

# FTA

FEDERAL TRANSIT ADMINISTRATION

## **Public Transportation Agency Safety Plan Final Rule**

### **Bus-Only Agencies**

**Office of Transit Safety and Oversight**

**August 28, 2018**



U.S. Department of Transportation  
Federal Transit Administration

# Today's Presentation

- Public Transportation Agency Safety Plan (PTASP)
  - PTASP Background
  - PTASP Revisions from NPRM to Final Rule
  - Overview of the PTASP Final Rule
  - Performance Management Framework and the Planning Process
  - Safety Management Systems (SMS)
  - Outreach and Technical Assistance
- Questions

# PTASP Background

# Statutory Requirements

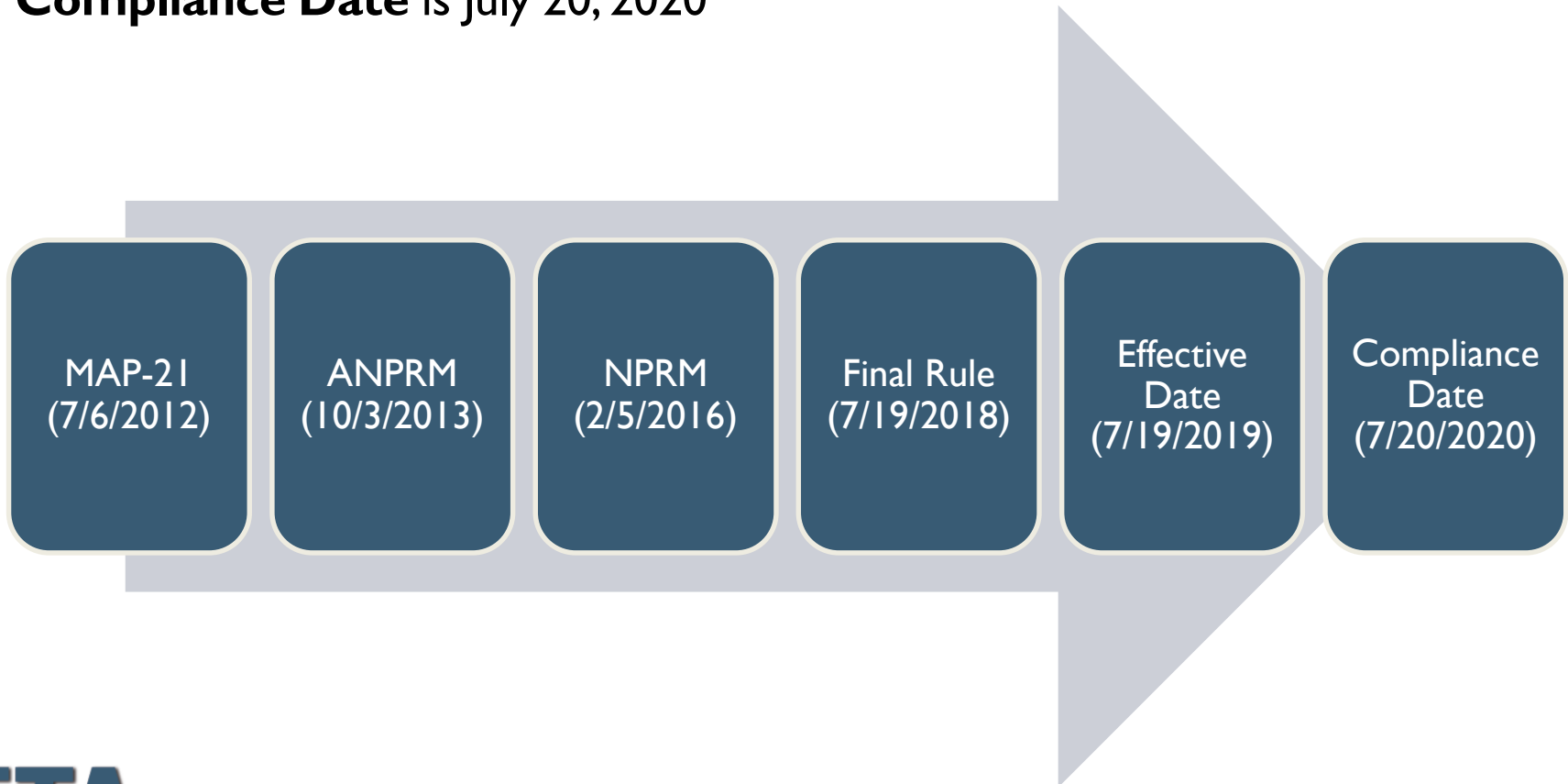
- Through MAP-21 and the FAST Act, Congress required operators of public transportation systems that receive FTA funds to develop and implement a Public Transportation Agency Safety Plan (49 U.S.C. § 5329(d)).
- FTA is implementing this requirement through the PTASP final rule (49 C.F.R. Part 673).

