**Appendix A**

**Federal Transit Administration (FTA):**

- **National Public Transportation Safety Plan**
- **Public Transportation Safety Plan (49 CFR 670)**
- **Rail Transit Roadway Worker Protection (49 CFR Part 671)**
- **Public Transportation Safety Certification Training Program (49 CFR Part 672)**
- **Public Transportation Agency Safety Plan (49 CFR Part 673)**
- **State Safety Oversight Regulation (49 CFR Part 674)**

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# PART 670—PUBLIC TRANSPORTATION SAFETY PROGRAM



(a) Authority: 49 U.S.C. 5329, 49 CFR 1.91.

## Subpart A—General Provisions

§ 670.1

Purpose and applicability.

This part carries out the mandate of 49 U.S.C. 5329 to improve the safety of public transportation systems. This part establishes substantive and procedural rules for FTA's administration of the Public Transportation Safety Program. This part applies to recipients of Federal financial assistance under 49 U.S.C. chapter 53.

§ 670.3

Policy.

The Federal Transit Administration (FTA) has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation in the United States. FTA will follow the principles and methods of SMS in its development of rules, regulations, policies, guidance, best practices and technical assistance administered under the authority of 49 U.S.C. 5329.

§ 670.5

Definitions.

As used in this part:

*Accountable Executive* means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Administrator* means the Federal Transit Administrator or his or her designee.

*Advisory* means a notice that informs or warns a recipient of hazards or risks to the recipient's public transportation system. An advisory may include recommendations for avoiding or mitigating the hazards or risks.

*Audit* means a review or analysis of records and related materials, including, but not limited to, those related to financial accounts.

*Corrective action plan* means a plan developed by a recipient that describes the actions the recipient will take to minimize, control, correct or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency of FTA may require a recipient to develop and carry out a corrective action plan.

*Deputy Administrator* means the Federal Transit Deputy Administrator or his or her designee.

*Directive* means a written communication from FTA to a recipient that requires the recipient to take one or more specific actions to ensure the safety of the recipient's public transportation system.

*Examination* means a process for gathering or analyzing facts or information related to the safety of a public transportation system.

*FTA* means the Federal Transit Administration.

*Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a recipient's public transportation system; or damage to the environment.

*Inspection* means a physical observation of equipment, facilities, rolling stock, operations, or records for the purpose of gathering or analyzing facts or information.

*Investigation* means the process of determining the causal and contributing factors of an accident, incident or hazard for the purpose of preventing recurrence and mitigating risk.

*National Public Transportation Safety Plan* means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

*Pattern or practice* means two or more findings by FTA of a recipient's violation of the requirements of 49 U.S.C. 5329 or the regulations thereunder.

*Recipient* means a State or local governmental authority, or any other operator of public transportation that receives financial assistance under 49 U.S.C. Chapter 53. The term “recipient” includes State Safety Oversight Agencies.

*Record* means any writing, drawing, map, recording, diskette, DVD, CD-ROM, tape, film, photograph, or other documentary material by which information is preserved. The term “record” also includes any such documentary material stored electronically.

*Risk* means the composite of predicted severity and likelihood of the potential effect of a hazard.

*Safety Management System (SMS)* means a formal, top-down, organization-wide data-driven approach to managing safety risk and assuring the effectiveness of a recipient's safety risk mitigations. SMS includes systematic procedures, practices and policies for managing risks and hazards.

*State* means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

*State Safety Oversight Agency* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR part 659 or 49 CFR part 674.

*Testing* means an assessment of equipment, facilities, rolling stock or operations of a recipient's public transportation system.

**Subpart B—Inspections, Investigations, Audits, Examinations and Testing**

§ 670.11

General.

(a) The Administrator may conduct investigations, inspections, audits and examinations, and test the equipment, facilities, rolling stock and operations of a recipient's public transportation system.

(b) To the extent practicable, the Administrator will provide notice to a recipient prior to initiating any activities carried out under the authorities listed in paragraph (a) of this section.

(c) The Administrator will conduct activities carried out under this section at reasonable times and in a reasonable manner, as determined by the Administrator.

(d) In carrying out this section, the Administrator may require the production of relevant documents and records, take evidence, issue subpoenas and depositions, and prescribe recordkeeping and reporting requirements.

§ 670.13

Request for confidential treatment of records.

(a) The Administrator may grant a recipient's request for confidential treatment of records produced under § 670.11, on the basis that the records are—

(1) Exempt from the mandatory disclosure requirements of the Freedom of Information Act (5 U.S.C. 552);

(2) Required to be held in confidence by 18 U.S.C. 1905; or

(3) Otherwise exempt from public disclosure under Federal or State laws.

(b) A recipient must submit the record that contains the alleged confidential information with the request for confidential treatment.

(c) A recipient's request for confidential treatment must include a statement justifying nondisclosure and provide the specific legal basis upon which the request for nondisclosure should be granted.

(d) A recipient's justification statement must indicate whether the recipient is requesting confidentiality for the entire record, or whether non-confidential information in the record can be reasonably segregated from the confidential information. If a recipient is requesting confidentiality for only a portion of the record, the request must include a copy of the entire record and a second copy of the record where the purportedly confidential information has been redacted. The Administrator may assume there is no objection to public disclosure of the record in its entirety if the requestor does not submit a second copy of the record with the confidential information redacted at the time that the request is submitted.

(e) A recipient must mark any record containing any information for which confidential treatment is requested as follows—"CONFIDENTIAL" or "CONTAINS CONFIDENTIAL INFORMATION" in bold letters.

(f) The Administrator will provide notice to a recipient of his or her decision to approve or deny a request, in whole or in part, no less than five (5) days prior to the public disclosure of a record by FTA. The Administrator will provide an opportunity for a recipient to respond to his or her decision prior to the public disclosure of a record.

**Subpart C—Authorities**

§ 670. 21

General.

In addition to actions described in §§ 670.23 through 670.29, in exercising his or her authority under this part, the Administrator may—

(a) Require more frequent oversight of a recipient by a State Safety Oversight Agency that has jurisdiction over the recipient;

(b) Impose requirements for more frequent reporting by a recipient;

(c) Order a recipient to develop and carry out a corrective action plan; and

(d) Issue restrictions and prohibitions, if through testing, inspection, investigation, audit or research carried out under Chapter 53, the Administrator determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, exist such that there is a substantial risk of death or personal injury.

