerely,  
Gail Lyssy

# COVID-19 Resources and Updates

FTA continues to provide [updated resources](#) on COVID-19. The following resources are available:

**Sign-Up for Updates**  
[Click here](#) to sign-up for FTA COVID-19 updates.

**Mask Requirement Questions?**  
 Email [TransitMaskUp@dot.gov](mailto:TransitMaskUp@dot.gov)

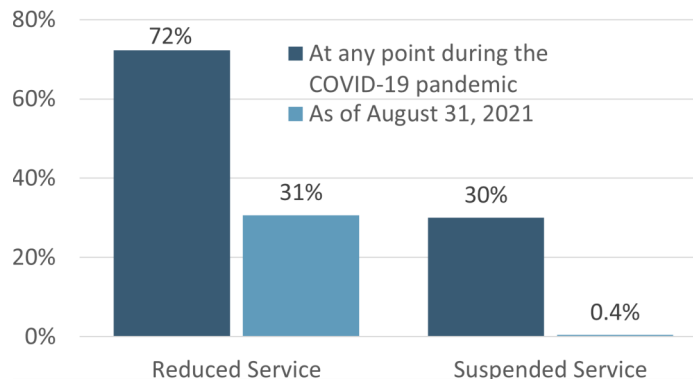
- [COVID-19 Recovery Practices in Transit](#)—Provides web links to practices implemented by transit systems worldwide in response to COVID-19, updated monthly.
- [COVID-19 Resource Tool](#)—A compilation of Federal COVID-19 guidance and recommendations, updated weekly.
- [FAQs from FTA Grantees Regarding COVID-19](#)—Provides answers to frequently asked questions (FAQs) regarding COVID-19 relief funding and other requirements.
- [Federal Mask Requirement for Transit](#)—Provides links to resources, stakeholder call materials, [FAQs](#) and updated information on the Federal mask requirement.

## FTA Transit COVID-19 Response Program Information Collection Update

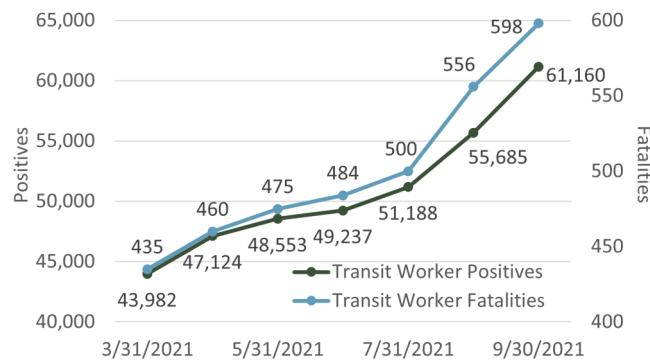
Key Takeaways as of September 30, 2021

The [FTA Transit COVID-19 Response Program Information Collection](#) captures COVID-19 related data monthly from nearly 2,100 transit providers. September submissions captured data through September 30, 2021 and were due on October 15, 2021.

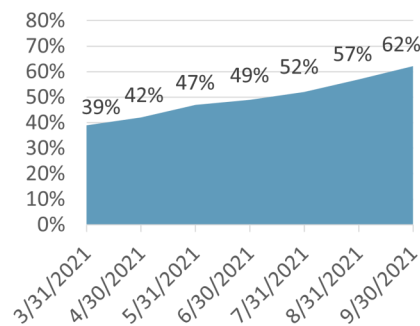
Percentage of Agencies with Suspended or Reduced Service