# The PTASP Process

**Final Rule Published** on July 19, 2018

**Effective Date** is July 19, 2019

**Compliance Date** is July 20, 2020



# Revisions from PTASP NPRM to PTASP Final Rule

# PTASP NPRM Changes

## NPRM Comments

- 646 comments from 77 individual commenters.
- The majority of commenters were supportive of Safety Management Systems (SMS).

Major Issues Discussed by Commenters		
Comment Category	FTA Response	Reduction in Burden/Cost*
Applicability	Final rule defers applicability to 2,000 small and rural operators under Sections 5310 and 5311.	\$26 million
SMS Requirements	Final rule reduces SMS requirements for small operators.	\$8.4 million
Record Keeping	Final rule reduces overall record keeping burden.	\$6.4 million

\*In relation to the costs calculated in the Notice of Proposed Rulemaking (NPRM)

# Other Changes

- Eliminates redundant safety performance target provisions and the Transit Asset Management Rule targets.
- Clarifies that training applies to those “directly responsible for” safety (as opposed to safety oversight).
- Clarifies that rail systems may incorporate existing emergency preparedness plans by reference.



# Overview of the PTASP Final Rule

# PTASP Final Rule: Table of Contents

Title 49—Transportation

PART 673—PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

Subpart A—General

Sec.

673.1 Applicability

673.3 Policy

673.5 Definitions

Subpart B—Safety Plans

673.11 General requirements

673.13 Certification of compliance

673.15 Coordination with metropolitan, statewide, and non-metropolitan planning processes

Subpart C—Safety Management Systems

673.21 General requirements

673.23 Safety management policy

673.25 Safety risk management

673.27 Safety assurance

673.29 Safety promotion

Subpart D—Safety Plan Documentation and Recordkeeping

673.31 Safety plan documentation

673.33 Safety plan records

# PTASP Applicability and Requirements

Applicability	Requirements
<p><b>Would Apply to:</b></p> <ul style="list-style-type: none"> <li>Operators of transit systems that receive FTA funds (Section 5307) and all rail transit operators (regardless of funding source).</li> </ul>	<pre> graph LR     A[Public Transportation Agency Safety Plan] --- B[Safety Management System (SMS)]     A --- C[Safety Performance Targets]     A --- D[Rail Agencies Only: Emergency Preparedness Plan]     A --- E[Employee Reporting Program]     A --- F[Approved by Accountable Executive and Board of Directors (and SSOA for rail transit agencies)]     A --- G[Annual Review/Update]     A --- H[Compliance with Public Transportation Safety Program/National Safety Plan]     A --- I[Assignment of Chief Safety Officer]         </pre>
<p><b>Would Not Apply to:</b></p> <ul style="list-style-type: none"> <li>FTA recipients that do not operate transit systems.</li> <li>Commuter rail service regulated by FRA.</li> <li>Passenger ferry service regulated by USCG.</li> <li>Deferring applicability for operators that only receive Section 5310 and Section 5311 funds (both recipients and sub-recipients).</li> </ul>	

# Safety Plan Development and Implementation

- Rail transit agencies and large bus operators must develop and implement their own safety plans.
- A State must develop a safety plan for small transit agencies within the State that receive Urbanized Area Formula Program funds (49 U.S.C. § 5307) and operate 100 or fewer vehicles in peak revenue service, unless the transit agency chooses to develop its own safety plan. In either case, small bus operators must implement their own safety plans.