§ 670.23

Use or withholding of funds.

(a) *Directing the use of funds.* The Administrator may require a recipient to use Chapter 53 funds to correct safety violations identified by the Administrator or a State Safety Oversight Agency before such funds are used for any other purpose.

(b) *Withholding of funds.* Except as provided under 49 CFR part 674, the Administrator may withhold not more than twenty-five (25) percent of funds apportioned under 49 U.S.C. 5307 from a recipient when the Administrator has evidence that the recipient has engaged in a pattern or practice of serious safety violations, or has otherwise refused to comply with the Public Transportation Safety Program, as codified at 49 U.S.C. 5329, or any regulation or directive issued under those laws for which the Administrator exercises enforcement authority for safety.

(c) *Notice.* The Administrator will issue a notice of violation that includes the amount the Administrator proposes to redirect or withhold at least ninety (90) days prior to the date from when the funds will be redirected or withheld. The notice will contain—

(1) A statement of the legal authority for its issuance;

(2) A statement of the regulatory provisions or directives FTA believes the recipient has violated;

(3) A statement of the remedial action sought to correct the violation; and

(4) A statement of facts supporting the proposed remedial action.

(d) *Reply.* Within thirty (30) days of service of a notice of violation, a recipient may file a written reply with the Administrator. Upon receipt of a written request, the Administrator may extend the time for filing for good cause shown. The reply must be in writing, and signed by the recipient's Accountable Executive or equivalent entity. A written reply may include an explanation for the alleged violation, provide relevant information or materials in response to the alleged violation or in mitigation thereof, or recommend alternative means of compliance for consideration by the Administrator.

(e) *Decision.* The Administrator will issue a written decision within thirty (30) days of his or her receipt of a recipient's reply. The Administrator shall consider a recipient's response in determining whether to dismiss the notice of violation in whole or in part. If a notice of violation is not dismissed, the Administrator may undertake any other enforcement action he or she deems appropriate.

§ 670.25

General directives.

(a) *General.* The Administrator may issue a general directive under this part that is applicable to all recipients or a subset of recipients for the following reasons—

(1) The Administrator determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, exists such that there is a risk of death or personal injury, or damage to property or equipment; or

(2) For any other purpose where the Administrator determines that the public interest requires the avoidance or mitigation of a hazard or risk.

(b) *Effective date.* A general directive is effective upon final notice provided by the Administrator under paragraph (e) of this section.

(c) *Notice.* The Administrator will provide notice of a general directive to recipients in the **Federal Register** . The notice will include at minimum—

(1) A reference to the authority under which the directive is being issued;

(2) A statement of the purpose of the issuance of the directive, including a description of the subjects or issues involved and a statement of the remedial actions sought; and

(3) A statement of the time within which written comments must be received by FTA.

(d) *Consideration of comments received.* The Administrator will consider all timely comments received. Late filed comments will be considered to the extent practicable.

(e) *Final notice.* After consideration of timely comments received, the Administrator will publish a notice in the **Federal Register** that includes both a response to comments and a final general directive or a statement rescinding, revising, revoking or suspending the directive.

§ 670.27

Special directives.

(a) *General.* The Deputy Administrator may issue a special directive under this part to one or more named recipients for the following reasons—

(1) The Deputy Administrator has reason to believe that a recipient is engaging in conduct, or there is evidence of a pattern or practice of a recipient's conduct, in violation of the Public Transportation Safety Program or any regulation or directive issued under those laws for which the Administrator exercises enforcement authority for safety;

(2) The Deputy Administrator determines that an unsafe condition or practice, or a combination of unsafe conditions and practices exists such that there is a substantial risk of death or personal injury, or damage to property or equipment; or

(3) For any other purpose where the Deputy Administrator determines that the public interest requires the avoidance or mitigation of a hazard or risk through immediate compliance.

(b) *Effective date.* A special directive is effective upon notice provided by the Deputy Administrator under paragraph (c) of this section.

(c) *Notice.* The Deputy Administrator will provide notice to a recipient that is subject to a special directive. The Deputy Administrator may initially provide notice through telephonic or electronic communication; however, written notice will be served by personal service or by U.S. mail following telephonic or electronic communication. Notice will include the following information, at minimum—

(1) The name of the recipient or recipients to which the directive applies;

(2) A reference to the authority under which the directive is being issued; and

(3) A statement of the purpose of the issuance of the directive, including a description of the subjects or issues involved, a statement of facts upon which the notice is being issued, a statement of the remedial actions being sought, and the date by which such remedial actions must be taken.

(d) *Petition for reconsideration.* Within thirty (30) days of service of a notice issued under paragraph (c) of this section, a recipient may file a petition for reconsideration with the Administrator. Unless explicitly stayed or modified by the Administrator, a special directive will remain in effect and must be observed pending review of a petition for reconsideration. Any such petition:

(1) Must be in writing and signed by a recipient's Accountable Executive or equivalent entity;

(2) Must include a brief explanation of why the recipient believes the special directive should not apply to it or why compliance with the special directive is not possible, is not practicable, is unreasonable, or is not in the public interest; and

(3) May include relevant information regarding the factual basis upon which the special directive was issued, information in response to any alleged violation or in mitigation thereof, recommend alternative means of compliance for consideration, and any other information deemed appropriate by the recipient.

(e) *Request for extension.* Upon written request, the Administrator may extend the time for filing a request for reconsideration for good cause shown.

(f) *Filing a petition for reconsideration.* A petition must be submitted to the Office of the Administrator, Federal Transit Administration, using one of the following methods—

(1) Email to FTA, sent to an email address provided in the notice of special directive;

(2) Facsimile to FTA at 202-366-9854; or

(3) Mail to FTA at: FTA, Office of the Administrator, 1200 New Jersey Ave. SE., Washington, DC 20590.

(g) *Processing of petitions for reconsideration—*

(1) *General.* Each petition received under this section will be reviewed and disposed of by the Administrator no later than ninety days (90) after receipt of the petition. No hearing, argument or other proceeding will be held directly on a petition before its disposition under this section.

