

Teamsters Passenger Transportation Conference

FTA Safety Updates

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Federal Transit Administration**

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U.S. Department of Transportation
Federal Transit Administration

Agenda

- Regulatory Updates
- Assaults on Transit Workers and Customers
- Fatigue Risk Management and Hours of Service ANPRM
- Bus-to-Person Collisions
- Drug & Alcohol Program Updates
- Safety Training & Resources

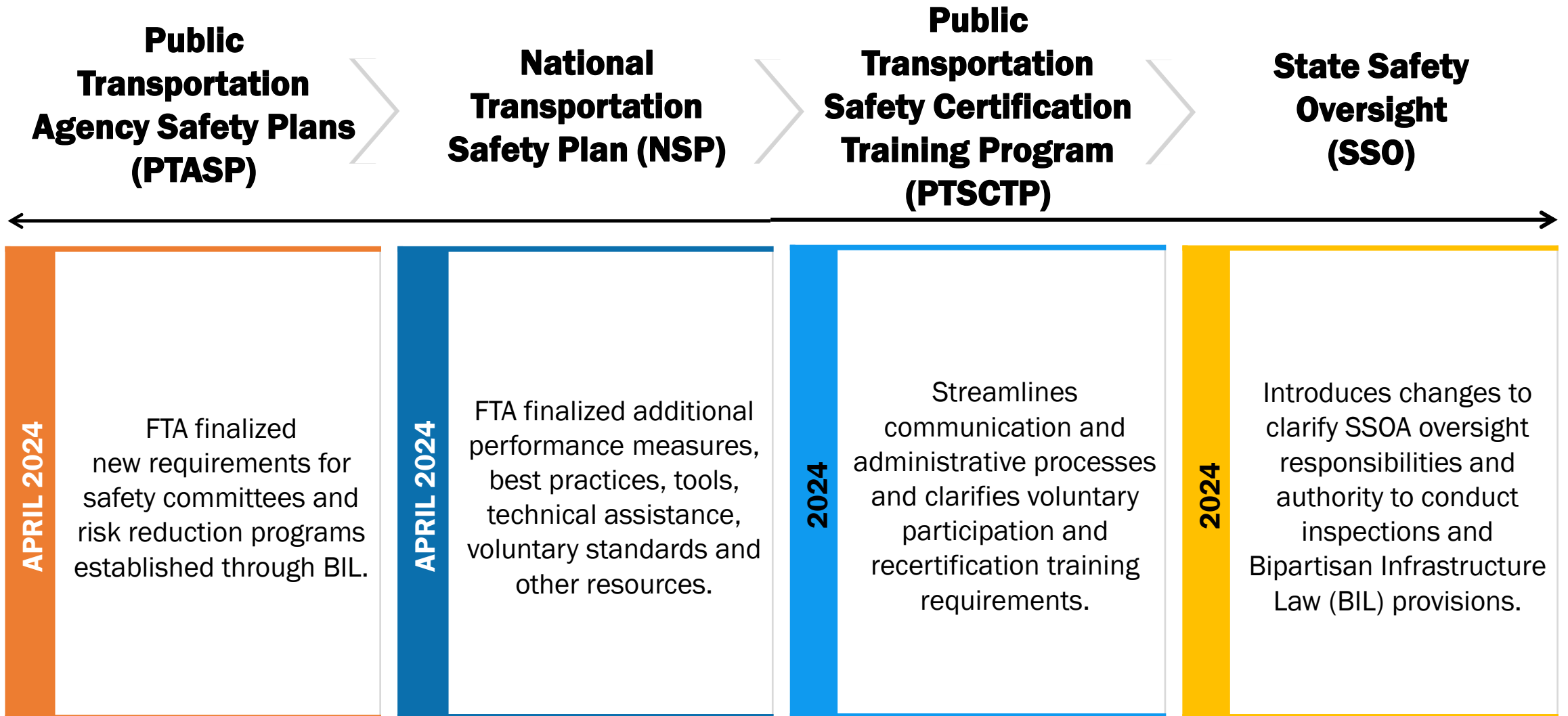


Regulatory Updates



U.S. Department of Transportation
Federal Transit Administration

FTA Regulatory Agenda (MAP-21 Updates)



FTA Regulatory Agenda (New Proposed Actions)

Rail Transit Roadway Worker Protection (RWP)



Transit Worker Hours of Service and Fatigue Risk Management



Transit Worker Public Safety



2024

Proposes minimum baseline standards and risk-based redundant protection requirements for transit workers who may access the roadway during performance of work.

