# FTA

# Public Transportation Agency Safety Plans (PTASP) Rule Refresher Webinar

U.S. Department of Transportation
**Federal Transit Administration**

# **Webinar Overview**

- PTASP requirements

- Considerations for developing and implementing your transit agency's Agency Safety Plan

- The PTASP oversight framework

- Authorities, accountabilities, and responsibilities of positions specified in the PTASP regulation

- Considerations for Agency Safety Plan approval and certification

- Key PTASP related resources

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# Poll

- Why did you choose to attend today's session? I want to…
  - Refresh my knowledge of PTASP requirements
  - Receive an introduction to PTASP requirements
  - Ask specific questions related to PTASP requirements
  - Attend for other reasons

# PTASP OVERVIEW

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# Public Transportation Agency Safety Plans (PTASP) Regulation at 49 C.F.R. Part 673

- Innovative approach to improving transit safety:

    - Based on Safety Management System (SMS) principles and methods

    - Risk and performance-based

    - Flexible and scalable

- Compliance deadline: <u>July 20, 2020</u>

# PTASP Requirements

**Agency Safety Plan (ASP)**

**Develop and certify an Agency Safety Plan**

**Safety Management System (SMS)** (*Subpart C*)

**Implement and operate a Safety Management System**

**PTASP Documentation** (*Subpart D*)

**Maintain documentation related to the ASP, SMS implementation, and results from SMS processes and activities**

# PTASP Applicability

| Applies to: | Does NOT Apply to: |
|---|---|
| **Operators of transit systems that are recipients or subrecipients of FTA funds:** | ❌ **FTA recipients that do not operate transit systems** |
| ✔ **Section 5307** | ❌ **Commuter rail service regulated by Federal Railroad Administration** |
| ⏸ **Section 5310 & 5311 (applicability deferred)** | ❌ **Passenger ferry service regulated by U.S. Coast Guard** |
| ✔ **All rail transit operators, regardless of FTA funding source** | |

**Rail Transit Agencies**

**Large 5307 Bus Agencies**

**Small 5307 Public Transportation Providers**

**Multi-modal Transit Agencies**

# What is a Small Public Transportation Provider?

✓ **100 or fewer vehicles in revenue service during peak regular service <u>across all fixed</u> route modes**

✓ **100 or fewer vehicles in revenue service during peak regular service <u>in each non-fixed</u> route mode**

✓ **Does not operate rail transit**

# Poll

A transit agency operates 35 fixed route buses and 1(one) commuter rail line that falls under FRA safety oversight.

- Is the transit agency classified as a small public transportation provider per the PTASP regulation?
  - Yes
  - No

# Examples of Small Public Transportation Providers

## ✓ Small Providers

**Agency #1**
- 35 fixed route buses
- 1 commuter rail line under FRA safety oversight

**Agency #2**
- 100 fixed route buses
- 82 demand response paratransit vehicles

**Agency #3**
- 85 fixed route buses
- 15 fixed route vanpools
- 62 demand response paratransit vehicles

## ✗ <u>Not</u> Small Providers

**Agency #4**
- 22 fixed route buses
- 2 streetcar lines

**Agency #5**
- 110 demand response paratransit vehicles

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# PTASP Oversight

## Rail Transit Modes

- SSOAs are responsible for establishing and overseeing requirements based on Parts 673 and 674 through a Program Standard
  - SSOAs may establish additional requirements
  - SSOAs provide guidance for RTAs to meet Program Standard requirements
- SSOAs cannot develop ASPs for rail transit agencies

## Bus Transit Modes

- States are not responsible for overseeing or enforcing PTASP requirements
- FTA will conduct oversight through the Triennial Review process
- PTASP requirements will be added to comprehensive review guide
- States cannot use State Safety Oversight formula funds to develop Agency Safety Plans for bus transit

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# PTASP REQUIREMENTS

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# PTASP Requirements

**Agency Safety Plan (ASP)**

Develop and certify an Agency Safety Plan

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Implement and operate a Safety Management System

**PTASP Documentation** (*Subpart D*)

Maintain documentation related to the **ASP, SMS** implementation, and results from **SMS** processes and activities

# Agency Safety Plan Requirements

- One plan for all modes, or one for each mode
  - Recommend excluding commuter rail subject to safety regulation by FRA from ASP due to data protection differences

- Must include:

