



U.S. Department
of Transportation

**Federal Transit
Administration**

Headquarters

SEP 04 2018

1200 New Jersey Avenue, SE
Washington, DC 20590

Mr. Patrick Lavin
Chief Safety Officer
Washington Metropolitan Area Transit Authority (WMATA)
600 Fifth Street, NW
Washington, DC 20001

Subject: FTA Acceptance of WMATA's Work Plan to Address Safety Risks Associated with Between-Car Barriers

Dear Mr. Lavin:

I write in response to your July 27, 2018 letter concerning the between-car barriers (BCBs) on WMATA's 7000-series railcars and WMATA's updated work plan, described in Exhibit 1 of that letter, for mitigating safety risks for passengers with visual impairments using WMATA's 7000-series railcars, in light of concerns regarding rubber BCBs used on those railcars.

As you know, among the requirements stated by the Federal Transit Administration (FTA) in its June 22, 2018 letter to WMATA on this subject, WMATA was directed to expedite delivery of parts and installation of chain BCBs such that 7000-series cars in revenue service are equipped with these chain BCBs promptly, and in no event later than December 31, 2018. Your July 27 letter, and a letter you submitted from the rail car manufacturer, Kawasaki Rail Car, Inc., notes supply and manufacturing constraints preventing WMATA from completing this work by the December 2018 deadline. However, the July 27 letter demonstrates that since your June 29, 2018 response, which indicated that the work could be completed no earlier than November 2019, WMATA and Kawasaki have been able to accelerate the schedule by five months and the work is now promised to be completed by May 2019.

Additionally, the updated work plan submitted with your response details that WMATA is deploying additional strategies to mitigate safety risks associated with the rubber BCBs on the 7000-series cars. These strategies include efforts to advise and engage customers and special interest groups about 7000-series railcar BCBs and automated announcements to assist passengers in safely boarding the 7000-series cars.

Although WMATA's May 2019 commitment is later than the deadline stated in FTA's June 2018 letter, given the additions to WMATA's ongoing mitigation efforts, the nature of the supply and manufacturing constraints, and WMATA's commitment that no new 7000-series cars will enter revenue service without the new chain BCBs installed, FTA accepts this updated work plan. FTA expects WMATA to continue efforts to educate and advise passengers and engage the disability community until chain BCBs are installed on all 7000-series railcars in revenue service. In addition, WMATA must provide monthly status updates to FTA's Office of Safety and Oversight on the installation of the chain BCBs.

Mr. Patrick Lavin

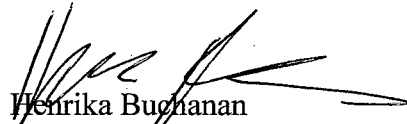
Page 2

The FTA's approval of WMATA's work plan does not constitute final agency action on this matter. If WMATA fails to install the chain BCBs by May 31, 2019, FTA will have authority to initiate enforcement action to withhold up to 25 percent of WMATA's section 5307 Urbanized Area Formula Program funds pursuant to 49 U.S.C. § 5329(g) and the procedure set forth in 49 C.F.R. § 670.23.

The FTA will continue to work with WMATA to ensure satisfaction of all of the commitments that WMATA made in the updated work plan, including that chain BCBs are installed on all 7000-series cars in revenue service by May 31, 2019.

I appreciate WMATA's ongoing attention to this matter. Please feel free to contact me if you have questions or concerns.

Sincerely,



Henrika Buchanan
Acting Associate Administrator
Office of Transit Safety and Oversight

cc: Mr. Paul Wiedefeld, General Manager, WMATA
Mr. Joseph Leader, Chief Operating Officer, WMATA
Mr. Andrew Off, Assistant General Manager for Rail Services, WMATA
Hakim Davis, Acting Managing Director, Quality Assurance, Internal Compliance &
Oversight, WMATA
Sharmila Samarasinghe, Agent, Tri-State Oversight Committee