

# FTA Safety Update

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Office of Transit Safety and Oversight (TSO)**

SMART Transportation Division's  
2024 National Training Seminar

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7/10/2024



U.S. Department of Transportation  
Federal Transit Administration

# Agenda

- Safety Regulatory Updates
- PTASP–National Safety Plan
- State of Rail and Bus Transit Safety
- Bus Collisions
- Assaults on Transit Workers
- Fatigue Risk Management
- Drug & Alcohol Program Updates
- TSO Resources



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# Safety Regulatory Updates



U.S. Department of Transportation  
Federal Transit Administration

# FTA Regulatory Agenda

## Public Transportation Safety Certification Training Program (PTSCTP)

Streamlines communication and administrative processes and clarifies voluntary participation and recertification training requirements.

2024

## State Safety Oversight (SSO)

Introduces changes to clarify SSOA oversight responsibilities and authority to conduct inspections and Bipartisan Infrastructure Law (BIL) provisions.

2024

## Rail Transit Roadway Worker Protection (RWP)

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

2024

NPRM Comment Period Closed - May 24, 2024

## Transit Worker Hours of Service and Fatigue Risk Management

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

2024

# FTA Guidance

## **General Directive 24-1: Required Actions Regarding Assaults on Transit Workers**

Proposes to require transit agencies that must have an Agency Safety Plan (ASP) as part of PTASP to conduct a safety risk assessment and provide results to FTA regarding assaults on transit workers.

**Estimated Final Publication in 2024**



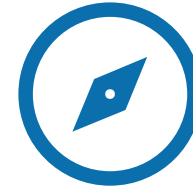
# PTASP–National Safety Plan Connection



## PTASP

Requires applicable agencies to develop an Agency Safety Plan (ASP) that includes the processes and procedures to implement a Safety Management System (SMS)

Requires agencies and safety committees to set targets for the performance measures defined in the National Safety Plan



## National Safety Plan

Serves as FTA's primary guidance document to improve transit safety performance

Defines the performance measures for which agencies and safety committees must set targets, per PTASP

# Role of the Safety Committee in SMS

## Implement and Support an Agency's Safety Management System

Identify and recommend risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment

Identify mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended

Identify safety deficiencies for the purposes of continuous improvement

Establishing safety performance targets for the risk reduction program

Review and approve the Agency Safety Plan

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# State of Rail and Bus Transit Safety

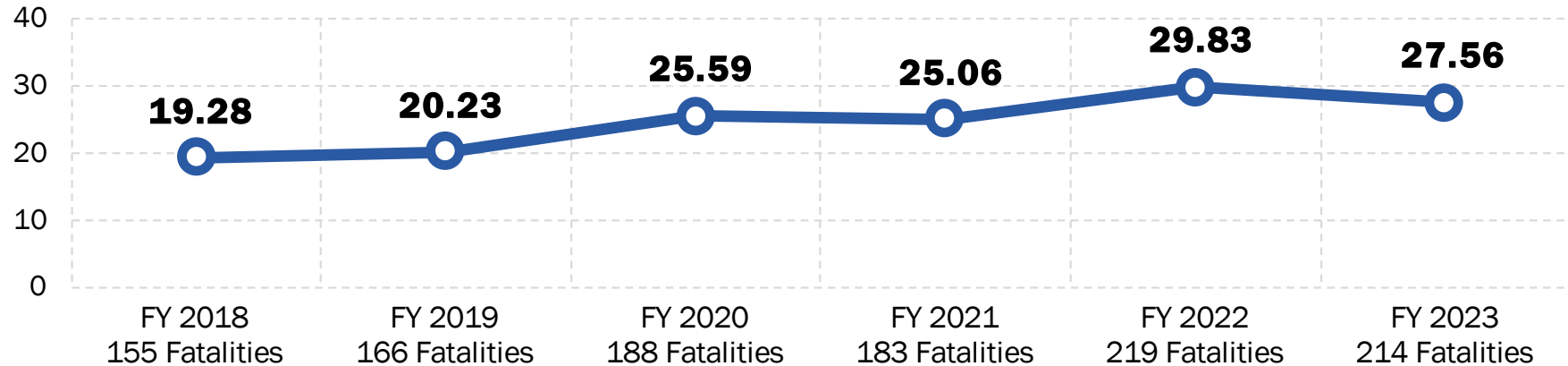


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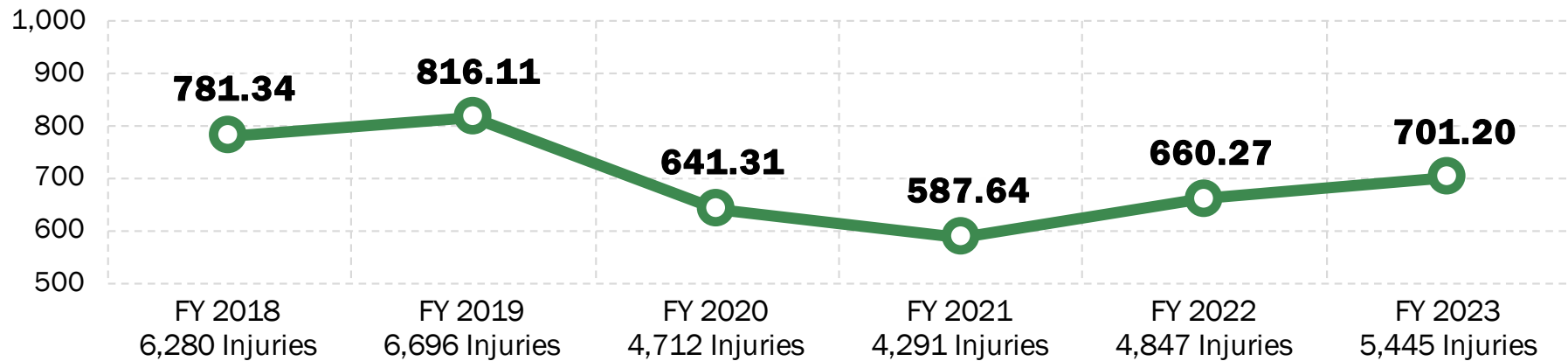