(2) *Grants.* If the Administrator determines the petition contains adequate justification, he or she may grant the petition, in whole or in part.

(3) *Denials.* If the Administrator determines the petition does not justify modifying, rescinding or revoking the directive, in whole or in part, he or she may deny the petition.

(4) *Notification.* The Administrator will issue notification to a recipient of his or her decision.

(h) *Judicial review.* A recipient may seek judicial review in an appropriate United States District Court after a final action of FTA under this section, as provided in 5 U.S.C. 701-706.

§ 670.29

Advisories.

In any instance in which the Administrator determines there are hazards or risks to public transportation, the Administrator may issue an advisory which recommends corrective actions, inspections, conditions, limitations or other actions to avoid or mitigate any hazards or risks. The Administrator will issue notice to recipients of an advisory in the **Federal Register** .

**Subpart D—National Public Transportation Safety Plan**

§ 670.31

Purpose and contents of the National Public Transportation Safety Plan.

Periodically, FTA will issue a National Public Transportation Safety Plan to improve the safety of all public transportation systems that receive funding under 49 U.S.C. Chapter 53. The National Public Transportation Safety Plan will include the following—

(a) Safety performance criteria for all modes of public transportation, established through public notice and comment;

(b) The definition of *state of good repair;*

(c) Minimum safety performance standards for vehicles in revenue operations, established through public notice and comment;

(d) Minimum performance standards for public transportation operations established through public notice and comment;

(e) The Public Transportation Safety Certification Training Program;

(f) Safety advisories, directives and reports;

(g) Best practices, technical assistance, templates and other tools;

(h) Research, reports, data and information on hazard identification and risk management in public transportation, and guidance regarding the prevention of accidents and incidents in public transportation; and

(i) Any other content as determined by FTA.

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## PART 671—RAIL TRANSIT ROADWAY WORKER PROTECTION

Risk-Based Redundant Protections.

**671.41**

RWP Training and Qualification Program.

**671.43**

RWP Compliance Monitoring Program.

Subpart E—Recordkeeping

**671.51**

Recordkeeping.

**PART 671—RAIL TRANSIT ROADWAY WORKER PROTECTION**

Authority: 49 U.S.C. 5329, 49 CFR 1.91.

Subpart A—General

§ 671.1

Purpose and Applicability.

(a) The purpose of this part is to set forth the applicability of the rail transit Roadway Worker Protection (RWP) regulation.

(b) This part applies to rail transit agencies (RTA) that receive Federal financial assistance authorized under 49 U.S.C. chapter 53; and to State Safety Oversight Agencies (SSOA) that oversee the safety of rail fixed guideway public transportation systems. This part does not apply to rail systems that are subject to the safety oversight of the Federal Railroad Administration (FRA).

(c) This part applies to transit workers who access any rail fixed guideway public transportation systems in the performance of work.

(d) An RTA must coordinate with an SSOA to establish an SSOA-approved RWP program that meets the requirements of this part, within one calendar year from the effective date of this rule.

§ 671.3

Policy.

(a) This part establishes minimum safety standards for rail transit Roadway Worker Protection (RWP) to ensure the safe operation of public transportation systems and to prevent safety events, fatalities, and injuries to transit workers who may access the roadway in the performance of work. Each RTA and SSOA may prescribe additional or more stringent operating rules, safety rules, and other special instructions that are consistent with this part.

(b) The Federal Transit Administration (FTA) has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation in the United States. Activities conducted to carry out these RWP safety standards must be integrated into the RTA's SMS, including the Safety Risk Management (SRM) process, specified in § 673.25 of this chapter, and the Safety Assurance process, specified in § 673.27 of this chapter.

§ 671.5

Definitions.

As used in this part:

Accountable Executive means a single identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a transit agency; responsibility for carrying out the transit agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Ample time* means the time necessary for a roadway worker to be clear of the track zone or in a place of safety 15 seconds before a rail transit vehicle moving at the maximum authorized speed on that track could arrive at the location of the roadway worker.

Equivalent entity means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

*Equivalent protection* means alternative designs, materials, or methods that the RTA can demonstrate to the SSOA will provide equal or greater safety for roadway workers than the means specified in this part.

*Flag person* means a roadway worker designated to direct or restrict the movement of rail transit vehicles or equipment past a point on a track to provide on-track safety for roadway workers, while engaged solely in performing that function.

*Foul time protection* is a method of establishing working limits in which a roadway worker is notified by the control center that no rail transit vehicles will be authorized to operate within a specific segment of track until the roadway worker reports clear of the track.

*Fouling a track* means the placement of an individual or an item of equipment in such proximity to a track that the individual or equipment could be struck by a moving rail transit vehicle or on-track equipment, typically within four feet of the outside rail on both sides of any track.

*Individual rail transit vehicle detection* means a process by which a lone worker acquires on-track safety by visually detecting approaching rail transit vehicles or equipment and leaving the track in ample time.

*Job safety briefing* means a meeting addressing the requirements of this part that is conducted prior to commencing work by the Roadway Worker in Charge, typically at the job site, to notify roadway workers or other transit workers about the hazards related to the work to be performed and the protections to eliminate or protect against those hazards. Alternatively, briefings can be conducted virtually for those individuals who are working remotely on the job site.

*Lone worker* means an individual roadway worker who is not afforded on-track safety by another roadway worker, who is not a member of a roadway work group, and who is not engaged in a common task with another roadway worker.

*Maximum authorized speed* means the highest speed permitted for the movement of rail transit vehicles established by the rail transit vehicle control system, service schedule, and operating rules. This speed is used when calculating ample time.

*Minor tasks* mean those tasks performed without the use of tools during the execution of which a roadway worker or other transit worker can hear and visually assess their surroundings at least every five (5) seconds for approaching rail transit vehicles and that can be performed without violating ample time.

*Near-miss* means a narrowly avoided safety event.

*On-track safety* means a state of freedom from the danger of being struck by a moving rail transit vehicle or other equipment, and other on-track hazards, as provided by operating and safety rules that govern track occupancy by roadway workers, other transit workers, rail transit vehicles, and on-track equipment.

