

FTA

FEDERAL TRANSIT ADMINISTRATION

Public Transportation Safety Certification Training Program Final Rule

Office of Transit Safety and Oversight

August 16, 2018



U.S. Department of Transportation
Federal Transit Administration

Today's Presentation

- Background
- Revisions from the NPRM
- Final Rule Overview
- Technical Training Plans
- Recordkeeping
- Oversight Framework
- Questions

Background

Overview of Safety Rulemakings

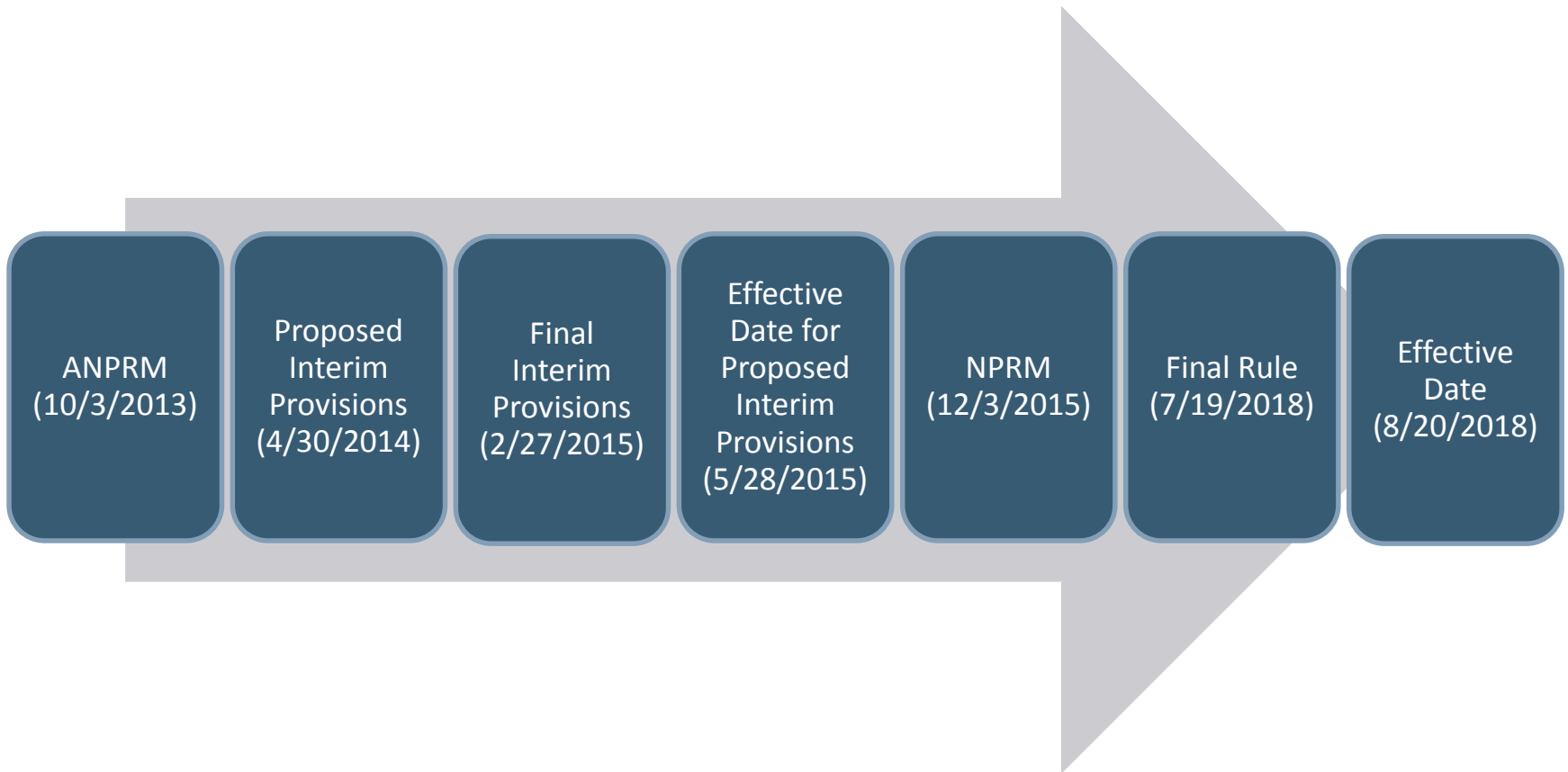
Regulation	Rule Overview	Status
Interim Safety Certification Training Program Provisions	Fills gap in training needs until the Final Training Rule is published	Final Interim Provisions Published: 2/27/2015 Effective: 5/28/2015
State Safety Oversight 49 C.F.R. Part 674	Strengthens State oversight of rail transit systems	Final Rule Published: 3/16/16 Effective: 4/15/16
Public Transportation Safety Program 49 C.F.R. Part 670	Establishes the procedural rules for enforcement of FTA's safety programs	Final Rule Published: 8/11/2016 Effective: 9/12/2016
National Public Transportation Safety Plan	Sets safety performance measures for PTASP performance targets	Final Guidance Published: 1/17/17
Public Transportation Agency Safety Plan 49 C.F.R. Part 673	Requires transit agencies to develop and implement safety plans based on SMS principles	Final Rule Published: 7/19/2018 Effective: 7/19/2019 Compliance: 7/20/2020
Public Transportation Safety Certification Training Program 49 C.F.R. Part 672	Establishes training curriculum to ensure basic level of safety-related competency for rail transit system auditing and oversight	Final Rule Published: 7/19/2018 Effective: 8/20/2018
Preventing Transit Worker Assault NPRM	FAST Act requirement	Under Development

