

# FTA

FEDERAL TRANSIT ADMINISTRATION

## **APTA Rail Conference**

### **FTA Safety Oversight Update**

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# FTA

FEDERAL TRANSIT ADMINISTRATION

# Today's Presentation

- Safety Rulemaking
- Regulatory Update
- FAST Act: National Online Dialogue on Transit Worker Assaults
- FAST Act: Review of Safety Standards
- Transit Security
- Safety Resources

# Safety Rulemaking

# Public Transportation Safety Program

- Establishes FTA's Safety Oversight Authority and program of requirements for most recipients of FTA funding
- Establishes FTA's commitment to a Safety Management System (SMS) approach
- Requires FTA to create National Public Transportation Safety Plan to communicate with public transit industry
- Formalizes a comprehensive framework for safe public transportation through 4 program components:

## National Public Transportation Safety Plan

- Safety vision, mission, goals
- Performance management criteria and guidance
- Safety Risk Management practices and procedures
- SMS implementation guidance
- Best practices and safety plan templates
- Top Safety Priorities
- Safety Standards

**GUIDANCE**

## National Public Transportation Safety Certification Training Program

- Federal/State employees (or their designees) who conduct audits and examinations of public transportation systems
- Personnel of public transportation systems who have direct responsibility for safety oversight at their system

## Public Transportation Agency Safety Plans

Identifies:

- Methods for identifying and evaluating safety risk
- Framework for agencies to identify strategies for minimizing public exposure to unsafe conditions
- Performance targets and criteria based on criteria established in the National Safety Plan
- Requires training for personnel responsible for safety

**TRANSIT AGENCIES**

## State Safety Oversight (SSO) Program

- Oversees the agency safety plan for the rail transit systems
- Investigates and enforces plan
- Audits rail transit systems
- Reports on safety status of each transit rail agency

SAFER PUBLIC TRANSPORTATION

SMS

RULE

RULE

RULE

RULE

# Rulemaking Timeline

MAP 21 Requirements	Federal Register Publication
Transit Asset Management NPRM	Published 9/30/15 Final Rule under development
Public Transportation Safety Program NPRM	Published 8/14/15 Final Rule under development
National Public Transportation Safety Plan	Published 2/5/16 Comment period closed 4/5/16
Public Transportation Agency Safety Plan NPRM	Published 2/5/16 Comment period closed 4/5/16
Interim Provisions Safety Certification Training Program NPRM	Effective 5/28/15 Published 12/3/15, Closed 2/1/16 Final Rule under development
State Safety Oversight Final Rule	Published 3/16/16
Operator Assault NPRM	Under Development Statutory due date March 2017

# Regulatory Update

# FTA Enforcement Authorities Under MAP-21 (2012) and FAST Act (2015)

- Issue safety directives and safety advisories
- Promulgate public transportation safety regulations
- Perform investigations
- Conduct inspections and audits
- Direct or withhold federal funding
- Remove equipment from service
- Close facilities
- Suspend operations

# **FAST Act: National Online Dialogue on Transit Worker Assaults**



# National Online Dialogue on Transit Worker Assault

## Background

- 2015 TRACS Report, *Preventing and Mitigating Transit Worker Assaults in the Bus and Rail Industry*
  - Identified causes of assault against transit workers
  - Reviewed strategies to mitigate these assaults
- Section 3022 of the FAST Act requires an notice of proposed rulemaking (NPRM) on protecting public transportation operators from assault no later than March 2017

# National Online Dialogue on Transit Worker Assault

- What is the National Online Dialogue?
  - Web forum for individuals to comment on key questions concerning transit worker assault
- Who can participate?
  - Anyone interested in preventing transit worker assault
- When will it launch?
  - Open from Monday, June 13 – Monday, July 25
- Where is it located?
  - TSO website: <https://www.transit.dot.gov/regulations-and-guidance/safety/national-online-dialogue-transit-worker-assault>
  - DOT's Idea Forum: <https://usdot.uservice.com/>
- Point of contact:

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# **FAST Act: Review of Safety Standards**

# FAST ACT Requirements: Safety Standards

1. Review public transportation system safety standards and protocols to examine efficacy of existing standards
2. Evaluate the need to establish additional Federal minimum transit safety standards
3. Issue a Final Report on the findings of the review, with a comprehensive set of recommendations and further actions

# Review of Transit Safety Standards

- Inventory of safety standards:
  - <https://www.transit.dot.gov/regulations-and-guidance/safety/transit-safety-standards>
- Federal Register Notice
  - <https://federalregister.gov/a/2016-11585>
- Comment period ended June 16
- Points of contact:

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# Transit Security

# Transit Security Under 49 CFR Part 659

## Rail

- System security plan required, reviewed, and approved by SSO agency
- SSO agency conducts three-year reviews to assess implementation of security plan
- SSO agency oversees rail transit agency internal security reviews
- SSO agency investigates security incidents meeting specific thresholds
- SSO agency requires corrective action plans for specific security incidents
- SSO agency reviews how security is addressed in major capital projects
- FTA audits how well the SSO agency performs its security oversight activities once every three years

## Bus

- FTA Bus Transit Safety & Security Program – includes voluntary on-site assessments of bus transit systems plus a web-based resource library.

# Transit Security After 9/11

- 9/11 legislation requires TSA to issue regulations on security plans and training
- FTA received a one-time supplemental security allocation and created a portfolio of transit security initiatives
- FTA's annual appropriations statute prohibits FTA from establishing an "Office of Security"



# MAP-21/FAST Act

- Final Transit Agency Safety Plan Rulemaking, based on SMS, will replace Part 659 safety plan requirements
  - SMS provides foundation for safety
- FTA SSO rule removes the requirement for a System Security Plan; Final rule supersedes Part 659
- FTA focus on safety, but continuing security activities include:
  - TSI Security Training Courses
  - 5307 grants, 1 percent safety and security capital expense set-aside
- FAST Act
  - NPRM on transit operator safety and risk of assault

## TSA

- Collaborates in partnership with industry and government stakeholders
- Intelligence Sharing
- Dedicated to securing the Nation's network of surface transportation systems from terrorist activities and attacks
- Focuses on mitigating security challenges faced by open-by-nature transportation systems
- Enhances surface transportation security through:
  - (1) deterrence,
  - (2) detection, and
  - (3) Resilience activities

## Overlaps

- Transportation Sector CO-SSA
- DHS and DOT are co leads for infrastructure security
- Share information to enhance assistance to public transportation agencies for current and emerging safety and security-related needs

## FTA

- Transit Safety Oversight
  - State Safety Oversight
  - MAP-21
  - Public Transportation Safety Program Rule
  - State of Good Repair
  - Safety Certification Training Program
- Provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys and ferries
- Helps develop next-generation technology research
- Work through SSOAs

# Safety Resources

# Resources to Help You Prepare Now

## Read, watch, and participate

- Review FTA's *SMS Framework*
- Participate in webinars explaining new regulations and guidance
- Visit FTA's YouTube page to view previous webinars
- Read our newsletter *TSO Spotlight*

## Get trained

Through FTA's safety website:

- Take the *SMS Awareness* online course
- Sign up for classroom courses
- Request an Individual Training Profile (ITP)
  - Courses based on your role

## Sign up to receive updates

Sign up for GovDelivery

- FTA announcements and new documents
- <https://public.govdelivery.com/accounts/USDOTFTA/subscriber/new>



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# Questions?