# State of Rail Transit Safety – Annual Trends

**Fatalities per  
100 Million VRM**



**Injuries per  
100 Million VRM**

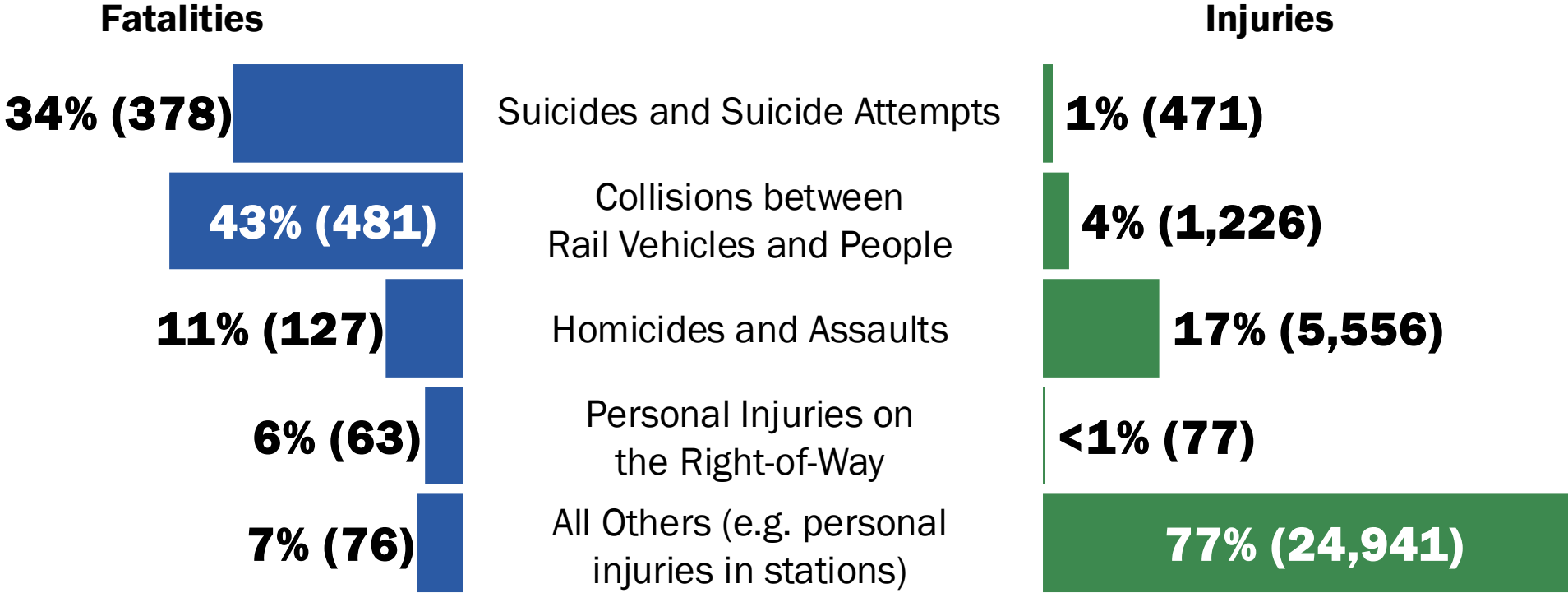


- **Source:** National Transit Database (NTD)  
*FY 2023 data are preliminary.*

**Data as of:** June 3, 2024

# Sources of Rail Transit Fatalities and Injuries

Rail Transit Fatalities and Injuries by Source, Oct 2017 – Sep 2023

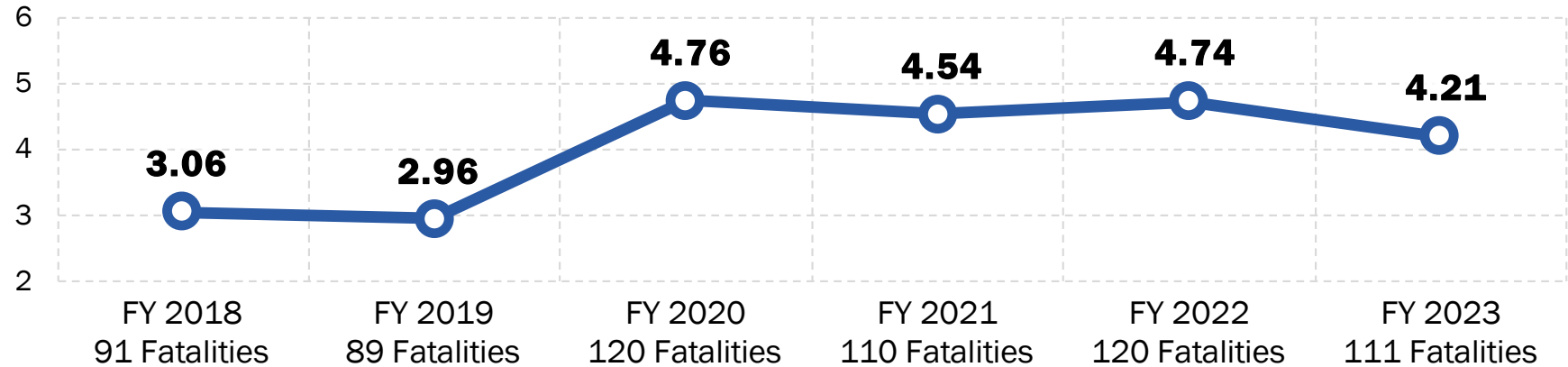


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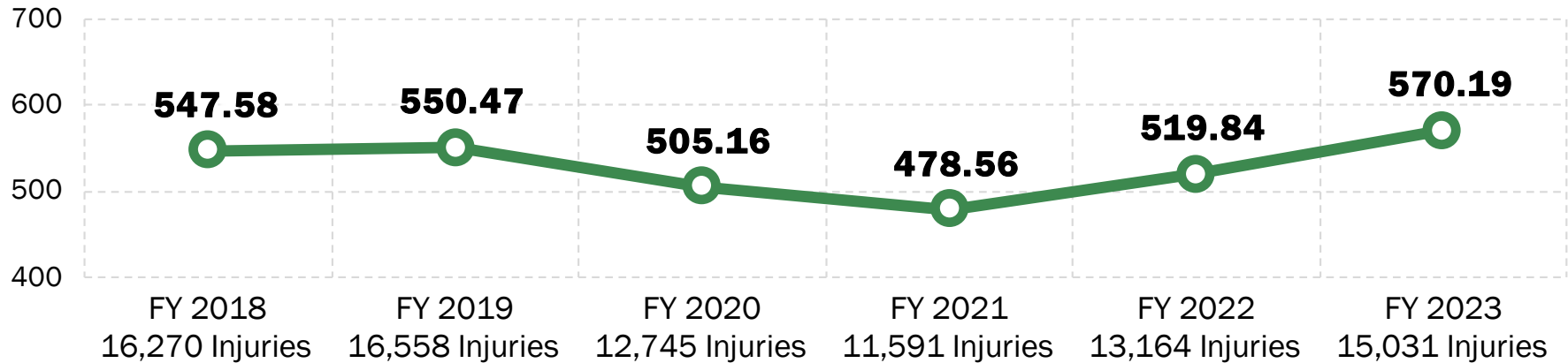