Statutory Requirements

- Congress directed FTA to establish a comprehensive Public Transportation Safety Certification Training Program for two categories of personnel (49 U.S.C. § 5329(c)(1)).
 - Federal and State employees who conduct safety audits and examinations of public transportation systems
 - Employees of public transportation agencies directly responsible for safety oversight
- Concurrently, Congress directed FTA to publish interim safety certification training requirements to be in effect until the effective date of the final rule (49 U.S.C. § 5329(c)(2)).

The Training Rule Process

Final Rule Published on July 19, 2018
Effective Date is August 20, 2018



SMS and the Training Rule

- Under the Public Transportation Safety Program Rule, FTA established SMS as the approach to Transit Safety.
- SMS encourages agencies to be proactive and to ensure that employees have the competencies required to manage safety effectively.
- SMS is integrated into the Training Rule by requiring safety personnel to have a minimum level of SMS competency.
- SMS is integrative and ensures that safety is everyone's responsibility, not just the safety office; therefore, SMS training is required for all employees who are engaged in safety oversight, from frontline, to middle managers, to Executives.

Revisions from Safety Certification Training Program NPRM

Training Rule NPRM Changes

NPRM Comments

- 19 comments, including one letter representing five state DOTs.
- The majority of commenters were supportive of FTA establishing a training curriculum to ensure basic level of safety-related competency.

Major Issues Discussed by Commenters

Comment Category	FTA Response	Reduction in Burden*
Course Requirements	Final rule does not require security or SMS gap courses.	<ul style="list-style-type: none">• Total reduction of 38 course hours• Approximate total reduction of up to \$565,000
Equivalency Credit	Final rule provides process for obtaining credit for non-FTA sponsored courses.	

