

Assumption and Relinquishment of Direct Safety Oversight of Rail Fixed Guideway Public Transportation Systems

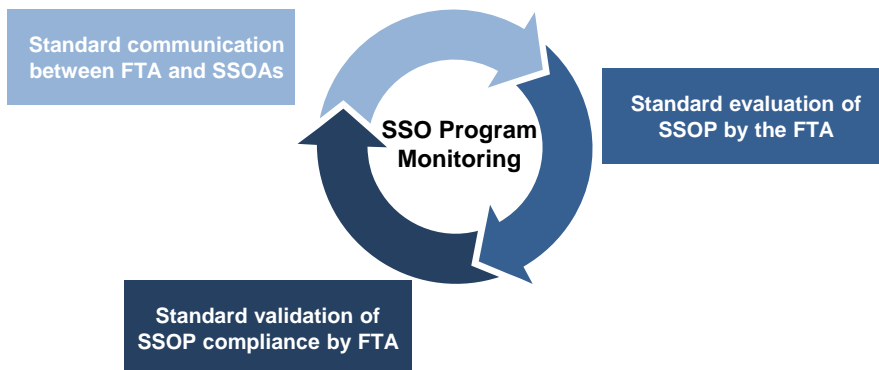
FTA's Temporary Assumption Authority

The Fixing America's Surface Transportation (FAST) Act granted the Federal Transit Administration (FTA) the authority to temporarily assume direct administration of a State Safety Oversight Program (SSOP) in the event of a nonconforming, inadequate, or incapable SSOP. Specifically, the statute outlines three situations where FTA must assume the safety oversight of an SSOP:

- 1 SSOP "is not being carried out in accordance" with 49 U.S.C. § 5329
- 2 SSOP "has become inadequate to ensure enforcement of Federal safety regulation"
- 3 SSOP "is incapable of providing adequate safety oversight consistent with the prevention of substantial risk of death or personal injury"

State Safety Oversight Program Monitoring

FTA monitors States SSOP's via monthly check-ins with each SSO agency (SSOA). The FTA assesses the SSOP utilizing standard evaluation criteria tied directly to FTA SSO regulations. The FTA confirms that the SSOPs are both compliant with federal regulation and effective in safety oversight. The FTA evaluates available historical SSOP triennial audit findings and evaluates other risks and issues at an SSOA and/or RFGPTS which come to the FTA's attention.



FTA's Assumption and Relinquishment Process

While monitoring SSOPs, if the FTA uncovers risks/issues that reach a level of concern where regular check-ins will not remedy the situation, the FTA will escalate identified risks/issues to the FTA Administrator, who will determine if temporary direct administration of an SSOP is required. If required, FTA performs an assessment to inform the forthcoming assumption decision. The assessment kicks off the FTA's process, which consists of the following five distinct phases:



Phase	Description
Assessment	Gather and validate information on SSOP identified as potentially at-risk of nonconforming or ineffective
Decision	Determination is made to temporarily administer safety oversight of an SSOP
Planning	Develop a tailored plan for the FTA to temporarily assume direct administration of safety oversight of an SSOP
Execution	Conduct direct safety oversight for the SSOA and assist the SSOA to resolve deficiencies
Relinquishment	Recertification SSOP per 49 USC § 5329(e)(8)(B)(ii).