**Data as of:** May 1, 2024

# State of Bus Transit Safety – Annual Trends

**Fatalities per 100 Million Vehicle Revenue Miles (VRM)**



**Injuries per 100 Million VRM**

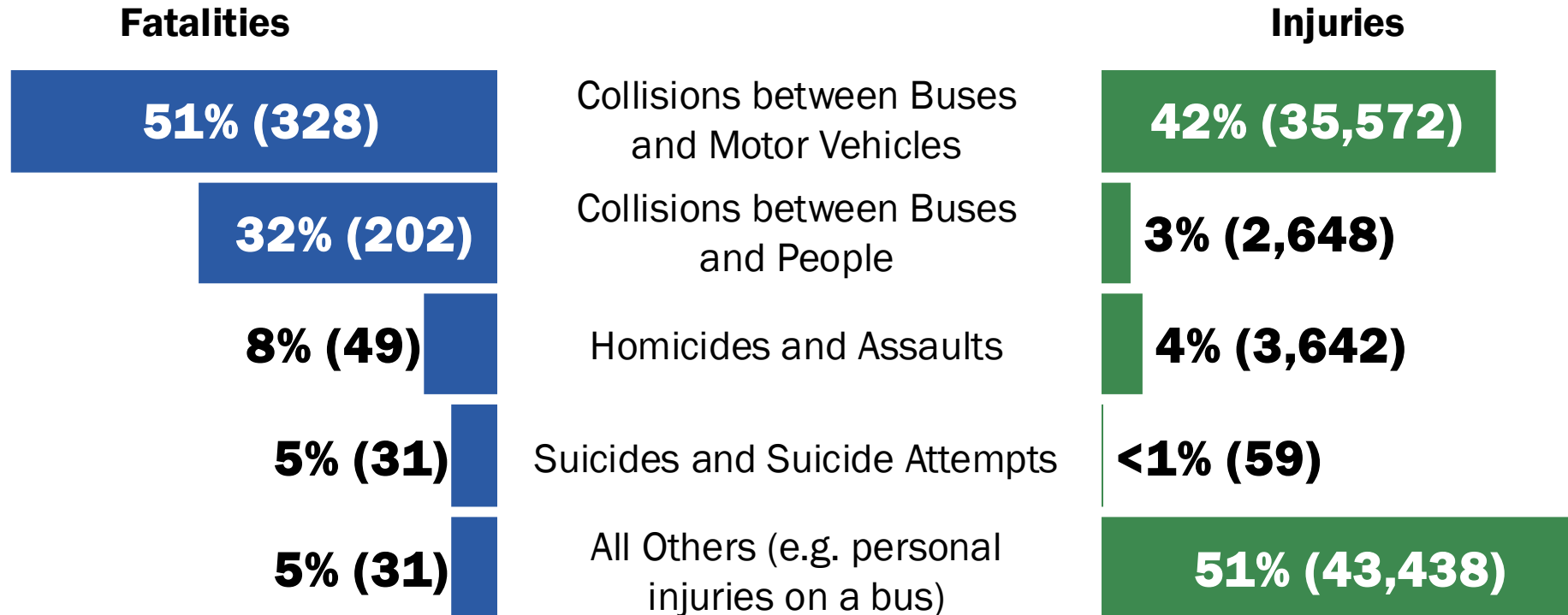


- **Source:** National Transit Database (NTD)  
FY 2023 data are preliminary.

**Data as of:** May 1, 2024

# Sources of Bus Transit Fatalities and Injuries

## Bus Transit Fatalities and Injuries by Source, Oct 2017–Sep 2023



- **Source:** National Transit Database (NTD)  
FY 2023 data are preliminary.