*Place of safety* means a space an individual or individuals can safely occupy outside the track zone, sufficiently clear of any rail transit vehicle, including any on-track equipment, moving on any track.

*Qualified* means a status attained by a roadway worker or other transit worker who has successfully completed required training (including refresher training) for, has demonstrated proficiency in, and is authorized by the RTA to perform the duties of a particular position or function.

*Rail fixed guideway public transportation system* means any fixed guideway system, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration. These include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

*Rail transit agency (RTA)* means any entity that provides services on a rail fixed guideway public transportation system.

*Rail transit vehicle* means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

*Rail transit vehicle approach warning* means a method of establishing on-track safety by warning roadway workers of the approach of rail transit vehicles in ample time for them to move to or remain in a place of safety in accordance with the requirements of this part.

*Redundant protection* means at least one additional protection beyond individual rail transit vehicle detection to ensure on-track safety for roadway workers. Redundant protections may be procedural, physical, or both.

*Roadway* means land on which rail transit tracks and support infrastructure have been constructed to support the movement of rail transit vehicles.

*Roadway maintenance machine* means a device which is used on or near rail transit track for maintenance, repair, construction or inspection of track, bridges, roadway, signal, communications, or electric traction systems. Roadway maintenance machines may have road or rail wheels or may be stationary.

*Roadway worker* means a transit worker whose duties involve inspection, construction, maintenance, repairs, or providing on-track safety such as flag persons and watchpersons on or near the roadway or right-of-way or with the potential of fouling track.

*Roadway work group* means two or more roadway workers organized to work together on a common task.

*Roadway worker in charge* means a roadway worker who is qualified under this part to establish on-track safety.

*Roadway Worker Protection (RWP)* means the polices, processes, and procedures implemented by an RTA to prevent safety events for transit workers who must access the roadway in the performance of their work.

*RWP manual* means the entire set of the RTA's on-track safety rules and instructions maintained together, including operating rules and other procedures concerning on-track safety protection and on-track safety measures, designed to prevent roadway workers from being struck by rail transit vehicles or other on-track equipment.

*Safety event* means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

*Sight distance* means the length of roadway visible ahead for a roadway worker.

*State Safety Oversight Agency (SSOA)* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and (k) and 49 CFR part 674.

*Track access guide* means a document that describes the physical characteristics of the RTA's track system, including track areas with close or no clearance, curves with blind spots or restricted sight lines, areas with loud noise, and potential environmental conditions that require additional consideration in establishing on-track safety.

*Track zone* means an area identified by the RTA where a person or equipment could be struck by the widest equipment that could occupy the track.

*Transit worker* means any employee, contractor, or volunteer working on behalf of the RTA or SSOA.

*Transit Worker Safety Reporting Program* means the process required under § 673.23(b) that allows transit workers to report safety concerns, including transit worker assaults, near-misses, and unsafe acts and conditions to senior management, provides protections for transit workers who report safety conditions to senior management, and describes transit worker behaviors that may result in disciplinary action.

*Watchperson* means a roadway worker qualified to provide warning to roadway workers of approaching rail transit vehicles or track equipment whose sole duty is to look out for approaching rail transit vehicles and track equipment and provide at least 15 seconds advanced warning plus time to clear based on the maximum authorized track speed for the work location to transit workers before the arrival of rail transit vehicles.

*Working limits* means a segment of track with explicit boundaries upon which rail transit vehicles and on-track equipment may move only as authorized by the roadway worker having control over that defined segment of track.

*Work zone* means the immediate area where work is being performed within the track zone.

**Subpart B—Roadway Worker Protection (RWP) Program and Manual**

§ 671.11

RWP program.

(a) Each RTA must adopt and implement an approved RWP program to improve transit worker safety that is consistent with Federal and State safety requirements and meets the minimum requirements of this part.

(b) The RWP program must include:

(1) An RWP manual as described in § 671.13; and

(2) All of the RWP program elements described in Subpart D of this part.

(c) Each RTA must submit its RWP manual and subsequent updates to its SSOA for review and approval as described in § 671.25.

§ 671.13

RWP manual.

(a) Each RTA must establish and maintain a separate, dedicated manual documenting its RWP program.

(b) The RWP manual must include the terminology, abbreviations, and acronyms used to describe the RWP program activities and requirements.

(c) The RWP manual must document:

(1) All elements of the RWP program in Subpart D of this part.

(2) A definition of RTA and transit worker responsibilities as described in Subpart C—Responsibilities.

(3) Training, qualification, and supervision required for transit workers to access the track zone, by labor category or type of work performed.

(4) Processes and procedures, including any use of roadway workers to provide adequate on-track safety, for all transit workers who may access the track zone in the performance of their work, including safety and oversight personnel. Procedures for SSOA personnel to access the roadway must conform with the SSOA's risk-based inspection program.

(d) The RWP manual must include or incorporate by reference a track access guide to support on-track safety. The track access guide must be based on a physical survey of the track geometry and condition of the transit system and include, at a minimum:

(1) Locations with limited, close, or no clearance, including locations (such as alcoves, recessed spaces, or other designated places or areas of refuge or safety) with size or access limitations.

(2) Locations subject to increased rail vehicle or on-track equipment braking requirements or reduced rail transit vehicle operator visibility due to precipitation or other weather conditions.

(3) Curves with no or limited visibility.

(4) Locations with limited or no visibility due to obstructions or topography.

(5) All portals with restricted views.

(6) Locations with heavy outside noise or other environmental conditions that impact on-track safety.

(7) Any other locations with access considerations.

(e) Following initial approval of the RWP manual by its SSOA, not less than every two years, the RTA must review and update its RWP manual to reflect current conditions and lessons learned in implementing the RWP program and information provided by the SSOA and FTA.

(f) The RTA must update its RWP manual and track access guide as necessary and as soon as practicable upon any change to the system that conflicts with any element of either document.

(g) The RWP manual must be distributed to all transit workers who access the roadway and redistributed after each revision.

**Subpart C—Responsibilities**

§ 671.21

Rail transit agency.

(a) *In General.* Each RTA must establish procedures to:

(1) Provide ample time and determine the appropriate sight distance based on maximum authorized track speeds.