*From requirements in the Interim Provisions

Final Rule Overview

Safety Certification Training Final Rule

Table of Contents

Title 49—Transportation

PART 672--PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM

Subpart A – General Provisions

672.1 Purpose.

672.3 Scope and applicability.

672.5 Definitions.

Subpart B – Training Requirements

672.11 Designated personnel who conduct safety audits and examinations.

672.13 Designated personnel of public transportation agencies.

672.15 Evaluation of prior certification and training.

Subpart C – Administrative Requirements

672.21 Records.

672.23 Availability of records.

Subpart D – Compliance and Certification Requirements

672.31 Requirement to certify compliance.

Appendix to Part 672—Public Transportation Safety Certification Training Program Reference Document

Applicability and Requirements

Applicability	Requirements
<p>Mandatory</p> <ul style="list-style-type: none">• SSOA employees and contractors who have been designated to conduct safety audits and examinations.• Rail transit agency employees and contractors who have been designated as directly responsible for the safety oversight.	<ul style="list-style-type: none">• Designate employees and contractors who must take the Safety Certification Training Program courses.• Designated personnel must complete Safety Certification Program within 3 years.<ul style="list-style-type: none">• Refresher training every 2 years.• SSOAs and RTAs must certify compliance as part of FTA's annual grant certification and compliance process.
<p>Voluntary</p> <ul style="list-style-type: none">• Bus transit system personnel with direct safety oversight responsibility.• State DOTs overseeing safety programs for sub-recipients of Federal financial assistance.	<ul style="list-style-type: none">• None. Employees and contractors are encouraged to complete courses in the voluntary curriculum included in the rule.

RTA Personnel Directly Responsible for Safety Oversight

Personnel whose primary job function includes:

- Development, implementation, and monitoring of the RTA's System Safety Program Plan or the Public Transportation Agency Safety Plan, and/or
- Development, implementation, and review of any of the processes and procedures that are needed to comply with the SSOA program standard.

SSOA Personnel


Conducting Safety Audits and Examinations

Personnel whose job function includes conducting safety examinations and audits of RTAs, or manage/supervise those who conduct safety examinations and audits of RTAs

- Examination means a process for gathering or analyzing facts or information related to the safety of a public transportation system.
- Audit means a review or analysis of safety records and related materials, including, but not limited to, those related to financial accounts.

What Do Designated Personnel Need to Do?

Enroll in the Program and Request an Individual Training Plan (ITP)



Register for and Complete Courses



Request Equivalency Credit (If Applicable)

Safety Certification Training Rule Required Curriculum

e-Learning

- SMS Awareness

Virtual Classroom

- SMS Safety Assurance

Traditional Classroom

- SMS Principles for Transit
- SMS Principles for SSO Programs*
- Transit Rail Incident Investigation
- Effectively Managing Transit Emergencies
- Transit Rail System Safety