Transit Worker COVID-19 Positives and Fatalities

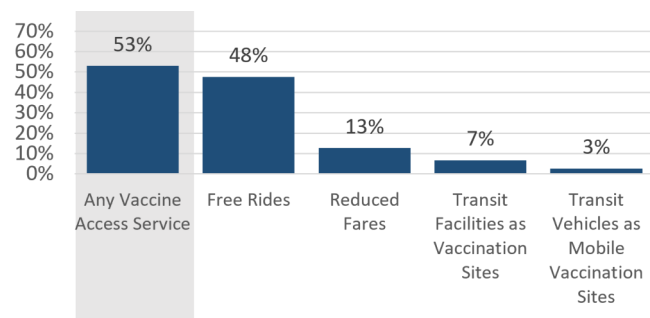


Transit Worker Vaccination Rates Over Time

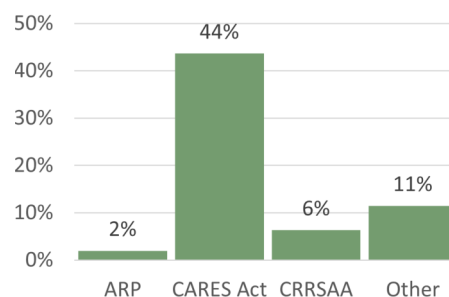


**Note:** This chart presents the percentage of transit workers that are fully vaccinated but only includes data from agencies that reported workforce vaccination data. The agencies that reported this data account for approximately 60% of the total transit workforce.

Percentage of Agencies That Used FTA Funds to Provide Vaccine Access Services—By Service Type (At Any Point Since the Beginning of the COVID-19 Pandemic)



Percentage of Agencies That Used FTA Funds to Provide Vaccine Access Services—By Funding Type (At Any Point Since the Beginning of the COVID-19 Pandemic)



**ARP:** American Rescue Plan Act of 2021  
**CARES Act:** Coronavirus Aid, Relief and Economic Security Act  
**CRRSAA:** Coronavirus Response and Relief Supplemental Appropriations Act of 2021  
**Other:** Other FTA funds

## FTA Hosted Its Annual Joint SSO and RTA Virtual Workshop

On October 19-20, 2021, FTA hosted its annual [Joint State Safety Oversight \(SSO\) and Rail Transit Agency \(RTA\) Virtual Workshop](#) welcoming nearly 300 participants, with representatives from all 31 SSO programs and over 50 RTAs. This year's workshop was once again held virtually and focused on effective working relationships among SSOs and RTAs, combating cyber threats in the transit industry, current transit safety policy and guidance updates.

FTA Administrator Nuria Fernandez and FTA Acting Associate Administrator for Transit Safety and Oversight & Chief Safety Officer Gail Lyssy welcomed participants and provided transit safety updates. Additionally, FTA leadership and representatives from the American Public Transportation Association (APTA), California Public Utilities Commission (CPUC), Dallas Area Rapid Transit (DART), Department of Homeland Security (DHS), Maryland Department of Transportation (MDOT), Maryland Transit Administration (MTA), National Transportation Safety Board (NTSB), New York Metropolitan Transportation Authority (MTA), Sound Transit, Washington State Department of Transportation (WSDOT) and the Wisconsin Department of Transportation (WisDOT) shared best practices on effectively managing working relationships between oversight agencies and the rail agencies and resources to strengthen rail transit safety.

Workshop highlights included the Cybersecurity: Cyber Threats in the Transit Industry; State Safety Oversight and Rail Transit Agencies Effective Working Relationships; and Accident Notification and Investigations sessions. Participants also benefited from the virtual knowledge exchange opportunity at the end of day one where they engaged in discussions with their peers. For additional details and access to the recordings and presentations, visit the [FTA website](#).



**Nuria Fernandez**, FTA Administrator (right) and **Gail Lyssy**, FTA Acting Associate Administrator for Transit Safety and Oversight & Chief Safety Officer (left)

## Operation Lifesaver Awards Rail Safety Grant Funding to Six Transit Agencies in Four States



[Operation Lifesaver, Inc. \(OLI\)](#) awarded \$107,000 in grant funds to six transit agencies in four states for rail transit safety public awareness and education projects and campaigns. The winning projects include initiatives in communities with operating or planned rail transit systems such as commuter rail, light rail, subway and streetcar service. OLI is a non-profit organization and leader in rail safety education committed to preventing collisions, injuries and fatalities on and around railroad tracks and highway-rail grade crossings.