**Data as of:** May 1, 2024

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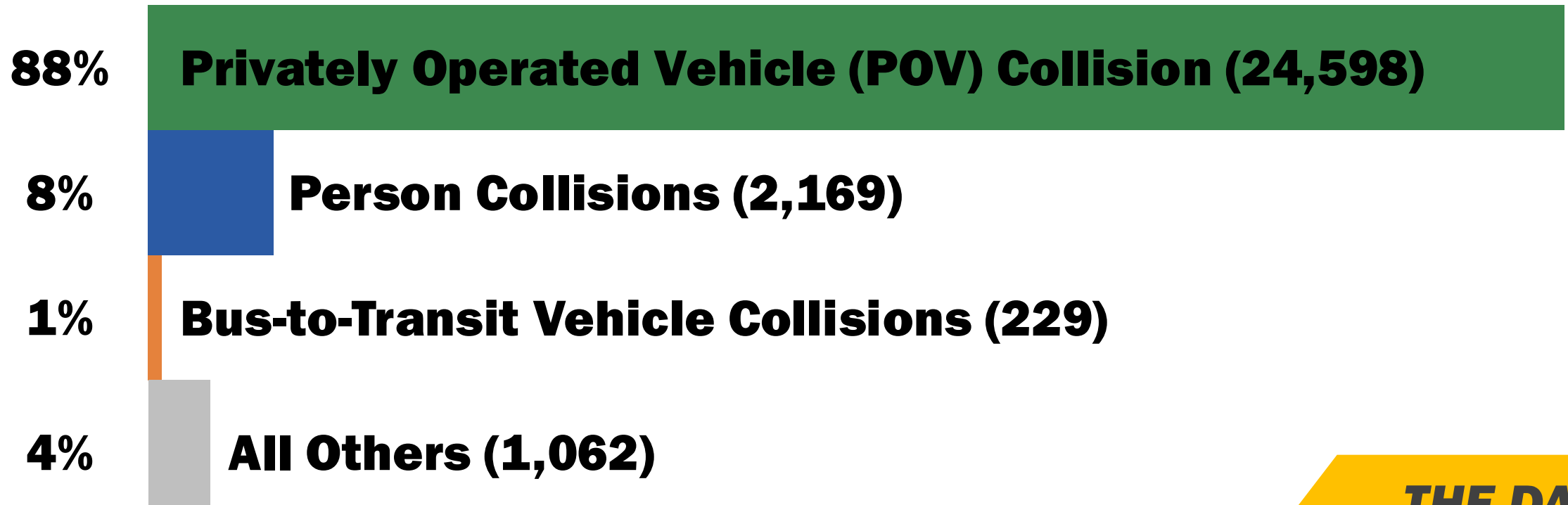
# Bus Collisions



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# Bus Transit Vehicle Collisions by Collision Type

Almost 90% of collisions occurred with privately operated vehicles (POVs).



**THE DATA**

# Bus-to-Person Collisions



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

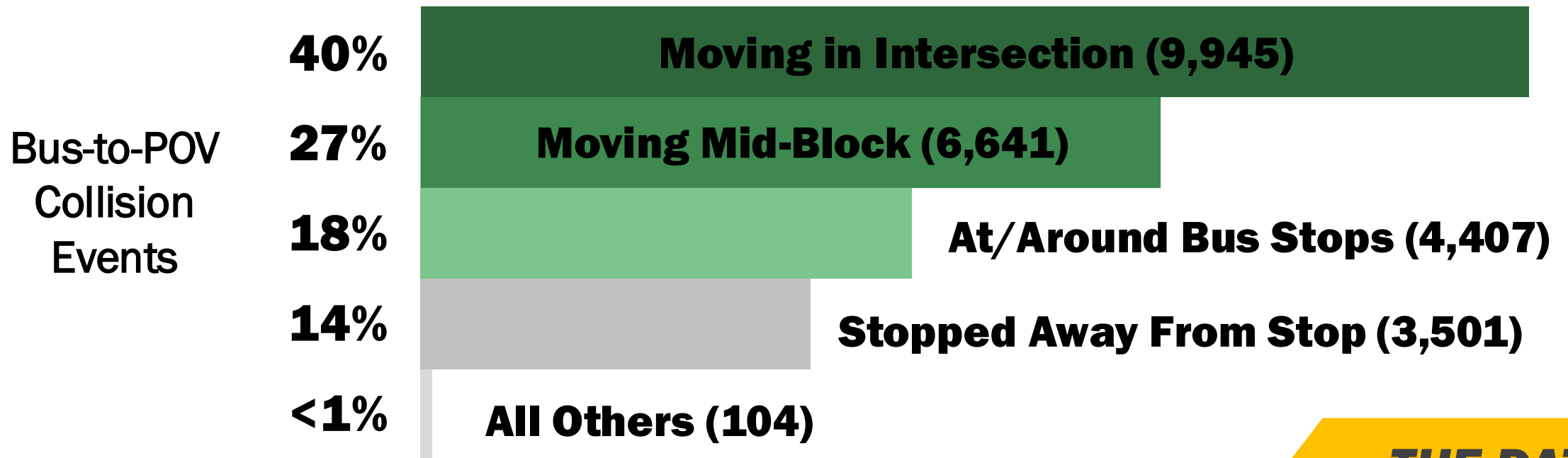


**37%**

Of Bus-Transit Fatalities

# Bus-to-POV Collisions by Location

The largest percentage of all Bus-to-POV collision events occurred as buses moved through intersections.