**NPRM Comment Period Closes
May 24, 2024**

2024

Requested public feedback and information to understand current industry practices, priorities and requirements on transit worker hours of service and fatigue risk management.

2025

Proposes minimum standards and risk-based requirements to address transit worker and public safety including but not limited to FAST Act Section 3022 requirements.

PTASP Final Rule & National Safety Plan

FTA published PTASP Final Rule on April 11, 2024, and the updated National Public Transportation Safety Plan on April 10, 2024. PTASP Final Rule effective date is May 13, 2024. First major update to PTASP since 2018 final rule, and first rule finalized by FTA under the Bipartisan Infrastructure Law requirements to make transit safer for transit workers and passengers.

Key Changes in PTASP Final Rule

Strengthens frontline transit worker – management communication & increases frontline transit worker involvement in safety through Safety Committees (Large UZA) and cooperation on ASP (Small UZA).

Transit agencies set Safety Performance Targets (SPTs) based on measures in updated National Public Transportation Safety Plan and Safety Committees set SPTs for safety risk reduction program.

Safety Committee recommends safety risk mitigations under the transit agency's safety risk reduction program. Transit agencies are required to include these in the ASP and implement mitigations included in an approved ASP.

Expands de-escalation training for frontline transit workers.

Assaults on Transit Workers and Customers



U.S. Department of Transportation
Federal Transit Administration

Assaults on Transit Workers

New NTD Data Collection: 2023

Most events reported are non-physical assaults
All Reported Transit Worker Assaults and Homicides by Severity:
April–December 2023



Source: National Transit Database (NTD). CY 2023 data are preliminary.
*Starred categories are events that do not result in a transit worker fatality or injury.

Data as of: Apr 2, 2024

Assaults on Transit Workers General Directive

FTA published a proposed General Directive for notice and comment on December 20, 2023, and the comment period closed on February 20, 2024.

FTA received 66 comment submissions and is currently reviewing all submissions.

General Directive Requirements:

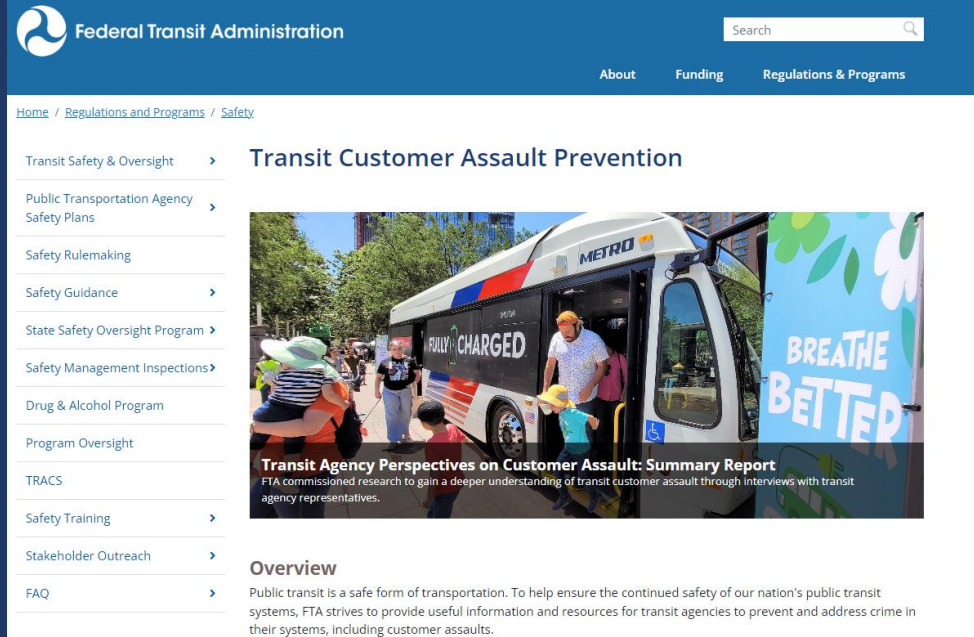
Conduct Safety Risk Assessment (SRA) for assaults on transit workers: Within 60 days of issuance of GD, unless agency has conducted within past 12 months

Identify safety risk mitigations: Transit agencies serving a large urbanized area must involve the joint labor-management Safety Committee when identifying safety risk mitigations

Submit information to FTA: Transit agencies must submit information on how they are assessing, mitigating, and monitoring the safety risk associated with assaults on transit workers

Transit Customer Assault Prevention Resources

FTA published a new Transit Customer Assault Prevention webpage for transit agencies to provide more resources to help prevent and address crime in their systems.



