



Bipartisan Infrastructure Law Updates to Requirements for Public Transportation Agency Safety Plans

The Bipartisan Infrastructure Law, signed into law on November 15, 2021, changes the Public Transportation Agency Safety Plan (PTASP) requirements at [49 U.S.C. § 5329\(d\)](#). These requirements apply to agencies that are required to have an Agency Safety Plan (ASP) in place under the PTASP regulation ([49 CFR Part 673](#)).¹

Identifying Urbanized Areas Served

Many of the PTASP requirements under the Bipartisan Infrastructure Law apply based on the size of the urbanized area (UZA) an agency serves. Transit agencies can identify the UZAs they serve based on data they report to the National Transit Database (NTD).

Urbanized Area Definitions

- Small UZA: An urbanized area with a population of fewer than 200,000
- Large UZA: An urbanized area with a population of 200,000 or more

FTA makes this information publicly available on its [NTD Data web page](#). The Annual Database Federal Funding Allocation file shows the UZAs served and the population of those UZAs by the transit agency. The latest available data is in the [2020 Annual Database Federal Funding Allocation File](#).

New PTASP Requirements Under the Bipartisan Infrastructure Law
All Transit Agencies Required to Have an ASP in Place
<ul style="list-style-type: none"> • Address, in their ASP, strategies to minimize exposure to infectious diseases, consistent with Centers for Disease Control and Prevention or State health authority guidelines.
Transit Agencies Required to Have an ASP in Place and Serving Only Small UZA(s)
<ul style="list-style-type: none"> • Develop or update the ASP in cooperation with frontline employee representatives.

¹ 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.

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Transit Agencies Required to Have an ASP in Place, Receiving 49 U.S.C. § 5307 funding, and Serving One or More Large UZA(s)

- Establish a Safety Committee that is convened by a joint labor–management process and that consists of an equal number of frontline employee representatives and management representatives. The Safety Committee is responsible for the following:
 - Approving the ASP and any updates to the ASP;
 - Identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency’s safety risk assessment processes;
 - Identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended;
 - Identifying safety deficiencies for purposes of continuous improvement; and
 - Establishing performance targets for the agency’s risk reduction program.²
- Establish a risk reduction program.
- Ensure that the agency’s comprehensive safety training program includes maintenance personnel and includes de-escalation training for maintenance personnel, operations personnel, and personnel directly responsible for safety.

Resources

- The FTA February 2022 [Dear Colleague Letter](#) informs the transit industry about Bipartisan Infrastructure Law changes to the PTASP requirements.
- On March 1, 2022, FTA held a webinar on these changes. The [presentation](#), [recording](#), and [transcript](#) are available on FTA’s website.
- FTA published [Frequently Asked Questions](#) to help transit agencies make these changes.
- For additional information, visit the [FTA Bipartisan Infrastructure Law web page](#) or email FTA-IIJA@dot.gov.



PTASP Technical Assistance Available Now

- Access one-on-one Agency Safety Plan support
- Learn and share through the PTASP Community of Practice
- Explore the PTASP Resource Library

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

² Performance targets for a risk reduction program are not required to be in place until FTA has updated the National Public Transportation Safety Plan to include the performance measures required by the Bipartisan Infrastructure Law.