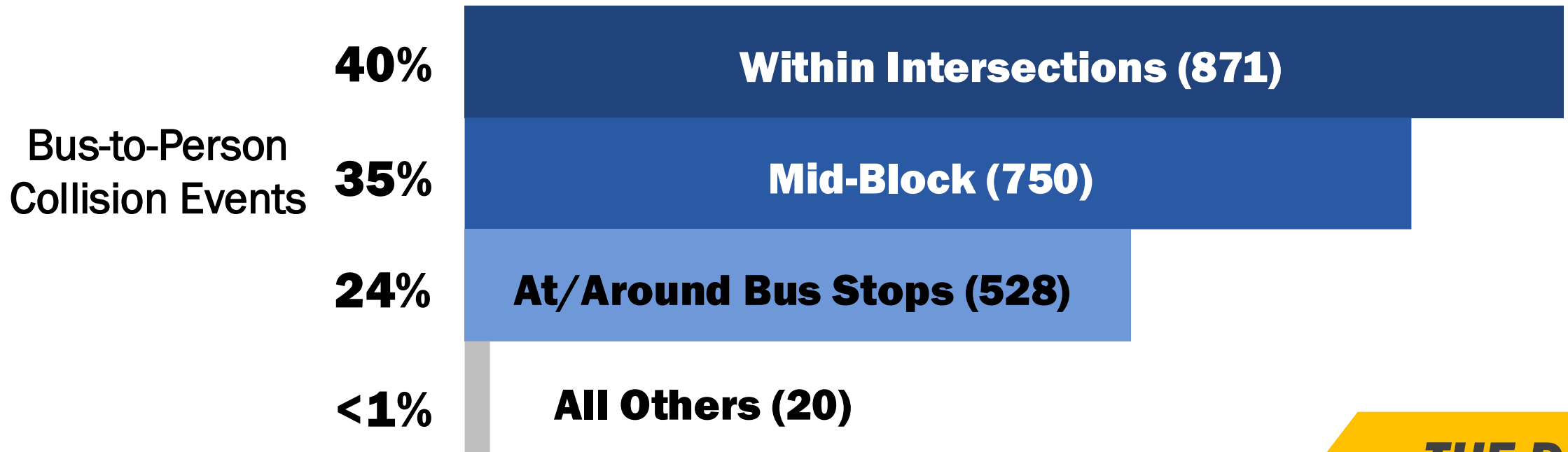


**THE DATA**



# Bus-to-Person Collisions by Location

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



**THE DATA**

# 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:



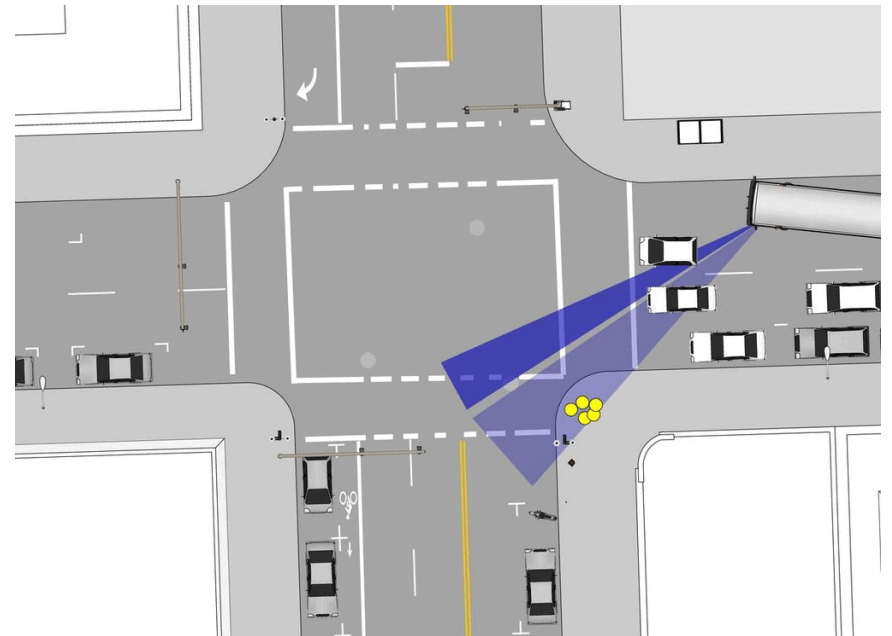
## Vehicle Design

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

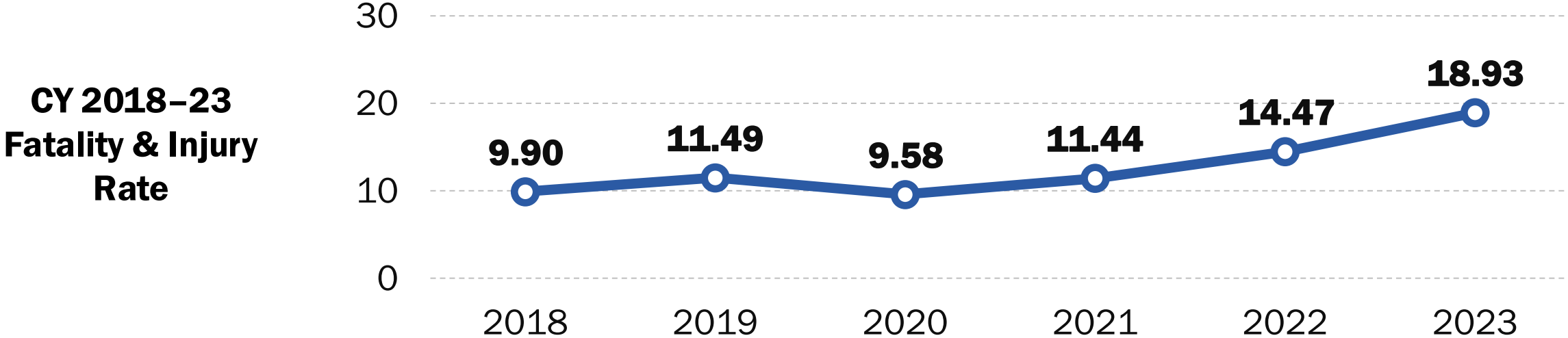
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# Assaults on Transit Workers