  ✅ **SMS processes and activities**

  ✅ **Safety performance targets**

  ✅ **Emergency preparedness and response plan (rail only)**

  ✅ **Process and timeline for annual review and update**

# SMS Components

# Poll

- How many safety performance targets must your transit agency develop, according to the National Public Transportation Safety Plan, for <u>each mode</u>?
  - Four (4)
  - Seven (7)
  - Nine (9)

# Safety Performance Targets

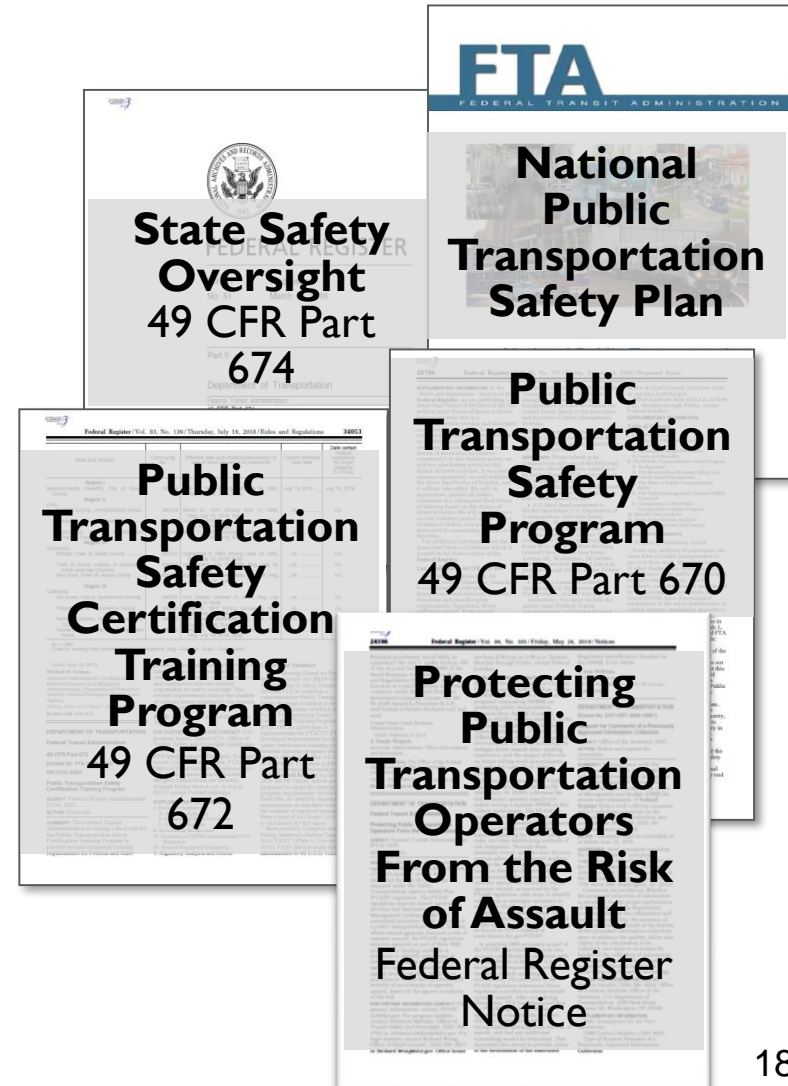| | | | |
|---|---|---|---|
| **Total number** of reportable fatalities and **rate** per total vehicle revenue miles by mode | **Total number** of reportable injuries and **rate** per total vehicle revenue miles by mode | **Total number** of reportable events and **rate** per total vehicle revenue miles by mode | **Mean distance** between major mechanical failures by mode |
| **Fatalities** | **Injuries** | **Safety Events** | **System Reliability** |

- Must develop **7** targets for the 4 measures in the National Public Transportation Safety Plan, for each mode

- "Reportable" fatalities, injuries, and events are defined in the National Transit Database Safety and Security Reporting Manual

  https://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan

# FTA Safety Program Applicable Requirements

- ASP must address applicable requirements of FTA's Safety Program based on 49 U.S.C. §5329

- Examples include:

  - Requirements established in regulations (Parts 670, 672, 673, 674)

  - General and special directives

  - Operator Assault Federal Register Notice

  - Standards in the National Public Transportation Safety Plan (not yet established)

**State Safety Oversight**
49 CFR Part 674

**National Public Transportation Safety Plan**

**Public Transportation Safety Certification Training Program**
49 CFR Part 672

**Public Transportation Safety Program**
49 CFR Part 670

**Protecting Public Transportation Operators From the Risk of Assault**
Federal Register Notice

# **Poll**

- Which of the following roles is described in the PTASP regulation as an "adequately trained individual with authority and responsibility for day-to-day implementation and operation of the SMS?"