(2) Ensure that individual rail transit vehicle detection is never used as the only form of protection in the track zone.

(3) Provide job safety briefings to all transit workers who must enter a track zone to perform work.

(4) Provide job safety briefings to all transit workers whenever a rule violation is observed.

(5) Provide transit workers with the right to challenge and refuse in good faith any assignment based on on-track safety concerns and resolve such challenges and refusals promptly and equitably.

(6) Require the reporting of unsafe acts, unsafe conditions, and near-misses on the roadway as part of the Transit Worker Safety Reporting Program and described in § 673.23(b) of this chapter.

(7) Ensure all transit workers who must enter a track zone to perform work understand, are qualified in, and comply with the RWP program.

(8) Provide an escort, as needed, to support individuals that are not RWP certified and do not fall into the categories of roadway worker, transit worker, or emergency personnel if they must enter a track zone.

(b) *Equipment and protections.* Each RTA must establish the requirements for on-track safety, including:

(1) Equipment that transit workers must have to access the roadway or a track zone by labor category, including personal protective equipment such as high-reflection vests, safety shoes, and hard hats.

(2) Credentials ( *e.g.,* badge, wristband, RWP card) for transit workers to enter the roadway or track zone by labor category and how to display them so they are visible.

(3) Protections for emergency response personnel who must access the roadway or the track zone.

(4) Protections for multiple roadway work groups within a common work area in a track zone.

§ 671.23

Transit worker.

(a) *RWP program.* Each transit worker must follow the requirements of the RTA's RWP program by position and labor category.

(b) *Fouling the track.* A transit worker may only foul the track once they have received appropriate permissions and redundant protections have been established as specified in the RWP manual.

(c) *Acknowledgement of protections providing on-track safety.* A transit worker must understand and acknowledge in writing the protections providing on-track safety measures for their specific task before accessing the roadway or track zone.

(d) *Refusal to foul the track.* A transit worker may refuse to foul the track if the transit worker makes a good faith determination that that they believe any assignment is unsafe or would violate the RTA's RWP program.

(e) *Reporting.* A transit worker must report unsafe acts and conditions and near-misses related to the RWP program as part of the RTA's Transit Worker Safety Reporting Program.

§ 671.25

State safety oversight agency.

(a) *Review and approve RWP program elements.* The SSOA must review and approve the RWP manual and any subsequent updates for each RTA within its jurisdiction:

(1) The SSOA must coordinate with the RTA on the initial review and approval of the RWP program elements so that the RWP program is established and approved within one calendar year from December 2, 2024, and

(2) The SSOA also must submit all approved RWP program elements for each RTA in its jurisdiction, and any subsequent updates, to FTA within 30 calendar days of approving them.

(b) *RWP program oversight.* The SSOA must update its program standard to explain the role of the SSOA in overseeing an RTA's execution of its RWP program.

(c) *Annual RWP program audit.*

(1) The SSOA must conduct an annual audit of the RTA's compliance with its RWP program, including all required RWP program elements, for each RTA that it oversees.

(2) The SSOA must issue a report with any findings and recommendations arising from the audit, which must include, at minimum:

(i) An analysis of the effectiveness of the RWP program, including, at a minimum, a review of:

(A) All RWP-related events over the period covered by the audit;

(B) All RWP-related reports made to the Transit Worker Safety Reporting Program over the period covered by the audit;

(C) All documentation of instances where a transit worker(s) challenged and refused in good faith any assignment based on on-track safety concerns and documentation of the resolution for any such instance during the period covered by the audit;

(D) An assessment of the adequacy of the track access guide, including whether the guide reflects current track geometry and conditions;

(E) A review of training and qualification records for transit workers who must enter a track zone to perform work;

(F) A representative sample of written job safety briefing confirmations as described in § 671.33; and

(G) The compliance monitoring program described in § 671.43.

(ii) Recommendations for improvements, if necessary or appropriate.

(iii) Corrective action plan(s), if necessary or appropriate, must be developed and executed consistent with requirements established in part 674.

(3) The RTA must be given an opportunity to comment on any findings and recommendations.

**Subpart D—Required RWP Program Elements**

§ 671.31

Roadway worker in charge requirements.

(a) *On-track safety and supervision.* The RTA must designate one roadway worker in charge for each roadway work group whose duties require fouling a track.

(1) The roadway worker in charge must be qualified under the RTA's training and qualification program as specified in § 671.41.

(2) The roadway worker in charge may be designated generally or may be designated specifically for a particular work situation.

(3) The roadway worker in charge is responsible for the on-track safety for all members of the roadway work group.

(4) The roadway worker in charge must serve only the function of maintaining on-track safety for all members of the roadway work group and perform no other unrelated job function while designated for duty.

(5) For multiple roadway work groups within common working limits, the RTA may designate a single roadway worker in charge for the entire working limit. If a single roadway worker in charge is designated over multiple roadway work groups within a working limit, each work group must be accompanied by an employee qualified to the level of a roadway worker in charge, as specified in § 671.41, who shall be responsible for direct communication with the roadway worker in charge.

(b) *Communication.* The RTA must ensure that the roadway worker in charge provides a job safety briefing to all roadway workers before any member of a roadway work group fouls a track, following the requirements specified in § 671.33.

(1) The roadway worker in charge must provide a job safety briefing to all members of the roadway work group before any on-track safety procedures change during the work period, whenever on-track safety conditions change, or immediately following an observed violation of on-track safety procedures, before work in the track zone may continue.

(2) In the event of an emergency, the roadway worker in charge must warn each roadway worker to immediately leave the roadway and not return until on-track safety is re-established, and a job safety briefing is completed.

§ 671.33

Job safety briefing policies.

(a) *General.* The RTA must ensure the roadway worker in charge provides any roadway worker who must foul a track with a job safety briefing prior to fouling the track, every time the roadway worker fouls the track.