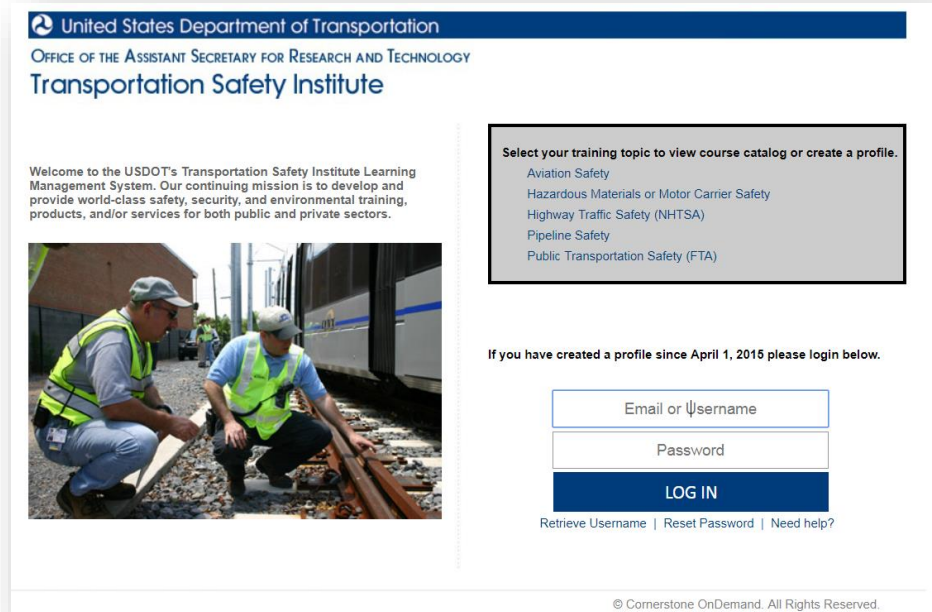
*Under Development

Enrolling in the Program and Requesting an ITP

- Email FTASafetyPromotion@dot.gov to enroll and request your Individual Training Plan (ITP)
- Include the following information in your request:
 - The agency you work for
 - Your role within that agency
 - Your phone number

Registering for Courses

- Register on the Transportation Safety Institute (TSI) Learning Management System (LMS) at
 - <https://tsi-dot.csod.com/client/tsi-dot/default.aspx>
 - Contact TSI for assistance:
 - (405) 954-3682
 - Transit@dot.gov



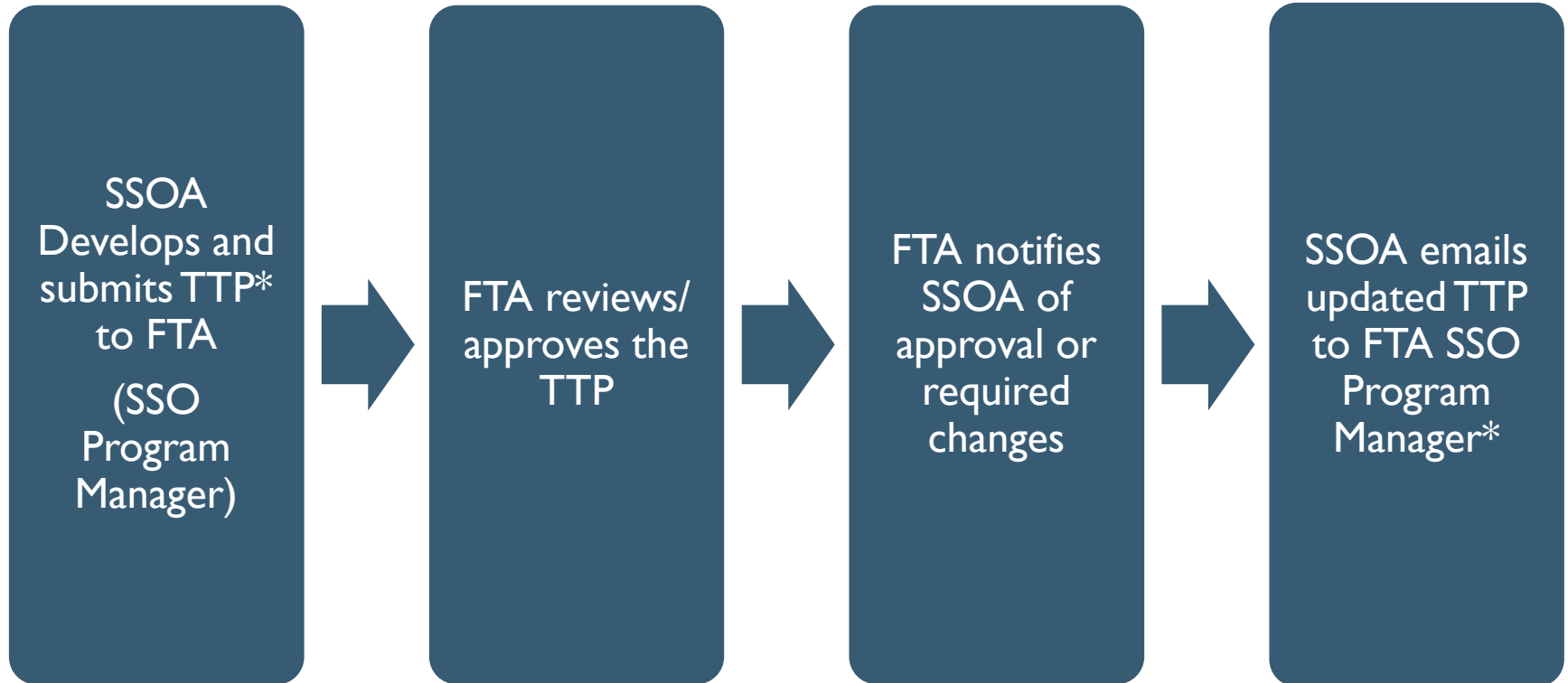
The screenshot shows the homepage of the Transportation Safety Institute (TSI) Learning Management System (LMS). The header includes the United States Department of Transportation logo and the text "OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY Transportation Safety Institute". Below the header, there is a welcome message: "Welcome to the USDOT's Transportation Safety Institute Learning Management System. Our continuing mission is to develop and provide world-class safety, security, and environmental training, products, and/or services for both public and private sectors." To the right of the welcome message is a box titled "Select your training topic to view course catalog or create a profile." with a list of topics: Aviation Safety, Hazardous Materials or Motor Carrier Safety, Highway Traffic Safety (NHTSA), Pipeline Safety, and Public Transportation Safety (FTA). Below this box is a login section with the text "If you have created a profile since April 1, 2015 please login below." and a form with fields for "Email or \username" and "Password", and a "LOG IN" button. At the bottom of the login section are links for "Retrieve Username", "Reset Password", and "Need help?". The footer of the page reads "© Cornerstone OnDemand. All Rights Reserved."