# Large Bus Safety Plan Development and Implementation

- Large bus transit agencies must develop and implement their own safety plans
- Large bus transit agencies are defined as having more than 100 vehicles in peak revenue service.
- Some large bus agencies may already have a safety plan, but the **requirement** to have a safety plan is new
- Large bus transit agencies must incorporate all elements of SMS in to their safety plans
- Use the Safety Plan Template for Bus Transit on FTA's website

# Small Bus Safety Plan Development and Implementation

- State DOTs must develop safety plans on behalf of all small bus transit agencies that receive 5307 funds within their state (fewer than 100 vehicles in peak revenue service)
  - Grant Manager
  - Transit Program Manager
- SSOAs cannot draft a plan for a Small bus transit agency
- Small bus transit agencies must implement the safety plan
- Small bus transit agencies can opt to draft their own plan, but must notify the State DOT they are going to do so

# Small Bus Safety Plan Development and Implementation

- Some small bus agencies may already have a safety plan, but the **requirement** to have a safety plan is new
- Small bus transit agencies do not need to incorporate all elements of SMS in to their safety plans
  - Only implement Safety Performance Monitoring and Measurement
- Use the Safety Plan Template for Bus Transit on FTA's website

# Multimodal Safety Plan Development and Implementation

- Multimodal transit agencies can decide whether to develop and implement one plan for the entire agency, or separate plans for each mode
- No requirement to draft plans in a particular way
- Things to think about:
  - Staff available to draft and implement the plan(s)
  - Size of system
  - Number of modes



# Use of Grant Funds for Safety Plan Development and Implementation

- No additional funding provided to grantees for compliance with the PTASP Final Rule
- Federal funds may be used to develop and implement a safety plan:

• 5303	• 5309
• 5304	• 5337
• 5307	• 5339
- SSOA funds may **not** be used for any bus activities, only to be used for rail activities

# Safety Plan Approval

- Safety plan must be signed by agency's Accountable Executive.
- Safety plan must be approved by agency's Board of Directors or an equivalent authority (such as a mayor, county executive, or grant manager).
- A State Safety Oversight Agency must review and approve the safety plan for a rail transit agency for which it has responsibility.
  - **For multimodal agencies that choose to draft one plan for the entire agency, SSOAs are only required to review the rail portions of the plan**

# Safety Plan Certification

- Transit agencies, and States that draft plans on behalf of small operators, must initially self-certify through FTA's Certifications and Assurances process that they have established a Safety Plan by one year after the effective date of the rule.
- Annually, transit agencies and States self-certify that they are meeting the requirements of the rule.

# Record Keeping

Transit agencies must keep records related to their safety plan for three years.

- Documents related to the implementation of its Safety Management System (SMS) and results from SMS processes and activities.
- Documents, in whole or by reference, that describe the programs, policies, and procedures for carrying out the Public Transportation Agency Safety Plan (PTASP).

Documents must be made available upon request by FTA, other Federal entity, or a SSOA.

# PTASP Rule Oversight Framework

## FTA Role

- Guidance
- Technical assistance
- Triennial reviews

## Transit Agency (State DOT) Role

- Develop (State DOT for small bus) and implement PTASP
- Annual self-certification

## SSO Agency Role

- Review and approve PTASP
- Oversees RTA compliance

# Performance Management Framework and the Planning Process

# FTA's Safety Performance Measures (by Mode)\*

## Injuries

- Total amount and rate per total vehicle revenue miles.

## Fatalities

- Total amount and rate per total vehicle revenue miles.

## Safety Events

- Total amount and rate per total vehicle revenue miles.

## System Reliability

- Mean distance between major mechanical failures.

*\*Established in FTA's National Public Transportation Safety Plan*

# MAP-21 Performance Management Framework

## FTA

- Transit Asset Management
- National Public Transportation Safety Plan
- Public Transportation Agency Safety Plan

## FHWA

- Safety Performance
- Pavement and Bridge Condition
- System Performance & CMAQ
- Highway Safety Improvement Program
- Highway Asset Management Plan