Visit the [webpage!](#)



Read the full [report!](#)

Fatigue Risk Management and Hours of Service Advance Notice of Proposed Rulemaking



U.S. Department of Transportation
Federal Transit Administration

Why Transit Worker Fatigue?

WMATA Derailment (June 2009)



CTA O'Hare Airport Derailment (March 2014)



Denver RTD Derailment (March 2023)



Why Transit Worker Fatigue?

Studies and medical research indicate that fatigue can negatively affect transportation worker performance, as well as worker health and safety.

97%

of employers in the transportation industry feel the impact of fatigue.

66%

of employers in the transportation industry reported decreases in productivity due to fatigue.

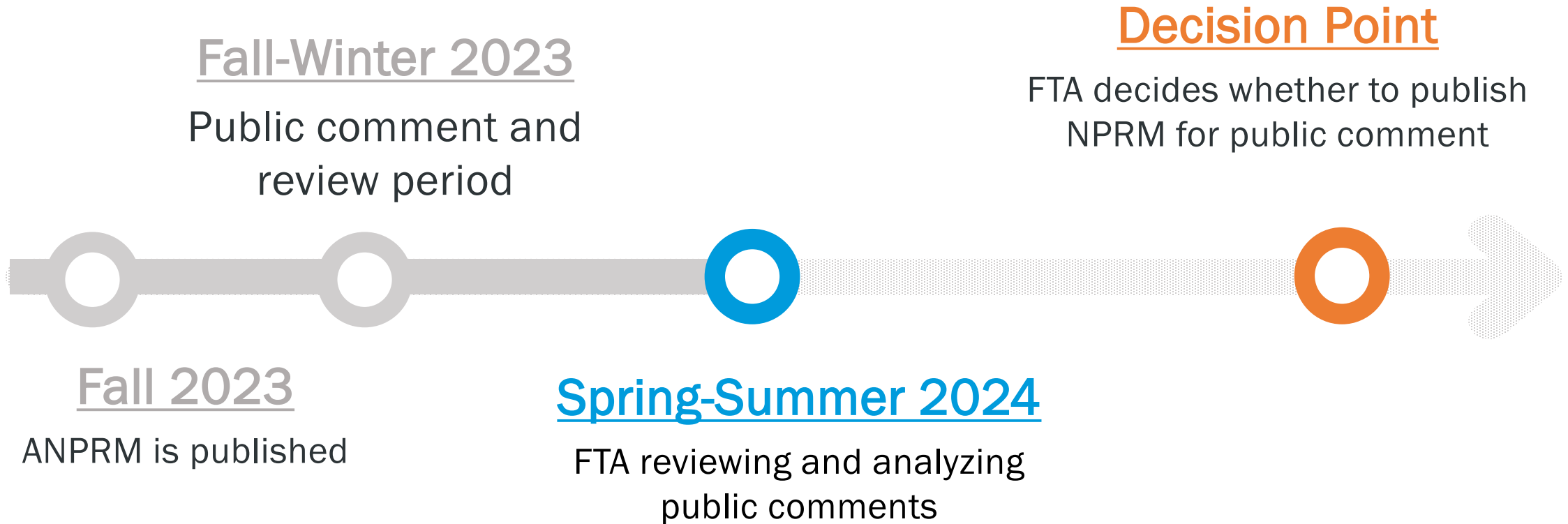
45%

of employers in the transportation industry stated they experienced safety incidents due to fatigue-related issues.



Source: *National Safety Council Report "Fatigue in Safety-Critical Industries: Impact, Risks & Recommendations" (2017)*

Regulatory Process To Date – ANPRM



FTA Fatigue Resources Website

For additional information and links to resources on transit worker fatigue, please visit: www.transit.dot.gov/fatigue

Fatigue Resources for Transit Operations
Click below to see a list of resources



Understanding Sleep

Causes

Symptoms and Warning Signs

Effects

Transit Workers

Transit Agencies

Fatigue Risk Management Systems

FTA is making these resources available in adherence with the [DOT Website Linking Policy](#).

DISCLAIMER: FTA has not assessed whether any of these resources meet applicable statutory or regulatory requirements. This list is provided for technical assistance only. Inclusion on this list does not imply endorsement or approval by FTA. Please email us at FTASafetyPromotion@dot.gov if you find any broken or outdated links.