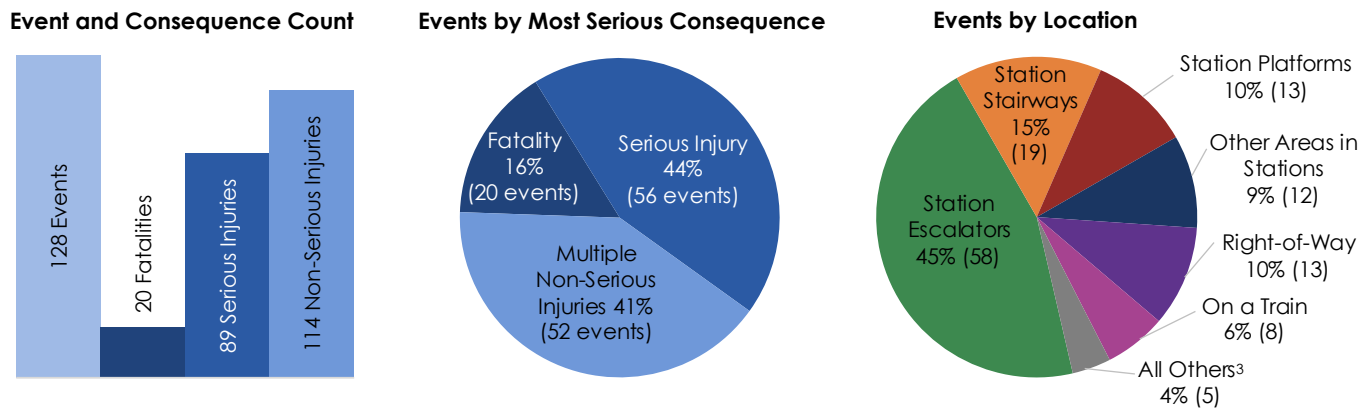
The selected grantees of the funding and their projects include: [Brightline](#) in Miami, Florida; [Long Island Rail Road](#) in New York, New York; [Metro-North Railroad](#) in New York, New York; [Metro Transit](#) in Minneapolis, Minnesota; [New Orleans Streetcar \(RTA\)](#) in New Orleans, Louisiana; and [SunRail](#), Sanford, Florida.

The grant amounts range between \$7,000 and \$20,000 and require each agency to provide a 25 percent match. The approved grants were awarded through a competitive process, based upon criteria such as key safety messages, target audiences and evaluation methods. FTA is proud to support these grants to help improve rail transit safety. Read the [press release](#) for more information.

## Data Spotlight: Locations of Slip, Trip and Fall Events (Rail)

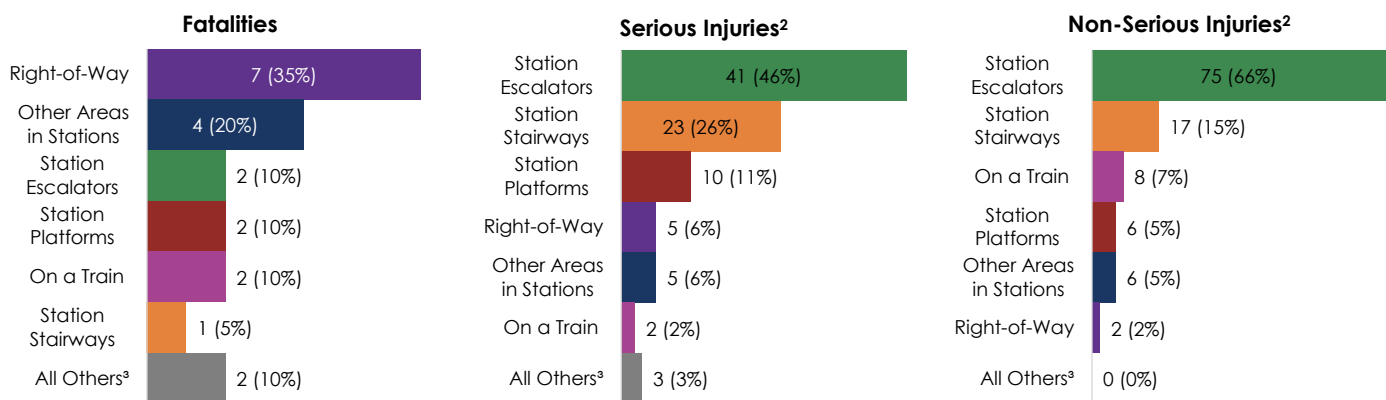
Reviewing national safety data sets may help transit agencies analyze safety hazards and establish safety performance targets in accordance with their [Agency Safety Plan](#). This month's spotlight reviews National Transit Database (NTD) rail transit data for "slip, trip and fall" events from January 2017 to June 2021.<sup>1</sup> FTA requires every Rail Transit Agency (RTA) to provide the NTD with a major safety event report when the resulting consequences include a fatality, a serious injury or non-serious injuries to multiple people occurring on agency property.<sup>2</sup> This excludes events resulting from medical conditions or occurrences in administrative buildings. Also excluded are non-major slip and fall events that result in a single non-serious injury.

