



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

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

November 9, 2022

Dear Colleague:

I am writing to remind you of an important upcoming safety compliance date.

As stated in the February 2022 [Dear Colleague Letter](#), the Federal Transit Administration (FTA) expected your agency to establish a Safety Committee compliant with 49 U.S.C. § 5329(d)(5) by July 31, 2022. If your agency is not yet compliant with the new Bipartisan Infrastructure Law, Public Transportation Agency Safety Plan (PTASP) requirements, the Safety Committee must approve an update to your agency's Agency Safety Plan (ASP), incorporating applicable PTASP requirements in 49 U.S.C. § 5329(d) no later than **December 31, 2022**.

If recipients and subrecipients choose to require a contractor or other external service provider to carry out PTASP requirements, the recipient remains responsible for ensuring and certifying compliance with PTASP requirements for the entire public transportation operation of the recipient and any subrecipients.

Recipients annually certify compliance with the requirements of 49 U.S.C. § 5329(d)(1) and 49 CFR part 673 for themselves and any applicable subrecipients as part of the annual certifications and assurances for FTA grants and cooperative agreements submitted through FTA's Transit Award Management System.

The FTA monitors compliance with PTASP requirements, including the new requirements at 49 U.S.C. § 5329(d), through its Triennial and State Management Review processes. Failure to comply with a requirement of 49 U.S.C. § 5329(d) subjects a recipient to a range of FTA enforcement options depending upon the circumstances. The FTA enforcement may include withholding up to 25 percent of urbanized area formula funds under 49 U.S.C. § 5329 until the recipient satisfies the requirements, or FTA imposing more frequent reporting requirements until the recipient achieves compliance.

The FTA offers several resources to assist you in meeting this important compliance date. For more information on these [Bipartisan Infrastructure Law](#) requirements, please refer to the [Dear Colleague Letter](#) and [Frequently Asked Questions](#). FTA also published updated ASP checklists for [bus](#) and [rail](#) transit agencies that include these requirements. Transit agencies can submit updated ASPs to PTASP-TAC@dot.gov for voluntary review by FTA's PTASP Technical Assistance Center. All FTA updates related to the Bipartisan Infrastructure Law are available at <https://www.transit.dot.gov/BIL>.

Dear Colleague: ASP Compliance Date

I want to emphasize the importance of meeting the December 31, 2022, compliance date. Safety is the number one priority of the U.S. Department of Transportation and FTA, and we are working expeditiously to implement the changes called for in the Bipartisan Infrastructure Law to enhance transit safety. For any questions related to Bipartisan Infrastructure Law requirements, please contact us at FTA-IIJA@dot.gov.

Sincerely,

A handwritten signature in blue ink, reading "Nuria I. Fernandez". The signature is written in a cursive style with a large initial "N".

Nuria I. Fernandez

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Grantees and subgrantees should refer to FTA's statutes and regulations for applicable requirements.