Fatigue Education and Resources

Did you know...
Impairments caused by lack of sleep are similar to impairments from drinking alcohol?



Did you know...
Overtime, extended shifts, and insufficient sleep may negatively impact your health?



Bus-to-Person Collisions

Bus-to-Person Collisions: Background



From 2008 to 2021, transit agencies reported **7,298 bus-to-person collisions** to the National Transit Database, which resulted in **537 fatalities** and **7,329 injuries**

From 2008 to 2024, Bus-to-Person collisions accounted for:



15%

Of All Transit Fatalities



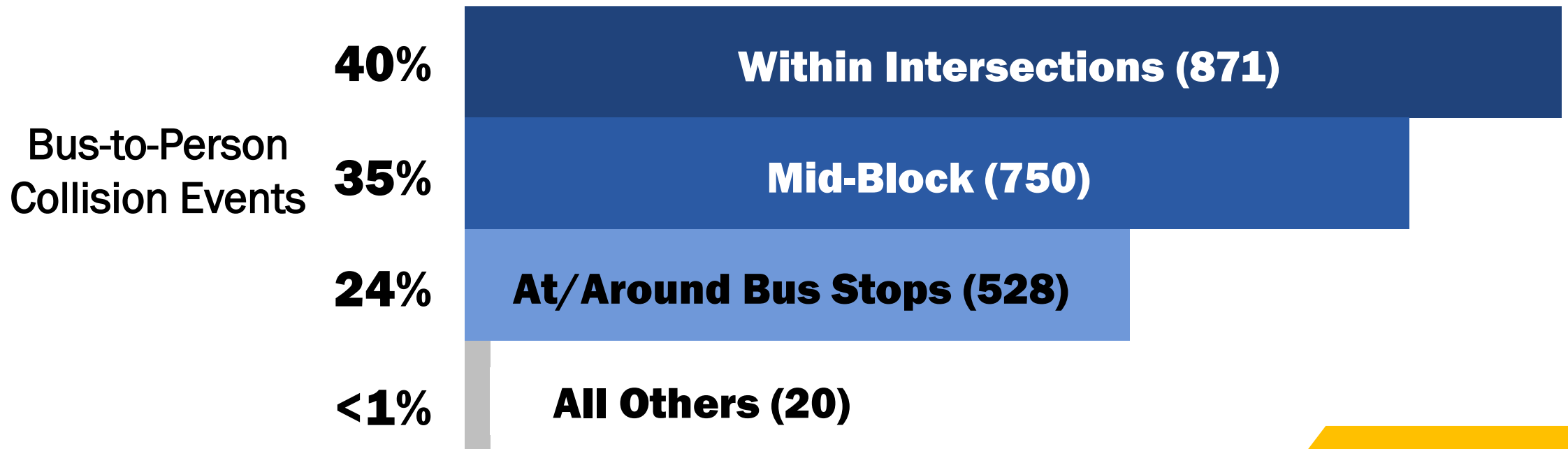
37%

Of Bus-Transit Fatalities

THE DATA

Bus-to-Person Collisions by Location

The largest percentage of bus-to-person collisions events occurred while buses were within intersections.



THE DATA

Bus Collisions in Intersections



39% of fatalities from bus collisions with vehicles in intersections **occurred when the bus turned left.**



27% of fatalities and injuries from bus collisions with people in intersections were **crosswalk pedestrians** hit as the bus made a **left turn.**

THE DATA

Safety Advisory Recommended Actions

Transit agencies that focus on bus operator vision impairment as a safety hazard may consider the below categories of safety risk mitigations, among others:



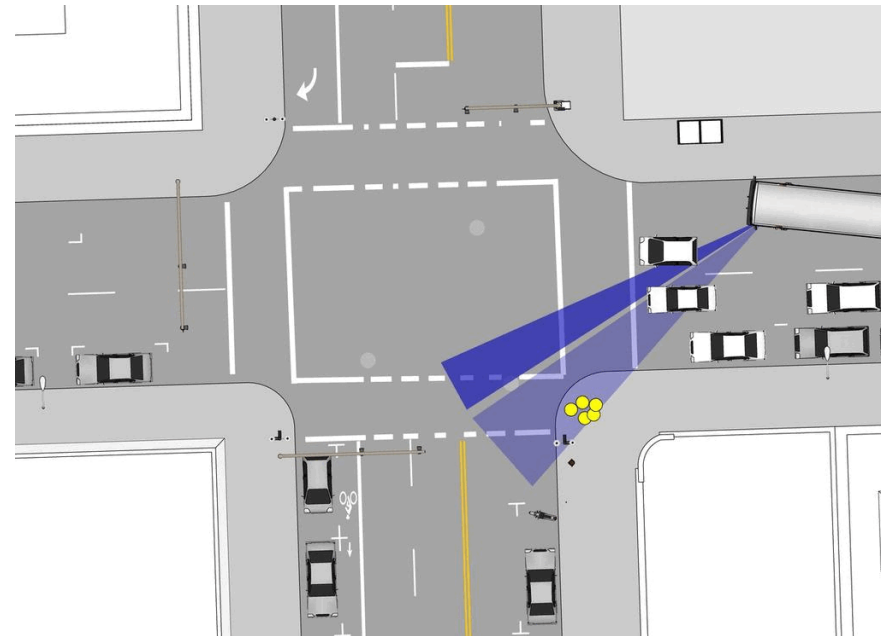
Vehicle Design

1. Vehicles
2. Vehicle Systems



Operator Driving Policies and Procedures

1. Scanning
2. Square Left Turns



Future Bus Safety Collision Prevention Initiatives



Bus
Manufacturers
Roundtable

Online-based
safety
manager
training
covering best
practices

Research
dedicated to
bus design
standards and
best practices

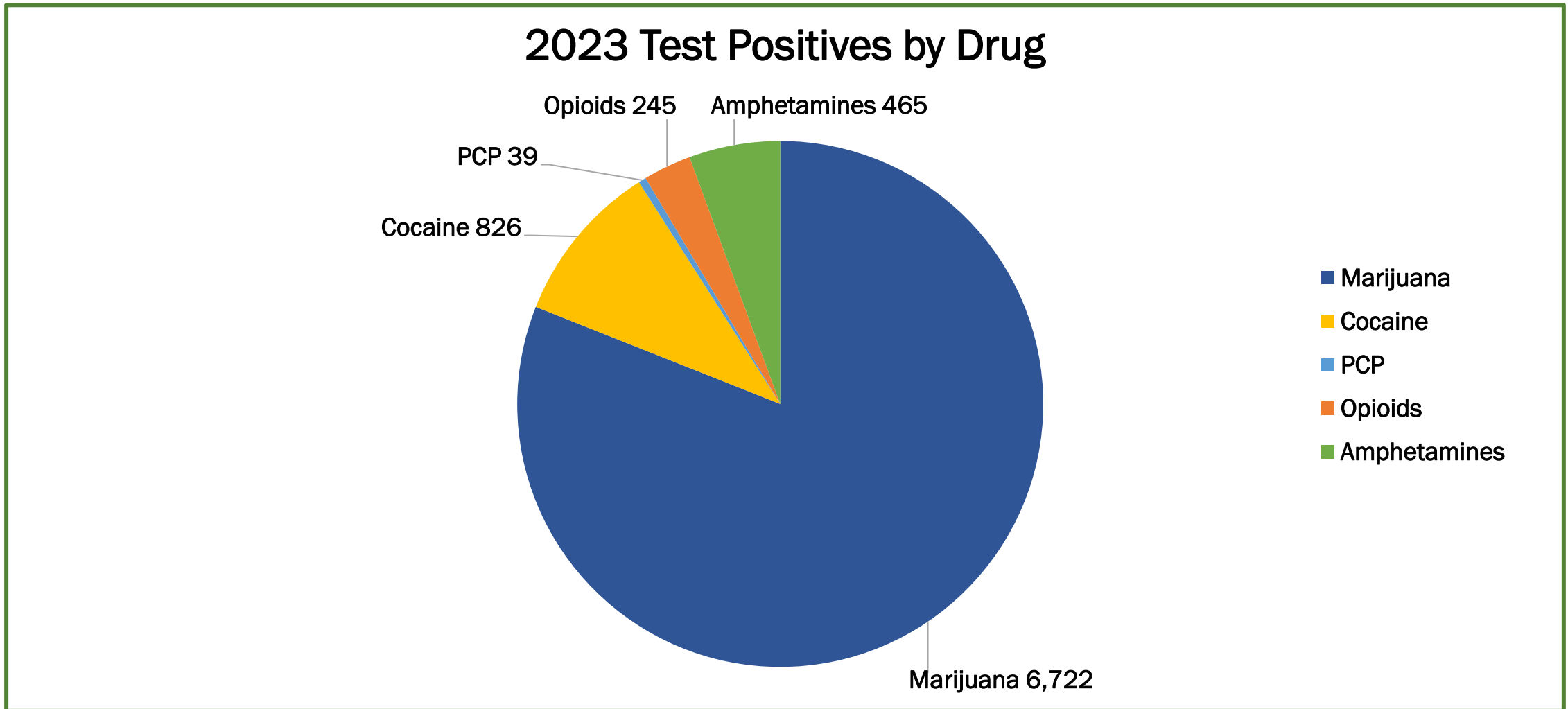
Research on
causal factors
of bus-to-POV
collisions