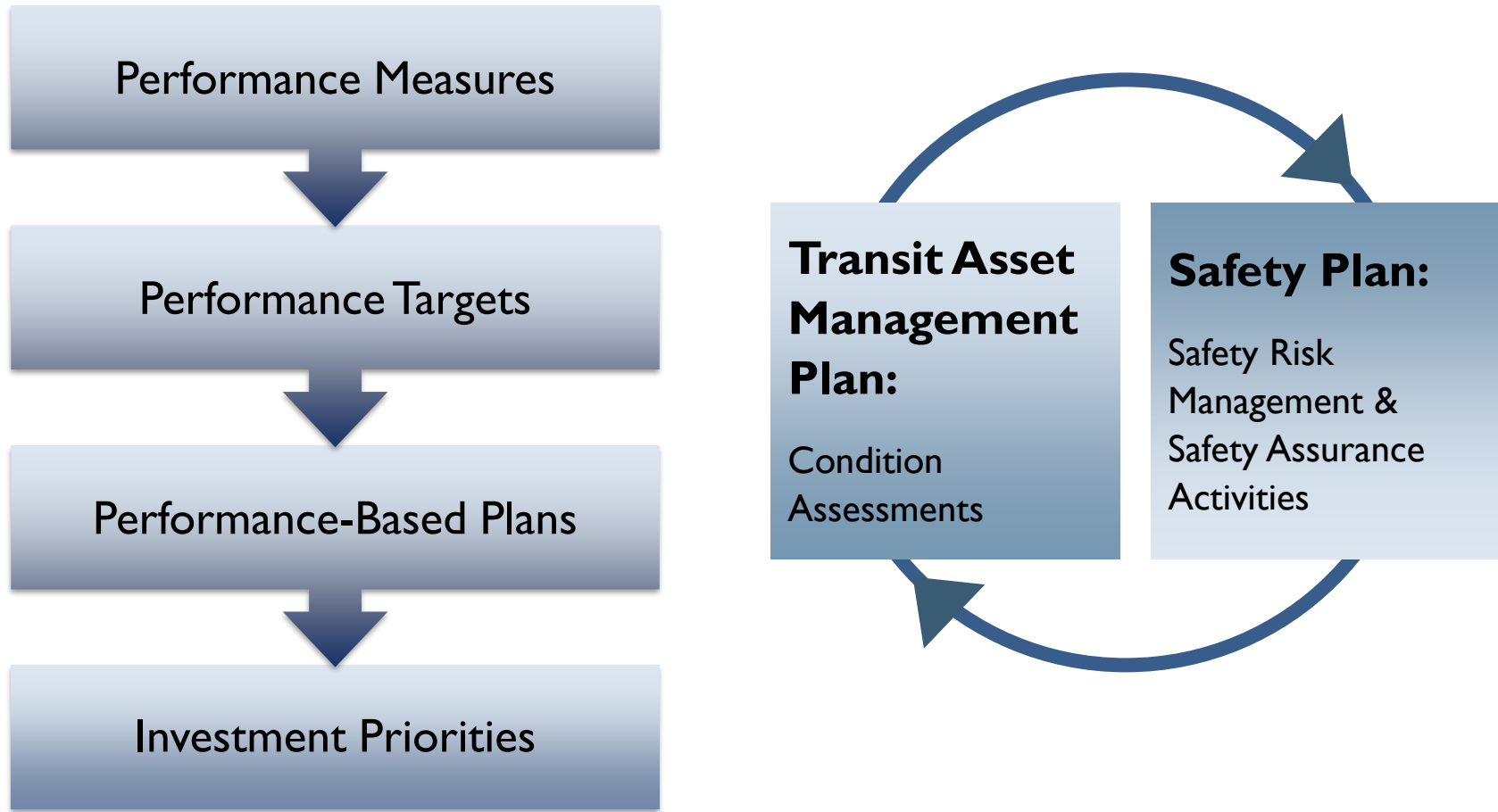
Statewide and Metropolitan Planning



# Coordination with the Planning Process

- Transit agencies are required to make their safety performance targets available to States and Metropolitan Planning Organizations (MPO).
- This will assist with the selection of safety performance targets at the State and MPO levels.
- The safety performance targets will help States and MPOs develop their investment priorities for upcoming transit projects within their jurisdictions for at least the following four years.
- The FTA/FHWA Joint Rule on Planning (23 C.F.R. Part 450) provides more information on planning and coordination requirements.

# Linking Safety, Transit Asset Management, and Project Planning



# Safety Management Systems (SMS)

# Safety Management System (SMS)



# Safety Management Policy

Establish A  
Written  
Statement of  
Safety Policy,  
Communicated  
Throughout the  
Agency, that  
Includes:

Safety objectives for the agency

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An employee reporting program

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Organizational  
accountabilities  
and safety  
responsibilities  
for:

1. Accountable Executive

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2. Chief Safety Officer

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3. Agency Leadership

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4. Key Staff Responsible for Safety

# Safety Risk Management

Establish A  
Process For:

**Identify** safety hazards.

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**Assess** the safety risks associated with the identified safety hazards.