  - Accountable Executive

  - Chief Safety Officer

  - Agency Leadership and Executive Management

# The Accountable Executive

- A single, identifiable person who has ultimate responsibility for carrying out the Agency Safety Plan and the Transit Asset Management (TAM) Plan

- Has control or direction over the human and capital resources needed to develop and maintain the Agency Safety Plan and TAM Plan

- Accountable for ensuring that the agency's SMS is effectively implemented, and action is taken, as necessary, to address substandard performance in the agency's SMS

- Accountable Executive may be a contractor if these criteria are met

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# Chief Safety Officer (CSO) or SMS Executive

- An adequately trained individual with authority and responsibility for day-to-day implementation and operation of the SMS

- Designated as the CSO/SMS Executive by the Accountable Executive

- Direct line of reporting to the Accountable Executive

- May be a full-time or part-time employee of the transit system, or a contracted employee

- For rail modes, may not serve in other operational or maintenance capacities unless those responsibilities have a nexus to safety, for example:
  - Security
  - Training
  - Transit asset management

# Poll

- How many years at a <u>minimum</u> must your transit agency maintain PTASP documentation and recordkeeping?
    - Three (3)
    - Four (4)
    - Five (5)
    - Ten (10)

# PTASP Documentation and Recordkeeping

- Must maintain PTASP-related documents for a minimum of <u>three years</u> after they are created and make these documents available upon request by the FTA, other Federal agency or SSOA

- Transit agencies must maintain documentation and recordkeeping of:

  - Establishing the ASP, including documents included in whole or by reference

  - Programs, policies, and procedures to carry out the ASP

  - SMS implementation activities

  - Results from SMS processes and activities

# ASP DEVELOPMENT AND IMPLEMENTATION

# Funding

Federal funds may be used to develop and implement an Agency Safety Plan

| Development | Implementation |
|---|---|

**Section 5305 Statewide Transportation Planning Program**

**Section 5307 Urbanized Area Formula Grants**

**Section 5307 Urbanized Area Formula Grants**

**Section 5337 State of Good Repair Grants**

**Section 5339 Grants for Bus and Bus Facilities Program**

# Rail Agency Safety Plan Development and Implementation

Rail Transit Providers

- Must develop and implement their own Agency Safety Plan
- SSOA cannot draft ASP
- Must follow SSOA Program Standard

# Poll

- Of the following options, which entity is responsible for drafting and certifying Agency Safety Plans for small public transportation providers?
    - The small public transportation provider
    - The State Safety Oversight Agency
    - The State
    - The Federal Transit Administration

# Bus Agency Safety Plan Development and Implementation

Small Public Transportation Providers

- States are responsible for developing the initial ASP*
- Small providers must implement the ASP
- Certify annually to FTA

Large Bus Transit Agencies

- Develop and implement their own ASPs
- Certify annually to FTA

*A small provider may choose to develop their own Agency Safety Plan, but must notify the State.

# Documenting Agency Processes

**Describe** the processes

**Reference** other documents

**Explain** the referenced documents

**Discuss** implementation plans

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# Agency Safety Plan Approval

- Must be signed by the agency's Accountable Executive

- Must be approved by agency's Board of Directors or an Equivalent Authority

- A State Safety Oversight Agency must review and approve the safety plan for a rail transit agency for which it has responsibility

# Agency Safety Plan Certification

- Applicable States and transit agencies must certify that they meet the PTASP regulation requirements

- States and transit agencies will certify through the Certifications and Assurances process