Requesting Credit for Equivalent Courses

- Go to FTA's training website at <https://www.transit.dot.gov/regulations-and-guidance/safety/safety-training> to download the equivalency credit request form for official evaluation of training completed outside of FTA's Safety Training Program
- Email completed form and required supporting documents to FTASafetyPromotion@dot.gov
- Allow 60 days for review and response by FTA

Technical Training Plan Requirement for SSOAs

Technical Training Plans



**To request a TTP template please email FTASafetyPromotion@dot.gov*

Technical Competencies

- Required technical competencies (technical training component of the curriculum) may be satisfied through a number of options, including:
 - Internal staff
 - Qualified staff from other agencies (e.g., FRA State Participation Program)
 - Contractors
- SSOAs can address each competency area through:
 - Rail system training
 - Equivalencies
 - Experience/existing qualifications
 - Certifications
 - E.g., the FRA Certified Track Inspector

Recordkeeping

Recordkeeping

- SSOAs and RTAs must ensure that their designated personnel are enrolled in training program.
- Designated personnel must update their individual training record as they complete applicable training requirements.
- SSOAs must retain a record of technical training completed by their designated personnel in compliance with this rule for at least five (5) years from the date record is created.

Recordkeeping (Availability of Records)

- SSOAs and RTAs
 - May not release information on designated personnel that is required by the rule without their written consent, unless required by law.
 - Must promptly provide copies of any records of training completed to comply with this rule, upon written request by personnel.
 - Must provide access to facilities used and records compiled to comply with the rule to DOT, FTA, or any State agency with jurisdiction over transit safety oversight.
 - If requested by the NTSB, disclose information related to the training of designated personnel to NTSB as part of an accident investigation.

Oversight Framework

Safety Certification Training Rule Oversight Framework

FTA Role

- Curriculum and courses - enrollment and registrations
- Guidance
- Evaluate TTPs and equivalency requests
- State Safety Oversight (SSO) reviews

Transit Agency Role

- Ensure participation of designated personnel
- Annual self-certification

SSO Agency Role

- Develop, implement, and update TTP
- Ensure participation of designated personnel
- Annual self-certification
- Oversee RTA's compliance