(b) *Elements.* The job safety briefing must include, at a minimum, the following, as appropriate:

(1) A discussion of the nature of the work to be performed and the characteristics of the work, including work plans for multiple roadway worker groups within a single work area;

(2) Working limits;

(3) The hazards involved in performing the work. For RTAs with electrified systems, this discussion must include the status of power and hazards explicitly related to the electrified system;

(4) Information on how on-track safety is to be provided for each track identified to be fouled; identification and location of key personnel, such as a watchperson and the roadway worker in charge; and information on what should be done in the event of an emergency;

(5) Instructions for each on-track safety procedure to be followed, including appropriate flags and proper flag placement;

(6) Communication roles and responsibilities for all transit workers involved in the work;

(7) Safety information about any adjacent track, defined as track next to or adjoining the track zone where on-track safety has been established, and identification of roadway maintenance machines or on-track equipment that will foul such tracks;

(8) Information on the accessibility of the roadway worker in charge, including emergency contact information, and alternative procedures in the event the roadway worker in charge is no longer accessible to members of the roadway work group;

(9) Required personal protective equipment;

(10) Designated place(s) of safety of a sufficient size to accommodate all roadway workers within the work area; and

(11) The means for determining ample time.

(c) *Confirmation and written acknowledgement.* A job safety briefing is complete only after:

(1) The roadway worker in charge confirms that each roadway worker understands the on-track safety procedures and instructions;

(2) Each roadway worker acknowledges in writing the briefing and the requirement to use the required personal protective equipment; and

(3) The roadway worker in charge confirms in writing that they have received written acknowledgement of the briefing from each worker.

(d) *Follow-up briefings.* If after the initial job safety briefing there is any change in the scope of work or roadway work group, or on-track safety conditions change, or a violation of on-track safety is observed, a follow-up job safety briefing must be conducted.

§ 671.35

Lone worker.

(a) *On-track safety and supervision.* The RTA may authorize lone workers to perform limited duties that require fouling a track.

(1) The lone worker must be qualified as a roadway worker in charge and lone worker under the RTA's training and qualification program as specified in § 671.41.

(2) The lone worker may perform routine inspection or minor tasks and move from one location to another. The lone worker may not use power tools and may only access locations have defined in the track access guide as appropriate for lone workers, *i.e.,* no loud noises, no restricted clearances, etc.

(3) The lone worker may not use individual rail transit vehicle detection, where the lone worker is solely responsible for seeing approaching trains and clearing the track before the trains arrive, as the only form of on-track safety.

(b) *Communication.* Each lone worker must communicate prior to fouling the track with a supervisor or another designated employee to receive an on-track safety job briefing consisting of the elements in § 671.33(b), including a discussion of their planned work activities and the procedures that they intend to use to establish on-track safety. The lone worker must acknowledge and document the job safety briefing in writing consistent with § 671.33(c).

§ 671.37

Good faith safety challenge.

(a) *Written procedure.* Each RTA must document its procedures that provide to every roadway worker the right to challenge and refuse in good faith any assignment they believe is unsafe or would violate the RTA's RWP program.

(b) *Prompt and equitable resolution.* The written procedure must include methods or processes to achieve prompt and equitable resolution of any challenges and refusals made.

(c) *Requirements.* The written procedure must include a requirement that the roadway worker provide a description of the safety concern regarding on-track safety and that the roadway work group must remain clear of the roadway or track zone until the challenge and refusal is resolved.

§ 671.39

Risk-based redundant protections.

(a) *General requirements.*

(1) Each RTA must identify and provide redundant protections for each category of work roadway workers perform on the roadway or track.

(2) Each RTA must establish redundant protections to ensure on-track safety for multiple roadway work groups within a common work area.

(b) *Safety risk assessment to determine redundant protections.* Each RTA must assess the risk associated with transit workers accessing the roadway using the methods and processes established under § 673.25(c) of this chapter. The RTA must use the methods and processes established under § 673.25(d) of this chapter to establish redundant protections for each category of work performed by roadway workers on the rail transit system and must include lone workers.

(1) The safety risk assessment must be consistent with the RTA's Agency Safety Plan (ASP) and the SSOA's program standard.

(2) The safety risk assessment may be supplemented by engineering assessments, inputs from the safety assurance process established under § 673.27 of this chapter, the results of safety event investigations, and other SRM strategies or approaches.

(3) The RTA must review and update the safety risk assessment at least every two years to include current conditions and lessons learned from safety events, actions taken to address reports of unsafe acts and conditions, and near-misses, and results from compliance monitoring regarding the effectiveness of the redundant protections.

(4) The SSOA may also identify and require the RTA to implement alternate redundant protections based on the RTA's unique operating characteristics and capabilities.

(c) *Categories of work requiring redundant protections.* Redundant protections must be identified for roadway workers performing different categories of work on the roadway and within track zones, which may include but are not limited to categories such as:

(1) Roadway workers moving from one track zone location to another;

(2) Roadway workers performing minor tasks;

(3) Roadway workers conducting visual inspections;

(4) Roadway workers using hand tools, machines, or equipment in conducting testing of track system components or non-visual inspections;

(5) Roadway workers using hand tools, machines, or equipment in performing maintenance, construction, or repairs; and/or

(6) Lone workers accessing the roadway or track zone or performing visual inspections or minor tasks.

(d) *Types of redundant protections.*

(1) Redundant protections may be procedural or physical.

(i) Procedural protections alert rail transit vehicle operators to the presence of roadway workers and use radio communications, personnel, signage, or other means to direct rail transit vehicle movement.

(ii) Physical protections physically control the movement of rail transit vehicles into or through a work zone.

(2) Redundant protections may include but are not limited to:

(i) Approaches consistent with the FRA rules governing redundant protections;

(ii) Rail transit vehicle approach warning;

(iii) Foul time;

(iv) Exclusive track occupancy, defined as a method of establishing working limits, as part of on-track safety, in which movement authority of rail transit vehicles and other equipment is withheld by the control center or restricted by flag persons and provided by a roadway worker in charge;

(v) Warning signs, flags, or lights;

(vi) Flag persons;

(vii) Lock outs from the rail transit vehicle control systems or lining and locking track switches or otherwise physically preventing entry and movement of rail transit vehicles;

(viii) Secondary warning devices and alert systems;

(ix) Shunt devices and portable trip stops to reduce the likelihood of rail transit vehicles from entering work zone with workers;

(x) Restricting work to times when propulsion power is down with verification that track is out of service, and when barriers are placed that physically prevent rail transit vehicles, including on-track equipment, from entering the work zone;

(xi) Use of walkways in tunnels and on elevated structures to reduce roadway worker time in the track zone; and

(xii) Speed restrictions.