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**Prioritize** safety hazards based on the level of risk.

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**Implement** safety risk mitigations.

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# Safety Assurance (All Transit Agencies)

Establish  
Activities  
For:

Safety  
Performance  
Monitoring and  
Measurement

Monitor compliance with/sufficiency of operations and maintenance procedures.

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Identify mitigation(s) that may be ineffective, inappropriate, or not implemented as intended.

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Conduct investigations of safety events to identify causal factors.

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Monitor safety-related information.

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# Safety Assurance (Rail/Large Bus Systems Only)

Establish Activities  
For:

Management  
of Change

Identify and assess changes that may introduce new hazards or impact safety performance.

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Continuous  
Improvement

Assess safety performance and correct safety deficiencies.



# Safety Promotion

Elements:

Comprehensive safety training program for agency employees/contractors directly responsible for safety.

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Communicate an agency's safety performance throughout the organization.

# PTASP Effective Date

The rule is effective on **July 19, 2019**. Transit agencies must develop, certify, and implement an agency safety plan by **July 20, 2020**.

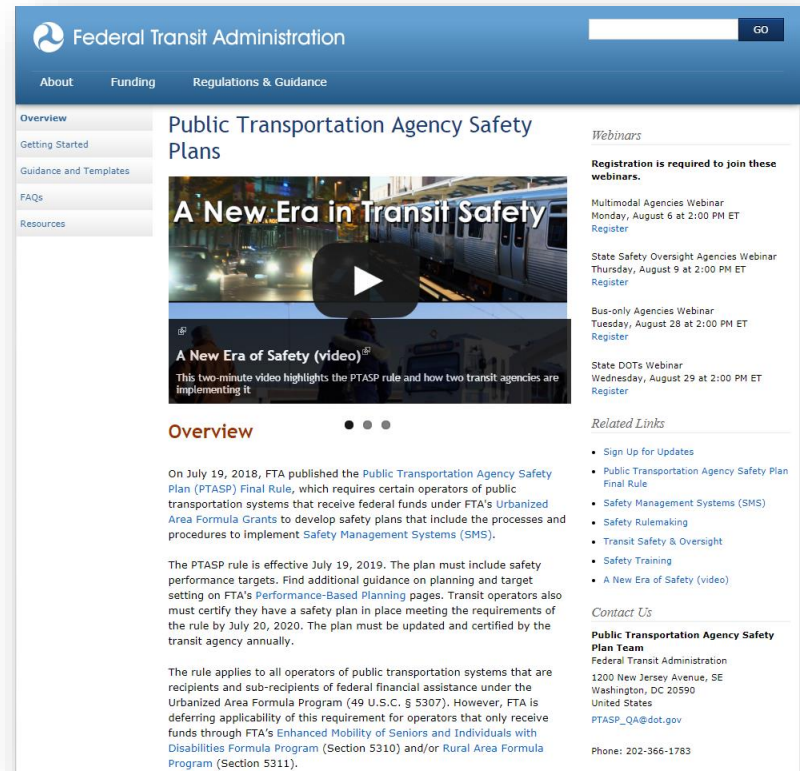
**Please do not wait to begin development of your agency safety plan. FTA cannot waive or extend the compliance deadline.**

# Outreach and Technical Assistance

# FTA Technical Assistance

To assist with the implementation of these final rules and to reduce administrative and financial burdens, FTA is publishing templates, guidance and technical assistance, including:

- Rail (forthcoming)
  - SSPP to PTASP Roadmap
  - Rail Guidance
- Bus
  - [PTASP Template](#)
  - [Bus Guidance](#)