Required (RTAs and SSOAs) and Voluntary (Bus Systems) Curricula

Courses for Mandatory Participants

State Safety Oversight Agency (SSOA) Participants

1. SMS Awareness
2. SMS Safety Assurance
3. SMS Principles for Transit
4. SMS Principles for SSO Programs
5. Transit Rail System Safety (**Rail TSSP course**)
6. Transit Rail Incident Investigation (**Rail TSSP course**)
7. Effectively Managing Transit Emergencies (**Rail TSSP course**)

Rail Transit Agency (RTA) Participants

1. SMS Awareness
2. SMS Safety Assurance
3. SMS Principles for Transit
4. Transit Rail System Safety (**Rail TSSP course**)
5. Transit Rail Incident Investigation (**Rail TSSP course**)
6. Effectively Managing Transit Emergencies (**Rail TSSP course**)

Courses for Voluntary Participants

Bus Agency Participants

1. SMS Awareness
2. SMS Safety Assurance
3. SMS Principles for Transit
4. Transit Bus System Safety (**Bus TSSP course**)
5. Fundamentals of Bus Collision Investigation (**Bus TSSP course**)
6. Effectively Managing Transit Emergencies (**Bus TSSP course**)

Training Rule Technical Assistance

To assist with the implementation of the final Training Rule FTA has published:

- Guidance on designating personnel
- Information on ITPs based on job category
- Information on enrollment and registration
- Equivalency credit request form



The screenshot displays the Federal Transit Administration (FTA) website's "Safety Training" page. The page features a navigation menu on the left with categories such as "Transit Safety & Oversight", "Safety Rulemaking", "Safety Guidance", "State Safety Oversight Program", "Safety Management Systems (SMS)", "TRACS", "Drug and Alcohol Program", "Bus Safety Program", "Safety Training", "Stakeholder Outreach", and "FAQ". The main content area is titled "Safety Training" and includes a sub-heading "Public Transportation Safety Certification Training Program". The text describes the PTSCPT Final Rule, which establishes a uniform curriculum for safety training for rail transit safety personnel, effective August 20, 2018. It also mentions the implementation of FTA's statutory requirements at 49 U.S.C. § 5329(c) for State Safety Oversight Agency (SSOA) personnel and contractors. The page lists "Safety Rule Overview Webinars" with two entries: "FTA Final Safety Rules Overview Webinar 1: 2 p.m. ET Wednesday, July 25" and "FTA Final Safety Rules Overview Webinar 2: 2 p.m. ET Tuesday, July 31". Each webinar entry includes links for "Webinar Presentation" and "Webinar Recording". The page also includes "Related Links" (Public Transportation Safety Certification Training Program (PTSCPT) Final Rule, Public Transportation Agency Safety Plans, Transportation Safety Institute (TSI), TSI Learning Management System, SMS Awareness Course, FTA-Sponsored Training Courses), "Related Documents" (Request for Equivalency Credit for Non-FTA Course Training, PTSCPT Individual Training Plan Components by Job Category, PTSCPT Final Rule Guidance, PTSCPT Fact Sheet, PTSCPT FAQs), and "Contact Us" information (Office of Transit Safety and Oversight, Federal Transit Administration, 1200 New Jersey Avenue, SE, Washington, DC 20590, United States; Phone: 202-366-1783; Business Hours: 8:30 a.m.-5 p.m. ET, M-F). Social media icons for Facebook, Twitter, Google+, and YouTube are located at the bottom right.

<https://www.transit.dot.gov/regulations-and-guidance/safety/safety-training>

More Information and Follow-up Questions

- Questions: FTASafetyPromotion@dot.gov
- Call the TSO Main Number at: 202-366-1783

Training Website



The screenshot shows the Federal Transit Administration website. The main heading is "Safety Training". Below it, the "Public Transportation Safety Certification Training Program" is highlighted. The text describes the program's purpose and effective dates. A sidebar on the left lists navigation options like "Transit Safety & Oversight" and "Safety Training". On the right, there are sections for "Related Links" and "Related Documents" listing various resources and documents related to the PTSCPT program.

<https://www.transit.dot.gov/regulations-and-guidance/safety/safety-training>