(3) Redundant protections for lone workers must include, at a minimum, foul time or an equivalent protection approved by the SSOA.

§ 671.41

RWP training and qualification program.

(a) *General.* Each RTA must adopt an RWP training program.

(1) The RWP training program must address all transit workers responsible for on-track safety, by position, including roadway workers, operations control center personnel, rail transit vehicle operators, operators of on-track equipment and roadway maintenance machines, and any others with a role in providing on-track safety or fouling a track for the performance of work.

(2) The RWP training program must be completed for the relevant position before an RTA may assign a transit worker to perform the duties of a roadway worker, to oversee or supervise access to the track zone from the operations control center, or to operate vehicles, on-track equipment, and roadway maintenance machines on the rail transit system.

(3) The RWP training program must address RWP hazard recognition and mitigation, and lessons learned through the results of compliance testing, near-miss reports, reports of unsafe acts or conditions, and feedback received on the training program.

(4) The RWP training program must include initial and refresher training, by position. Refresher training must occur every two years at a minimum.

(5) The RTA must review and update its RWP training program not less than every two years, to reflect lessons learned in implementing the RWP program and information provided by the SSOA and FTA. The RTA must provide an opportunity for roadway worker involvement in the RWP training program review and update process.

(b) *Required elements.* The RWP training program must include interactive training with the opportunity to ask the RWP trainer questions and raise and discuss RWP issues.

(1) Initial training must include experience in a representative field setting.

(2) Initial and refresher training must include demonstrations and assessments to ensure the ability to comply with RWP instructions given by transit workers performing, or responsible for, on-track safety and RWP functions.

(c) *Minimum contents for RWP training.* The RWP training program must address, as applicable, the following minimum contents:

(1) How to interpret and use the RTA's RWP manual;

(2) How to challenge and refuse assignments in good faith;

(3) How to report unsafe acts, unsafe conditions, and near-misses after they occur, and the mandatory duty to make such reports;

(4) Recognition of the track zone and understanding of the space around tracks within which on-track safety is required, including use of the track access guide;

(5) The functions and responsibilities of all transit workers involved in on-track safety, by position;

(6) Proper compliance with on-track safety instructions given by transit workers performing or responsible for on-track safety functions;

(7) Signals and directions given by watchpersons, and the proper procedures upon receiving a rail transit vehicle approach warning from a watchperson;

(8) The hazards associated with working on or near rail transit tracks to include traction power, if applicable;

(9) Rules and procedures for redundant protections identified under § 671.37 and how they are applied to RWP; and

(10) Requirements for safely crossing rail transit tracks in yards and on the mainline.

(d) *Specialized training and qualification for transit workers with additional responsibilities for on-track safety.* The RWP training program must include additional training for watchpersons, flag persons, lone workers, roadway workers in charge, and other transit workers with responsibilities for establishing, supervising, and monitoring on-track safety.

(1) This training must cover the content and application of the additional RWP program requirements carried out by these positions and must address the relevant physical characteristics of the RTA's system where on-track safety may be established.

(2) This training must include demonstrations and assessments to confirm the transit worker's ability to perform these additional responsibilities.

(3) Refresher training on additional responsibilities for on-track safety, by position, must occur every two years at a minimum.

(e) *Competency and qualification of training personnel.* Each RTA must ensure that transit workers providing RWP training are qualified and have active RWP certification at the RTA to provide effective RWP training, and at a minimum must consider the following:

(1) A trainer's experience and knowledge of effective training techniques in the chosen learning environment;

(2) A trainer's experience with the RTA RWP program;

(3) A trainer's knowledge of the RTA RWP rules, operations, and operating environment, including applicable operating rules; and

(4) A trainer's knowledge of the training requirements specified in this part.

§ 671.43

RWP compliance monitoring program.

(a) *General.* Each RTA must adopt a program for monitoring its compliance with the requirements specified in its RWP program.

(b) *Required elements.* The RWP compliance monitoring program must include inspections, observations, and audits, consistent with safety performance monitoring and measurement requirements in the RTA's ASP described in § 673.27(b) of this chapter and the SSOA's program standard.

(1) The RTA must provide quarterly reports to the SSOA documenting the RTA's compliance with and sufficiency of the RWP program.

(2) The RTA must provide an annual briefing to the Accountable Executive and the Board of Directors, or equivalent entity, regarding the performance of the RWP program and any identified deficiencies requiring corrective action.

**Subpart E—Recordkeeping**

§ 671.51

Recordkeeping.

(a) Each RTA must maintain the documents that set forth its RWP program; documents related to the implementation of the RWP program; and results from the procedures, processes, assessments, training, and activities specified in this part for the RWP program.

(b) Each RTA must maintain records of its compliance with this requirement, including records of transit worker RWP training and refresher training, for a minimum of three years after they are created.

(c) These documents must be made available upon request by the FTA or other Federal entity, or an SSOA having jurisdiction.

**Footnotes**

1. Rail Transit Roadway Worker Protection, 88 FR 20605 (March 25, 2024). *https://www.federalregister.gov/documents/2024/03/25/2024-06251/rail-transit-roadway-worker-protection.*

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2. Office of Management and Budget (2023). "Circular No. A-4." *https://www.whitehouse.gov/wp-content/uploads/2023/11/CircularA-4.pdf.*

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3. Public Utilities Commission of the State of California (2016). "General Order No. 175-A: Rules and Regulations Governing Roadway Worker Protection Provided by Rail Transit Agencies and Rail Fixed Guideway Systems." *https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M159/K905/159905345.pdf.*

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4. Bureau of Labor Statistics (2024). "May 2023 National Occupational Employment and Wage Estimates: United States: NAICS 485000—Transit and Ground Passenger Transportation." *https://www.bls.gov/oes/2023/may/naics3_485000.htm.*

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5. Multiplier derived using Bureau of Labor Statistics data on employer costs for employee compensation in December 2022 ( *https://www.bls.gov/news.release/ecec.htm*). Employer costs for State and local government workers averaged $57.60 an hour, with $35.69 for wages and $21.95 for benefit costs. To estimate full costs from wages, one would use a multiplier of $57.60/$21.95, or 1.62.