**Rail Transit's Major Slip, Trip, and Fall Events January 2017—June 2021<sup>1</sup>**



Since 2017, RTAs have reported 128 major slip, trip and fall events, accounting for 20 fatalities, 89 serious injuries and 114 non-serious injuries. Many of these events had significant consequences—60 percent resulted in either a serious injury or a fatality. Most of the 128 slip, trip and fall events occurred in rail stations, with 45 percent on escalators, 15 percent on stairways, 10 percent on platforms and 9 percent in other station areas. Events on the right-of-way accounted for another 10 percent, while 6 percent happened on trains. The remaining 4 percent were on other agency property. A detailed breakdown of the most common locations of slip, trip and fall fatalities, serious injuries, and non-serious injuries is presented below.

**Most Common Locations of Major Slip, Trip and Fall Fatalities, Serious Injuries and Non-Serious Injuries, January 2017—June 2021<sup>1</sup>**



Another source of rail safety data is the [2021 FTA Rail Safety Data Report \(RSDR\)](#), which presents rail transit safety and security event data for all 2007–2018 events FTA required SSOAs to investigate. The 2021 RSDR presents both raw data and rates per Vehicle Revenue Mile (VRM), which may indicate patterns of rail safety performance. Questions about this Data Spotlight or the RSDR? Please contact FTA's [Marjorie Collins](#), Program Analyst, Office of System Safety.

<sup>1</sup>Data reflect NTD submissions from RTAs overseen by a State Safety Oversight Agency (SSOA) through August 2, 2021. NTD data for 2020–2021 are preliminary.

<sup>2</sup>The [NTD Glossary](#) provides FTA's definition of serious injury.

<sup>3</sup>"All Others" include other locations on transit property. One fatality in this category occurred at a non-revenue facility, and the other at a construction site.

## Fiscal Year 2022 TSI Safety Training

[Registration](#) is open for Transportation Safety Institute (TSI) safety training courses for transit personnel. These courses also support FTA grantees subject to the [Public Transportation Safety Certification Training Program \(PTSCTP\) regulation](#) with initial training and refresher training requirements. The [Fiscal Year 2022 TSI Training Schedule](#) is also available. New this fiscal year, all rail PTSCTP courses will be delivered virtually.

In-person TSI courses depend upon each host's local guidance. Please contact TSI at [TSI@dot.gov](mailto:TSI@dot.gov) or 405-954-3682 for more information. TSI can verify the status of scheduled courses and assist with any other course-related questions.

### General Rail/Bus PTSCTP Virtual Live Training Courses

<p><a href="#">SMS Principles for Transit</a>: Includes an introduction to the principles and four components of a Safety Management System (SMS): Safety Policy; Safety Risk; Safety Assurance; and Safety Promotion.</p>	<p>January 3–5, 2022 February 7–9, 2022 April 5–7, 2022 June 22–24, 2022 July 26–28, 2022</p>
<p><a href="#">SMS Safety Assurance</a>: Examines the Safety Assurance (SA) component within a SMS and discusses the three key subcomponents and essential SA activities and tools necessary to verify the effectiveness of safety risk mitigations and that no new safety risks have been introduced through the implementation of the mitigations or changes.</p>	<p>February 1, 2022 March 22, 2022 May 11, 2022 July 29, 2022</p>
<p><a href="#">Effectively Managing Transit Emergencies</a>: Provides participants with information on understanding the necessity, purpose, development and implementation of emergency management and how it relates to the other safety functions of a transit system.</p>	<p>December 14–17, 2021 January 18–21, 2022 February 15–18, 2022 April 19–22, 2022 May 31–June 3, 2022 July 19–22, 2022</p>

### Rail PTSCTP Virtual Live Training Courses

<p><a href="#">SMS Principles for SSO Programs</a>: Provides participants with the knowledge, skills and tools State Safety Oversight Agencies (SSOAs) need as their Rail Transit Agencies (RTAs) move from SMS planning and implementation to SMS operation.</p>	<p>January 6, 2022 February 10, 2022 April 8, 2022 June 29, 2022 July 7, 2022</p>
<p><a href="#">Transit Rail System Safety</a>: Provides basic rail system safety and SMS principles, as well as the required elements of MAP-21 rulemaking and the SSO Rule 49 CFR Part 674.</p>	<p>December 6–10, 2021 March 28–April 1, 2022 May 2–6, 2022 June 13–17, 2022 July 11–15, 2022</p>

### Rail PTCTP Virtual Live Training Courses

[Transit Rail Incident Investigation](#): Provides participants with the knowledge and skills to successfully investigate various types of transit incidents and comply with the requirements of State Safety Oversight (SSO) Rule 40 CFR Part 674.