Drug & Alcohol Program Updates

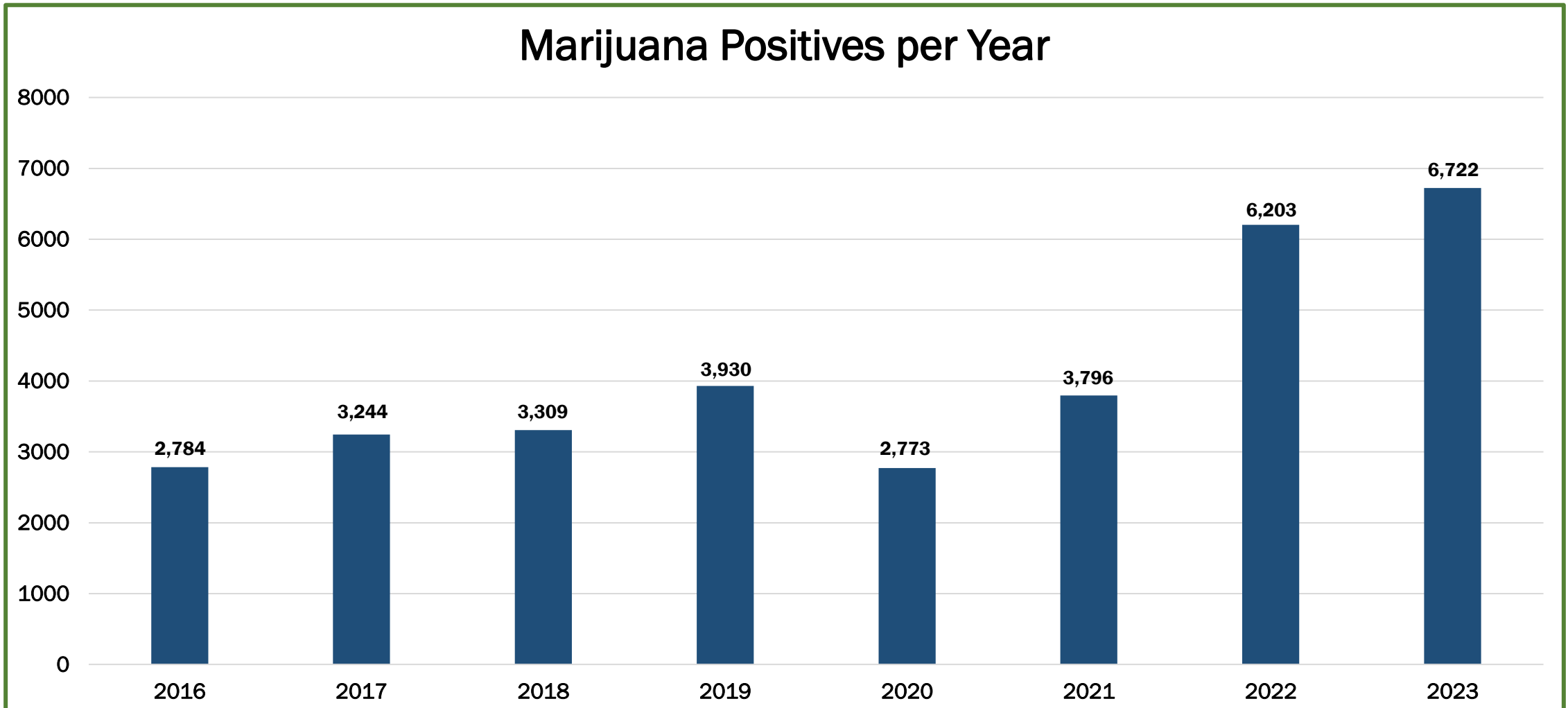


U.S. Department of Transportation
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Drug and Alcohol Testing Trends



Drug and Alcohol Testing Trends



Testing Timeframes

Pre-Employment Testing

Negative drug test required before first safety-sensitive function

Post-Accident Testing

As soon as practicable after safety-sensitive employee is dismissed from scene and medical attention provided

- Testing occurs once employer makes decision
 - Alcohol: 2-hr/8-hr rule
 - Drugs: 21-hr rule

Random Testing

- Drug: Anytime employee is on duty
- Alcohol: Before, during or after performance of work

Reasonable Suspicion

- Alcohol tests just before, during, or just after performance of safety sensitive function
- No specified timeline for written reports (but best practice is to be prompt)

Oral Fluid Testing

What happened?