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# Major Assaults on Transit Workers Fatalities & Injuries: CY 2018–23



	2018	2019	2020	2021	2022	2023
<b>Events</b>	374	435	292	345	463	656
<b>Fatalities</b>	0	1	1	11	2	2
<b>Injuries</b>	375	440	293	354	474	650

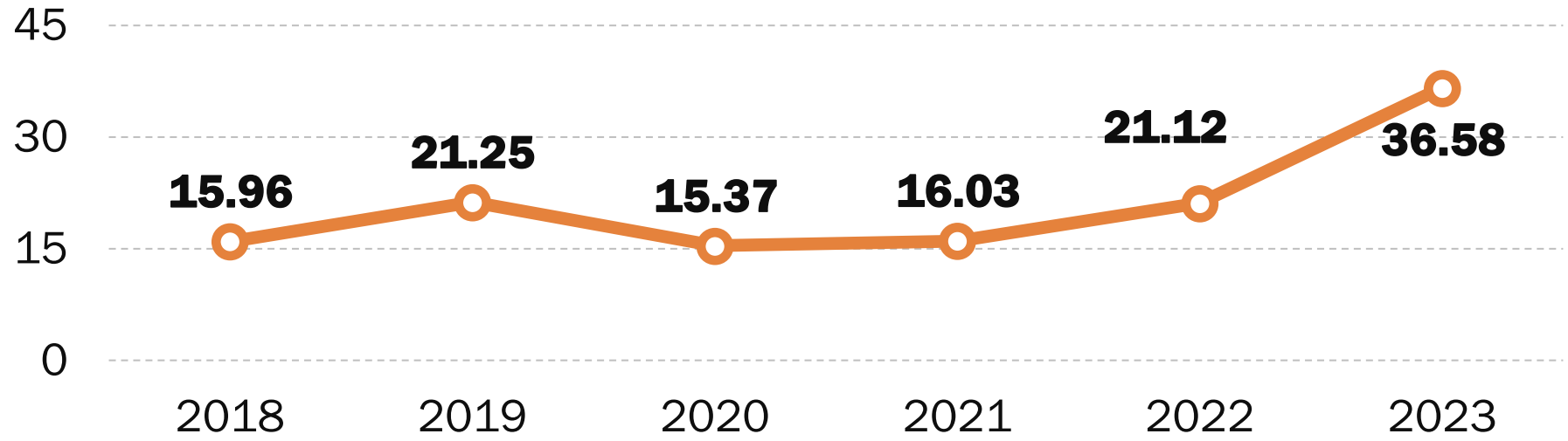
Source: National Transit Database (NTD). CY 2023 data are preliminary.  
 Combined fatality and injury rate is calculated per 100 Million Vehicle Revenue Miles (100M VRM).

Data as of: Apr 2, 2024

# Major Assaults on Transit Workers

## Fatalities & Injuries on Rail: CY 2018–23

**CY 2018–23  
Rail Fatality &  
Injury Rate**



**Percentage of  
Fatalities and  
Injuries by  
Location**

	2018	2019	2020	2021	2022	2023
<b>Vehicle</b>	66%	62%	49%	34%	51%	39%
<b>Station</b>	34%	38%	51%	56%	48%	61%
<b>Other</b>	0%	0%	0%	9%	1%	0%

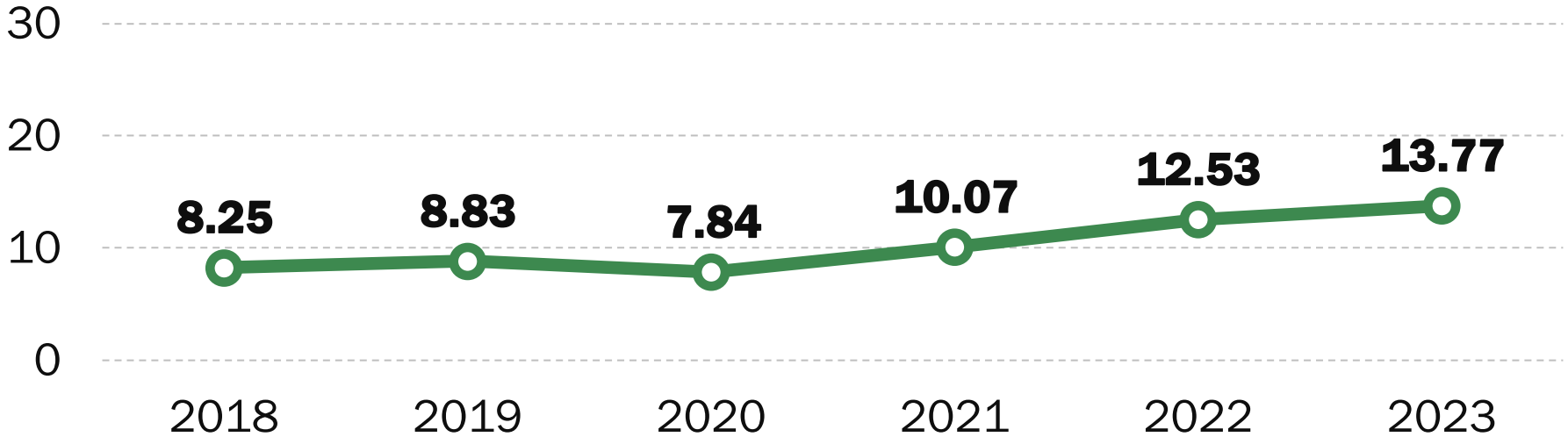
Source: National Transit Database (NTD). CY 2023 data are preliminary.  
 Combined fatality and injury rate is calculated per 100 Million Vehicle Revenue Miles (100M VRM).