November 15–19, 2022  
January 10–14, 2022  
March 7–11, 2022  
April 11–15, 2022  
May 16–20, 2022  
June 6–10, 2022

### Non-PTCTP Virtual Live Training Courses

[Overseeing the Safety Management Process for SSOAs](#): Provides a practical approach for managing SSO programs while rail transit agencies transition to a Safety Management System (SMS) framework at their organizations.

November 30–December 3, 2021  
March 1–4, 2022  
August 15–18, 2022

### eLearning Self-Paced Virtual Courses Available 24/7

[Bus Nomenclature](#): Provides participants with an introduction to the basic terminology and components used in bus transit systems.

[Curbing Transit Employee Distracted Driving](#): Provides participants with a raised awareness of distracted driving with the desired outcome of reducing the risk of distracted driving by public transportation professionals.

[Fatigue and Sleep Apnea Awareness for Transit Employees](#): Provides participants with the knowledge and skills to identify individuals at high risk for obstructive sleep apnea and other sleep disorders as well as general concepts about sleep and fatigue.

[Rail Nomenclature](#): Provides participants with an introduction to the basic terminology and components used in rail systems.

[Roadmap to Drafting an Agency Safety Plan for Bus Agencies](#): Provides participants with examples of how to translate the requirements of the Public Transportation Agency Safety Plan Regulation 49 CFR Part 673 into a compliant Agency Safety Plan.

[SMS Awareness](#): Provides participants with an introduction to SMS. This course is the mandatory prerequisite for the SMS Principles for Transit and Safety Assurance courses.

## NTI Virtual AAP and VTW Courses

The National Transit Institute (NTI) is offering additional virtual Assault Awareness and Prevention (AAP) and Violence in the Transit Workplace (VTW) courses. The AAP and VTW courses support the [FTA Enhanced Transit Safety and Crime Prevention Initiative](#) to provide information and resources to help transit agencies address and prevent crime on their systems and protect transit workers and riders. **Registration is required.** Please contact NTI at 848-932-1700 or [nti\\_info@nti.rutgers.edu](mailto:nti_info@nti.rutgers.edu) with any questions. For questions about FTA safety training offerings, please contact [FTASafetyPromotion@dot.gov](mailto:FTASafetyPromotion@dot.gov).

The recorded versions of the AAP and VTW courses are on the [FTA Enhanced Transit Safety and Crime Prevention Initiative webpage](#).

### NTI Virtual AAP and VTW Courses

[AAP Direct Delivery Course](#): Provides transit bus operators with prevention strategies necessary to reduce the likelihood of assault incidents.

December 2, 2021

[AAP Train-the-Trainer Course](#): Provides transit agency instructional staff with the support necessary to deliver the course within their agencies.

December 9, 2021

[VTW Train-the-Trainer Course](#): Provides participants with knowledge and skills to prevent, respond to and recover from workplace violence.

November 18, 2021  
December 16, 2021

## FTA Employee Spotlight: Elliott Shepherd



**Elliott Shepherd**

Chief, Program Operations Division, Office of Transit Safety and Oversight, FTA

**How would you explain your job to someone you have never met?** As the Chief of the Program Operations Division for FTA's Office of Transit Safety and Oversight, I am responsible for accident investigations, inspections, FTA Regional Safety Officers and emergency management. Together with my FTA colleagues, we work to help people find solutions as we work toward safer transit systems across America.