This final rule amends the U.S. Department of Transportation's regulated industry drug testing program to include the option to conduct oral fluid drug testing.

When was it effective?

The rule became effective June 1, 2023

Why did it change?

In 2019, the U.S. Department of Health and Human Services published its final rule authorizing oral fluid drug testing for Federal Workplace Drug Testing programs.

How will it impact transit providers?

This methodology for drug testing will help combat employee cheating on urine drug tests and provide a less intrusive means of achieving the safety goals of the program.



Oral Fluid Testing Not Yet Allowed: While the final rule for oral fluid testing went into effect on June 1, 2023, employers cannot use oral fluid testing at this time. Please refer to [ODAPC's website](#) for the latest information.

Drug and Alcohol Program Resources

Drug & Alcohol Program

Overview

The Omnibus Transportation Employee Testing Act of 1991 mandated the Secretary of Transportation to issue regulations to combat prohibited drug use and alcohol misuse in the transportation industry. For that portion of the transportation industry has to do with the provision of and service to the public of mass transportation, FTA is the agency delegated with the authority and responsibility for issuing these implementing rules. These rules are encompassed in 49 CFR Part 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.

Tools and Resources



This video describes the effects and consequences of prohibited drug use on personal health, safety and the work environment, and on the signs and symptoms that may indicate prohibited drug use. This video meets the 60-minute training requirement of section 655.14(b)(1) for covered employees.

Check out our [webpage](#) for more information about our Drug and Alcohol Program

FTA Drug and Alcohol REGULATION UPDATES

March 2024

Issue 80

MIS Reports Due March 15

By March 15, all Federal Transit Administration (FTA) recipients are required to submit a report summarizing the previous calendar year's anti-drug and alcohol misuse program results, per 49.CFR.655.72. March 15 has been the specific date established for submission of the annual Management Information System (MIS) report since 1995. FTA will not grant an extension for 2023 MIS reports. All MIS reports for the year 2023 are due to FTA by March 15, 2024.



Remove "Minimum Threshold" Prohibition from Policy

FTA auditors often see the following phrase when reviewing employers' drug and alcohol policies that have not been recently revised:

"Covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds defined in Part 40."

Many policies based on FTA's samples, including those from the 2009 Best Practices Manual and pre-2021 versions of the Policy Builder tool, contain this language or similar wording. However,

this statement conflicts with DOT and FTA requirements, as it implies minimal drug use is allowed if it does not result in quantities at or above the cutoff concentrations provided in 49.CFR.40.85. As such, this language must be removed from the policy, and replaced with a statement prohibiting safety-sensitive employees from using drugs "at all times", as required by 49.CFR.655.21(c). Note, it should not be necessary for employers who make this revision to have the policy re-approved by their organization's governing board.

In this Issue

- 3 MIS FAQs
- Random Testing throughout the Year
- Guidance on "Re-attempts" during Shy Bladders

U.S. Department of Transportation
Federal Transit Administration

1 FTA Drug and Alcohol REGULATION UPDATES

Check out our [webpage](#) to read the Drug and Alcohol Program Newsletter

Warning on CBD and THC Products



REMINDER!

DOT Does Not Authorize the Use of Marijuana FTA would like to remind employers that although many states have legalized the use of recreational and medical marijuana, these state initiatives do not have any bearing on DOT's regulated drug testing program. DOT's Drug and Alcohol Testing Regulation – 49 CFR Part 40 – does not authorize the use of Schedule I drugs, including marijuana, for any reason. ODAPC has several public notices addressing marijuana use by DOT covered employees. These notices are available to view and download on [ODAPC's website](#).

Safety Training & Resources



U.S. Department of Transportation
Federal Transit Administration

New Resources

De-Escalation Training Resource Directory

De-Escalation Training Resource Directory

The Federal Transit Administration (FTA) has gathered these resources to support the transit industry in developing, implementing, and updating their training programs. The following resources illustrate ways agencies throughout the transit industry are implementing de-escalation training. They are made publicly available by transit agencies and the transit industry.