- FTA will provide further guidance on certifying PTASP compliance
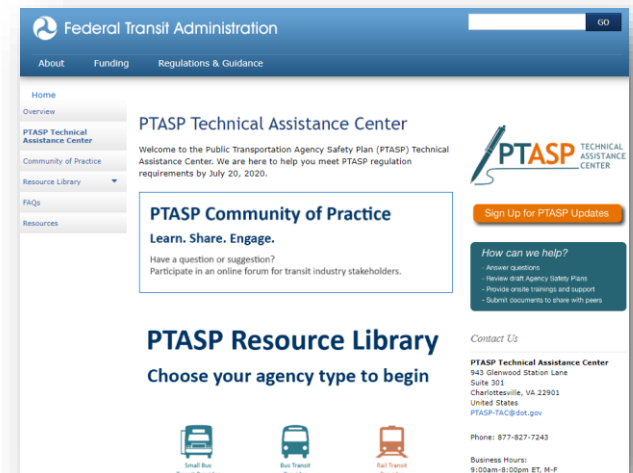
# PTASP RESOURCES

# PTASP TAC Overview

- **Now open!**
  - TAC launched on October 14, 2019

- **PTASP TAC goal:**
  - Provide comprehensive technical assistance to help the transit industry meet Public Transportation Agency Safety Plan (PTASP) regulation requirements at 49 C.F.R. Part 673

- **Who is it for?**
  - Bus and rail transit providers, large and small
  - State Departments of Transportation (DOTs)
  - State Safety Oversight Agencies (SSOAs)

**www.transit.dot.gov/ PTASP-TAC**

# PTASP TAC Components

## Community of Practice

- Online discussion forums to ask questions, share ideas and documents, and engage with posts
- Hosted on DOT's UserVoice platform
- Moderated during business hours

## Resource Library

- Voluntary technical assistance materials organized by agency type
- Hosted on FTA's website
- Updated with new materials, based on industry needs

## One-on-One Technical Assistance

- Agency Safety Plan (ASP) reviews
- Help desk to answer questions and schedule assistance
  - Staffed 9am-8pm ET, M-F, with a dedicated phone number, email and mailing address
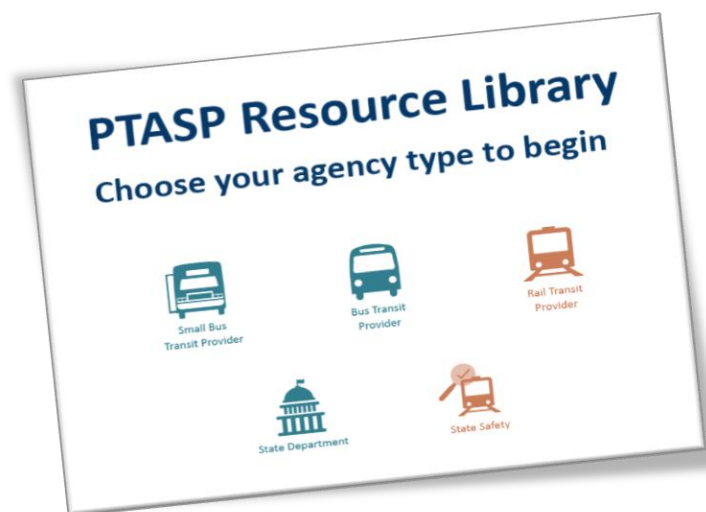
## Onsite Technical Assistance

- Onsite training
- Targeted onsite assistance
- Prioritized based on agency type, ASP development status, and identified needs

# Resource Library

- Centralized location for voluntary technical assistance resources

- Organized by agency type and topic category
  - Categories align with PTASP requirements at 49 C.F.R. Part 673 for convenience

- Updated resources include:
  - Fact Sheets
  - Frequently Asked Questions (FAQs)
  - Materials from FTA's recent workshops
  - Tools and checklists
  - Training
  - Peer materials and examples



**PTASP Resource Library**
Choose your agency type to begin

Small Bus Transit Provider

Bus Transit Provider

Rail Transit Provider

State Department

State Safety

# Links and Contact Information

**Technical Assistance Center**

- www.transit.dot.gov/PTASP-TAC

**PTASP Community of Practice**

- www.transit.dot.gov/PTASP-COP

**Frequently Asked Questions**

- www.transit.dot.gov/PTASP-FAQs

transit.dot.gov/PTASP-TAC

1 - 877 - 827 - 7243

PTASP-TAC@dot.gov

PTASP Technical Assistance Center
943 Glenwood Station Lane, Suite 301
Charlottesville, VA 22901

# **Poll**

- How likely are you to use the services provided by the PTASP Technical Assistance Center?
  - No thanks, my agency is good to go
  - My agency might use it
  - Absolutely

# PARTICIPANT QUESTIONS