Data as of: Apr 2, 2024

# Major Assaults on Transit Workers

## Fatalities & Injuries on Bus: CY 2018–23

**CY 2018–23  
Bus Fatality &  
Injury Rate**



**Percentage of  
Fatalities and  
Injuries by  
Location**

Location	2018	2019	2020	2021	2022	2023
Vehicle	92%	95%	91%	92%	94%	87%
Station	6%	5%	6%	7%	5%	10%
Other	2%	1%	2%	1%	1%	3%

Source: National Transit Database (NTD). CY 2023 data are preliminary.  
 Combined fatality and injury rate is calculated per 100 Million Vehicle Revenue Miles (100M VRM).

Data as of: Apr 2, 2024

# Assault 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: NTD Reporting Requirements

## Full reporters

Report major events via form S&S-40 within 30 days of the event.  
Report non-major events via form S&S-50 monthly.

## Reduced reporters

Report major and non-major events via form S&S-60 annually, four months after the reporter's fiscal year expires.

New NTD Reporting Requires the Who, What, and Where of Assaults on Transit Workers.

## **New Reporting Resources**

### **Now Available!**

New Technical Resource Guides will support transit agencies with additional data reporting requirements.

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# Fatigue Risk Management



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# Why Transit Worker Fatigue?



## Transit Advisory Committee for Safety (TRACS)

- Transit worker fatigue is a “serious problem”
- Hours of service is a “fundamental, initial pillar of a Safety Management System (SMS) framework and should be implemented by FTA as soon as possible”



## Existing Federal Regulations

- Federal Motor Carrier Safety Administration
- Federal Railroad Administration
- Federal Aviation Administration
- United States Coast Guard

# Why Transit Worker Fatigue?

2022

The pedestrian lost his balance and leaned backwards into the streetcar's path and was injured ... upon review of video, the Operator appeared to be sleeping while the streetcar was in motion.

2022

“The operator stated that as he was traveling on Washington Ave., he fell asleep at the wheel and went onto the sidewalk, and contacted two electrical poles.”

2022

“[I]t appears the operator started to nod off (potentially falling asleep). The bus drifted off of the road, over the curb contacting a light pole, bus stop location sign, cement box and then came to rest.”

Source: National Transit Database and State Safety Oversight Reporting Tool

# Why Transit Worker Fatigue?

WMATA Derailment (June 2009)



CTA O'Hare Airport Derailment (March 2014)



Denver RTD Derailment (March 2023)



# FTA Fatigue Resources Website

For additional information and links to resources on transit worker fatigue, please visit: [www.transit.dot.gov/fatigue](http://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](mailto:FTASafetyPromotion@dot.gov) if you find any broken or outdated links.

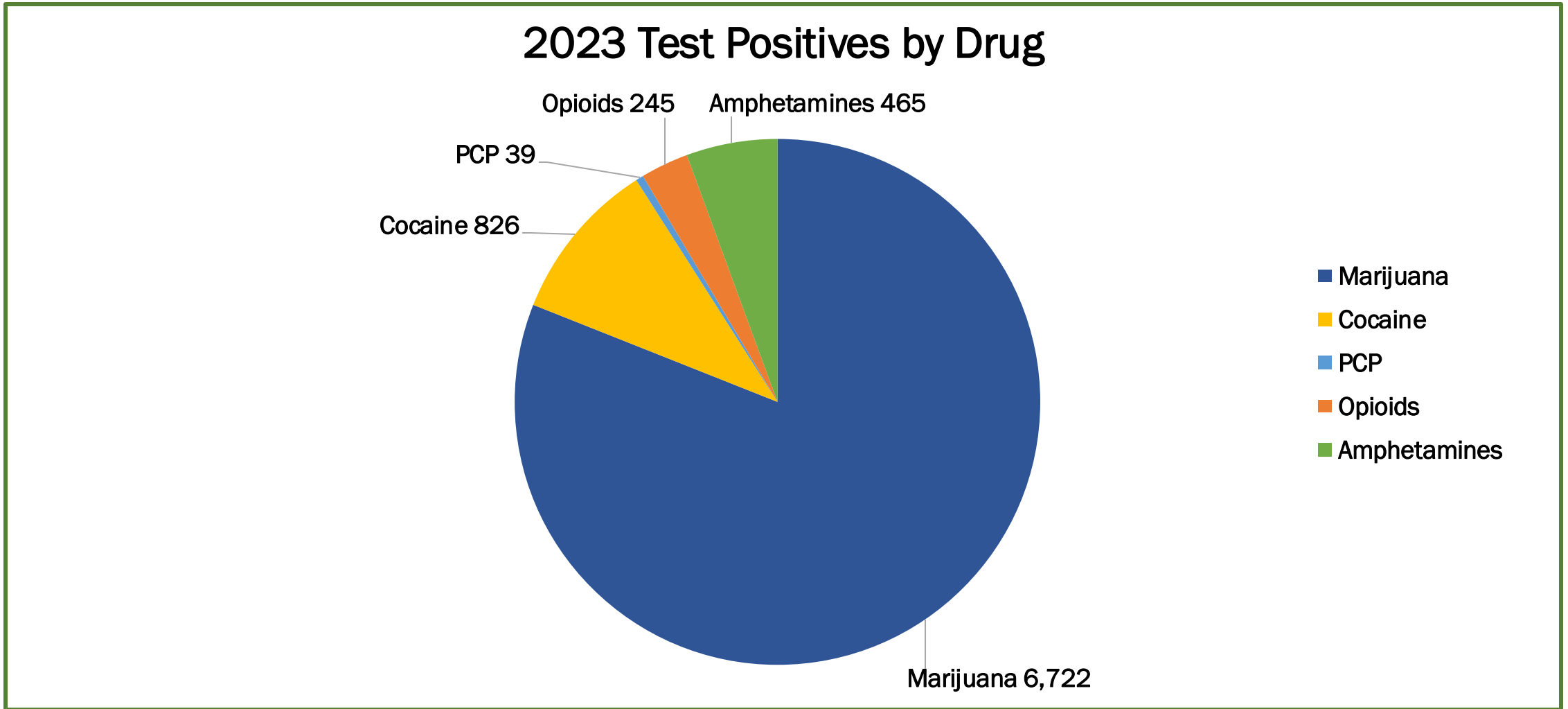
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# Drug & Alcohol Program Updates