If you would like to add your de-escalation training resources to this directory or recommend another agency's resources, please fill out the [De-Escalation Training Resource Directory Form](#) ^{or} .

De-escalation training is one component of a multi-faceted Safety Management System (SMS) that can also include other measures such as mirrors, signage, security cameras, and working with law enforcement. De-escalation is addressed in an agency's SMS, see [Using Your SMS to Protect Transit Workers from Assaults](#).

De-Escalation Training Resource Library

Click below to see list of resources



State Safety Oversight Agency



Bus Transit Providers



Rail Transit Providers



State Departments of Transportation



Federal Transit Administration



Other



Visit the [webpage!](#)

FTA-Sponsored Training Courses

FTA-Sponsored Training Courses

Document

 [FY-24-Transit-Training-Schedule-as-of-January-17-2024.pdf](#) (234.43 KB)

This page provides information on FTA-sponsored training delivered by the Transportation Safety Institute (TSI) as of August 14, 2023. General registration for Fiscal Year (FY) 2024 courses is open.

Transportation Safety Institute

The TSI supports FTA's mission by providing economical, timely, state-of-the-art training, and educational opportunities to the transit industry. TSI assists FTA in meeting its federal training mandate by developing, managing, and delivering innovative instruction through instructor-led course offerings and e-learning technologies. All training is designed specifically to meet the needs of today's changing transit industry, its regulations, and safety best practices.

- Access the [TSI Learning Management System](#) ^{or} and select 'Public Transportation (FTA)'.

National Transit Institute

National Transit Institute (NTI) Course Catalog

The mission of the NTI is to provide training, education, and clearinghouse services in support of public transportation and quality of life in the U.S.

- [NTI Course Registration](#) ^{or}

Assault Awareness and Prevention for Transit Operators (Direct Delivery)

This course provides transit bus operators with prevention strategies necessary to reduce the likelihood of assault incidents.



Visit the [webpage!](#)

Mental Health Resources



Mental Health Resources for Transit Workers Webpage



The screenshot shows the Federal Transit Administration website. The header includes the FTA logo, the text 'Federal Transit Administration', a search bar, and navigation links for 'About', 'Funding', and 'Regulations & Programs'. The main content area is titled 'Mental Health Resources for Transit Workers' and includes an introductory paragraph, a sub-section for 'Mental Health, Wellness and Self-Care' with a list of general resources, and a sidebar menu with various transit-related topics.

Federal Transit Administration Search

About Funding Regulations & Programs

Home

Transit Safety & Oversight >

- Overview
- Office Leadership
- Organization Structure
- Mental Health Resources
- Transit Safety & Crime Prevention
- Transit Worker Assault
- Cybersecurity Resources for Transit Agencies
- Fatigue Resources for Transit Operations

Public Transportation Agency Safety Plans >

Safety Rulemaking

Safety Guidance >

State Safety Oversight Program >

Mental Health Resources for Transit Workers

Mental health is an important part of overall health and well-being and a difficult topic to discuss. FTA has aggregated the mental health resources below to support transit industry workers during challenging times. We encourage you to share these online resources widely with the transit agencies in your region and your networks.

Mental Health, Wellness and Self-Care

These resources can help frontline transit workers and others in the transit industry address mental health concerns and support self-care in the wake of a traumatic or stressful event.

General

- [Mental Health in the Workplace](#) [Centers for Disease Control and Prevention (CDC)]
- [Mental Health Toolkit](#) [U.S. Department of Labor (DOL)]
- [Caring for Your Mental Health](#) [National Institute of Mental Health (NIMH)]
- [Tips for Survivors of a Disaster or Other Traumatic Event: Managing Stress](#) [U.S. Department of Health and Human Services (HHS) Resource]
- [Behavioral Health Treatment Services Locator](#) [HHS]
- [Post-Traumatic Stress Disorder \(PTSD\)](#) [NIMH]
- [National Center for PTSD](#) [U.S. Department of Veterans Affairs (VA)]
- [Coping with Stress](#) [CDC]
- [Emergency Responders: Tips for taking care of yourself](#) [CDC]
- [Disaster Distress Helpline: Get Immediate Crisis Counseling and Support](#) [Substance Abuse and Mental Health Services Administration (SAMHSA)]
- [Office of the Surgeon General - Framework for Workplace Mental Health & Well Being](#) [HHS]

FTA Transit Safety and Oversight Resources



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Spotlight Newsletter



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LinkedIn



Check out our
Conference
Presentations



Thank you!

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