The screenshot shows the Federal Transit Administration website page for "Public Transportation Agency Safety Plans". The page features a navigation menu with "About", "Funding", and "Regulations & Guidance". A sidebar on the left contains links for "Overview", "Getting Started", "Guidance and Templates", "FAQs", and "Resources". The main content area includes a video player titled "A New Era in Transit Safety" with a play button. Below the video is a section titled "Overview" with a three-dot menu icon. The text in the "Overview" section states: "On July 19, 2018, FTA published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). The PTASP rule is effective July 19, 2019. The plan must include safety performance targets. Find additional guidance on planning and target setting on FTA's Performance-Based Planning pages. Transit operators also must certify they have a safety plan in place meeting the requirements of the rule by July 20, 2020. The plan must be updated and certified by the transit agency annually. The rule applies to all operators of public transportation systems that are recipients and sub-recipients of federal financial assistance under the Urbanized Area Formula Program (49 U.S.C. § 5307). However, FTA is deferring applicability of this requirement for operators that only receive funds through FTA's Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310) and/or Rural Area Formula Program (Section 5311)." A "Webinars" section on the right lists several upcoming webinars with dates and "Register" links. A "Related Links" section includes links for "Sign Up for Updates", "Public Transportation Agency Safety Plan Final Rule", "Safety Management Systems (SMS)", "Safety Rulemaking", "Transit Safety & Oversight", "Safety Training", and "A New Era of Safety (video)". A "Contact Us" section provides the "Public Transportation Agency Safety Plan Team" contact information, including the address (1200 New Jersey Avenue, SE, Washington, DC 20590), email (PTASP\_QA@dot.gov), and phone number (202-366-1783).

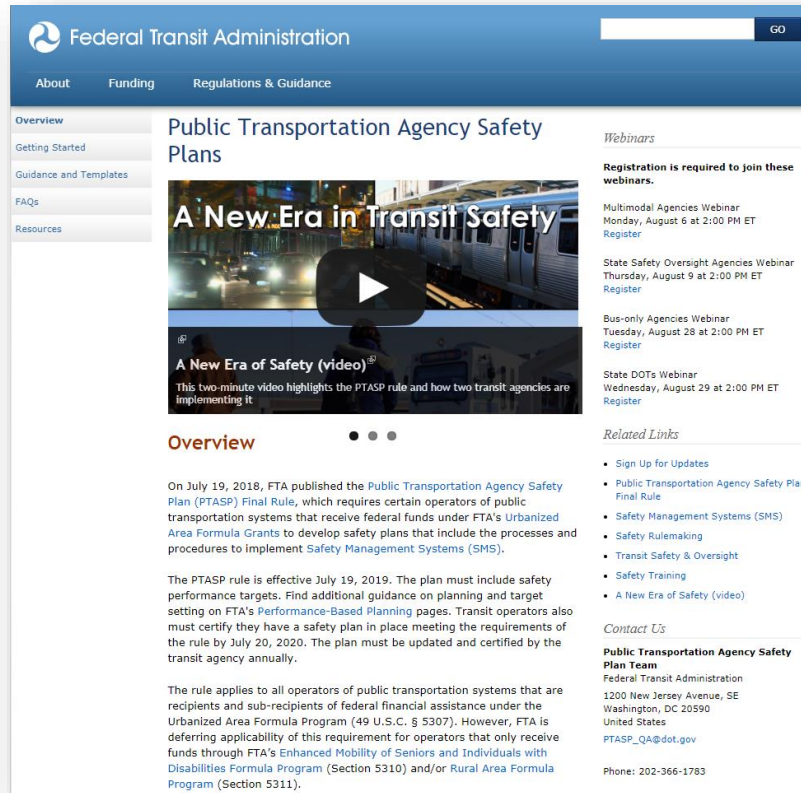
<https://www.transit.dot.gov/PTASP>

# Upcoming Webinars

Webinars	Dates
<b>Public Transportation Agency Safety Plan Final Rule</b>	State DOTs   <a href="#">Register</a> Wednesday, August 29 at 2:00 PM ET
	Multimodal Agencies   <a href="#">Register</a> Thursday, August 30 at 2:00 PM ET
	SSO Agencies   <a href="#">Register</a> Wednesday, September 5 at 2:00 PM ET
	Rail-Only Agencies   <a href="#">Register</a> Thursday, September 6 at 2:00 PM ET
	State DOTs   <a href="#">Register</a> Wednesday, September 12 at 2:00 PM ET

# More Information and Follow-up Questions

- Questions: [PTASP\\_QA@dot.gov](mailto:PTASP_QA@dot.gov)
- Other questions? Call the TSO Main Number at 202-366-1783



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