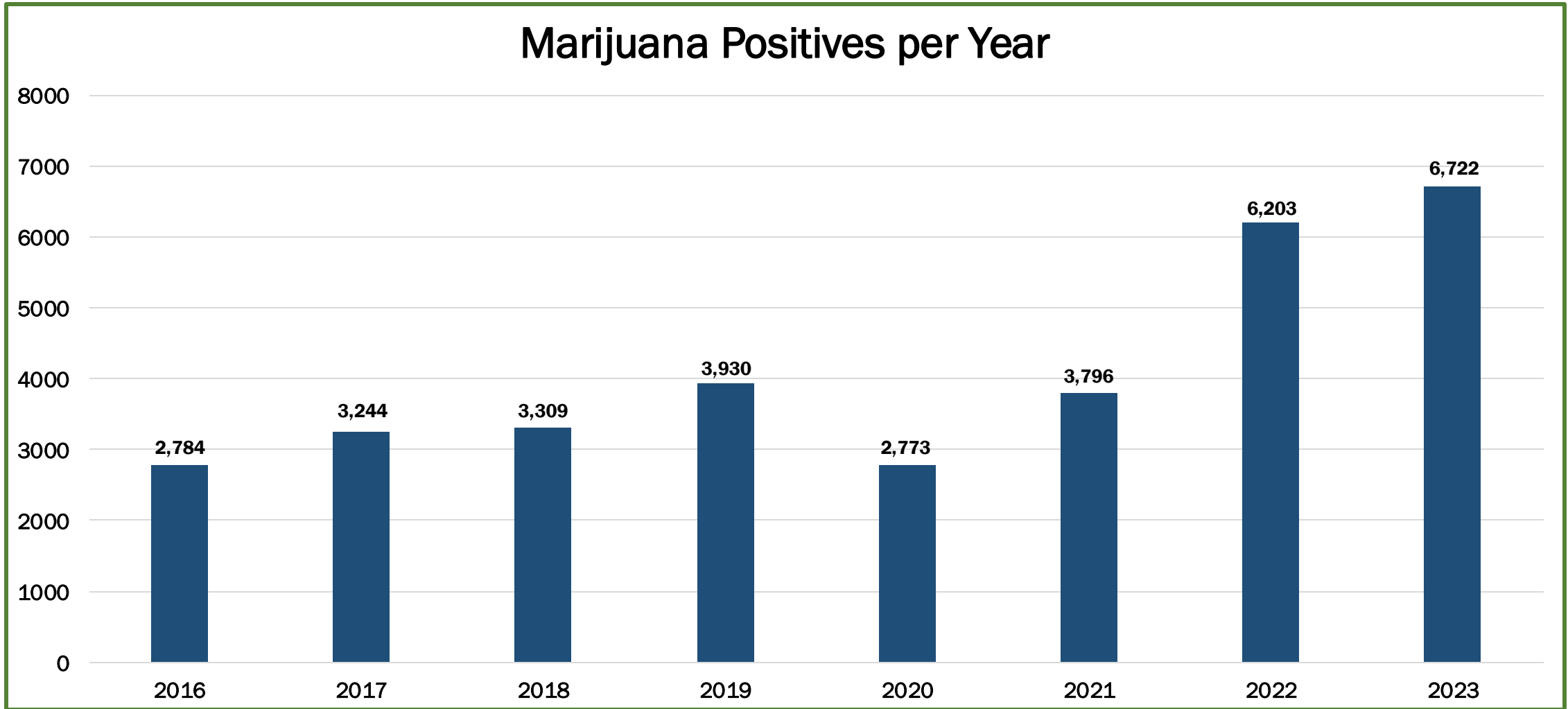
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# Drug and Alcohol Testing Trends





# Drug and Alcohol Testing Trends



# 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.

# DEA Issues NPRM to Transfer Marijuana from Schedule I to Schedule III Drug

## Impact on DOT and Concerns

HHS would remove Marijuana from the testing panel

Which means...

Marijuana would be treated like other medications

And unfortunately...

USDOT is currently unable to test for Marijuana use, like testing for alcohol use

# 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](#).

# 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

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

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Federal Transit Administration

1 FTA Drug and Alcohol REGULATION UPDATES

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

# FTA Transit Safety and Oversight Resources



Signup for  
GovDelivery



Read our TSO  
Spotlight Newsletter



Follow us on  
LinkedIn



Check out our  
Conference  
Presentations



# Thank you!

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