**What were you doing prior to this role?** In my most recent role, I was a Program Manager for Longevity Consulting where I managed multiple audit teams conducting Triennial Audits, including reviewing all documents related to State Safety Oversight Reporting and using the 49 CFR Part 674 Certification Toolkit. Prior to that, I was a Project Manager at ABS Group where I supported the Federal Railroad Administration (FRA) with Positive Train Control (PTC) safety plans reviews. Our team of auditors reviewed documents related to the PTC safety plans for regulatory compliance and I provided expertise, guidance and written opinions related to the completeness of the PTC safety plans and its component parts. I also was the Chief Operating Officer for

SunRail, where I was responsible for the daily operation of this Central Florida commuter rail. Our team successfully completed the system-wide installations of PTC. I have also worked as the Staff Director at the FRA where I led security, emergency preparedness and accident investigations. Our team directed FRA's response to National Transportation Safety Board recommendations, assigned investigations and coordinated information from FRA Regions and the railroads.

**What is the one recommendation you would make to new professionals getting started in the transit industry?** Ask yourself "Are you passionate about transit?" If so, find a way to get there, learn everything you can from how it works to how it gets funded and everything in between.

**What is your favorite form of transportation and why?** Railroads. The country was built with the help of railroads and they are entrenched in our history. Engineers found ways to get rail across the water, through mountains and across the land to connect and move people and goods—they still do, and in a more efficient manner than just about any other means we have. Through the access of railroads, people can find good jobs, explore new places, work toward their dreams and achieve financial security for their families.

**When you were a child, what did you want to be when you grew up?** I wanted to be an engineer working for a railroad, directing train operations, transporting both people and freight (like oil and gas)—safely and on time.

**If you could learn any skill, what would it be?** I would learn multiple languages, which would allow me to communicate with people, better understand their unique cultures and backgrounds and find new connections.

**What is the bravest thing you have ever done?** I volunteered with the FRA to go on a 12-month detail to Afghanistan to help build capacity to support a future Afghanistan in a global economy.

**Which holiday is your favorite and why?** Thanksgiving because it is a time to slow down and enjoy time with family and friends.

## FTA Publishes Calendar Year 2022 Drug and Alcohol Random Testing Rates



FTA is required annually to publish the [random testing rates](#) for transit employers subject to the requirements of [FTA Drug and Alcohol Testing regulation \(49 CFR part 655\)](#).

Effective January 1, 2022, as mandated by its regulation, FTA will maintain the required minimum rate of random drug testing at 50 percent of covered employees for recipients of FTA Urbanized Area Formula Program Grants (49 U.S.C. § 5307), Capital Investment Grants (49 U.S.C. § 5309), Formula Grants for Rural Areas (49 U.S.C. § 5311) and Grants for Buses and Bus Facilities (49 U.S.C. § 5339).

The testing rate remains at 50 percent because the industry has been unable to lower the rate of positive violations below 1.0 percent for two consecutive years. The minimum random alcohol testing rate also will remain at 10 percent.

For calendar year 2022, FTA determined that the random drug testing rate for covered employees will remain at 50 percent based on a verified positive rate of 1.08 percent for calendar year 2020. Further, FTA determined that the random alcohol testing rate for calendar year 2022 will remain at 10 percent, because the violation rate again was lower than 0.5 percent for calendar years 2019 and 2020. The random alcohol violation rates were 0.16 percent for 2019 and 0.17 for 2020. FTA requires drug and alcohol testing for transit employees performing safety-sensitive functions and for employers to submit annual drug and alcohol testing reports by March 15 of each year.

[View detailed reports](#) on FTA's drug and alcohol testing data collected from transit employers. For more information, visit the [FTA Drug and Alcohol Program webpage](#) contact FTA's [Lyon Rosario](#), Senior Drug and Alcohol Program Manager, Office of Transit Safety and Oversight.



U.S. Department of Transportation  
**Federal Transit Administration**

Federal Transit Administration  
Office of Transit Safety and Oversight  
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Access the [FTA Transit Safety and Oversight Spotlight Newsletters](#) on the FTA website.

### Upcoming Events and Webinars

#### [FTA Drug and Alcohol Program Management Information Systems Overview Training](#)

December 14, 2021 | 11:00 am–12:30 pm ET

#### [APTA Mid-Year Safety Virtual Seminar](#)

December 15–16, 2021

#### [TRB Annual Meeting](#)

January 9–13, 2022

#### [FTA Drug and Alcohol Program Management Information Systems Overview Training](#)

March 1, 2022 | 1:00 pm–2:30 pm ET