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6. U.S. Department of Transportation (2024). "Departmental Guidance on Valuation of a Statistical Life in Economic Analysis." *https://www.transportation.gov/office-policy/transportation-policy/revised-departmental-guidance-on-valuation-of-a-statistical-life-in-economic-analysis.*

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7. U.S. Department of Transportation (2023). "Benefit Cost Analysis Guidance 2024 Update, Table A-1: Value of Reduced Fatalities, Injuries, and Crashes." *https://www.transportation.gov/sites/dot.gov/files/2023-12/Benefit%20Cost%20Analysis%20Guidance%202024%20Update.pdf.*

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8. Federal Transit Administration (December 2013). "FTA Safety Advisory 14-1: Right-of-Way Worker Protection." *https://www.transit.dot.gov/oversight-policy-areas/safety-advisory-14-1-right-way-worker-protection-december-2013.*

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9. Agencies identified include Chicago Transit Authority, Hillsborough Transit Authority (Florida); Tren Urbano (San Juan); Metropolitan Atlanta Rapid Transit Authority; Metropolitan Transportation Authority and Port Authority Trans-Hudson Corporation (New York); Massachusetts Bay Transportation Authority (Boston); Southeastern Pennsylvania Transportation Authority (Philadelphia); TriMet (Portland); Sun Link (Tucson); and Washington Metropolitan Area Transit Authority (Washington DC).

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10. Federal Transit Administration (2021). "Request for Information on Transit Worker Safety." *https://www.federalregister.gov/documents/2021/09/24/2021-20744/request-for-information-on-transit-worker-safety.*

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11. Department of Transportation Updated Environmental Justice Order 5610.2(a): Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 77 FR 27534 (May 10, 2012). *https://www.transportation.gov/transportation-policy/environmental-justice/department-transportation-order-56102a.*

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12. Federal Transit Administration (February 2020). "Environmental Justice Policy Guidance for Federal Transit Administration Recipients." *https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/environmental-justice-policy-guidance-federal-transit.*

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## PART 672—PUBLIC TRANSPORTATION SAFETY CERTIFICATION TRAINING PROGRAM



Authority: 49 U.S.C. 5329, 5334; 49 CFR 1.91.

### Subpart A—General Provisions

§ 672.1

Purpose.

(a) This part implements a uniform safety certification training curriculum and requirements to enhance the technical proficiency of individuals who conduct safety reviews, inspections, examinations, and other safety oversight activities of public transportation systems operated by public transportation agencies and those who are directly responsible for safety oversight of public transportation agencies.

(b) This part does not preempt any safety certification training requirements required by a State for public transportation agencies within its jurisdiction.

§ 672.3

Scope and applicability.

(a) In general, this part applies to all recipients of Federal financial assistance under 49 U.S.C. chapter 53.

(b) The requirements of this part apply only to:

(1) State Safety Oversight Agencies (SSOAs) and their employees and contractors that conduct safety reviews, inspections, examinations, and other safety oversight activities of rail fixed guideway public transportation systems, and

(2) Rail transit agencies and their employees and contractors who are directly responsible for the safety oversight of a recipient's rail fixed guideway public transportation systems.

(c) Voluntary participants may complete the Public Transportation Safety Certification Training Program curriculum in accordance with this part.

§ 672.5

Definitions.

As used in this part:

*Administrator* means the Federal Transit Administrator or the Administrator's designee.

*Contractor* means an entity that performs tasks on behalf of the Federal Transit Administration (FTA), a State Safety Oversight Agency (SSOA), or public transportation agency through contract or other agreement.

*Designated personnel* means:

(1) Employees and contractors identified by a recipient whose job function is directly responsible for safety oversight of the public transportation system of the public transportation agency; or

(2) Employees and contractors of a State Safety Oversight Agency (SSOA) whose job function requires them to conduct reviews, inspections, examinations, and other safety oversight activities of the rail fixed guideway public transportation systems subject to the jurisdiction of the agency.

*Directly responsible for safety oversight* means public transportation agency personnel whose primary job function includes the development, implementation, and review of the agency's safety plan and/or the State Safety Oversight Agency (SSOA) requirements for the rail fixed guideway public transportation system pursuant to 49 CFR part 674.

*Examination* means a process for gathering or analyzing facts or information related to the safety of a public transportation system.

*FTA* means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

*Initial training* means the group of specific courses an individual must complete within three (3) years of enrollment in the Public Transportation Safety Certification Training Program to receive their first program certificate.

*Public transportation agency* means an entity that provides public transportation service as defined in 49 U.S.C. 5302 and that has one or more modes of service not subject to the safety oversight requirements of another Federal agency.

*Public Transportation Safety Certification Training Program curriculum* means the initial training designated personnel or voluntary participants must complete to receive the Public Transportation Safety Certification Training Program certificate of completion.

*Rail fixed guideway public transportation system* means any fixed guideway system, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration. These systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

*Rail transit agency* means any entity that provides services on a rail fixed guideway public transportation system.

*Recertification* means the process of renewing an individual's Public Transportation Safety Certification Training Program certification for two years.

*Recertification training* means the training courses or activities designated personnel must complete within two (2) years of completing the Public Transportation Safety Certification Training Program curriculum to maintain certification and every two (2) years thereafter.

*Recipient* means a State or local governmental authority or any other operator of a public transportation system receiving financial assistance under 49 U.S.C. chapter 53.

*Safety review* means a review or analysis of safety records and related materials.

*State* means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

*State Safety Oversight Agency (SSOA)* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and (k) and the regulations set forth in 49 CFR part 674.

*Voluntary participant* means an individual participating in the Public Transportation Safety Certification Training Program that is not subject to the requirements of this part, including:

(1) Employees and contractors of an applicable recipient that have not been designated under § 672.11(a) or § 672.13(a), and

(2) Individuals who are not employees or contractors of an applicable recipient.

**Subpart B—Training Requirements**

§ 672.11

State Safety Oversight Agency employees and contractors who conduct safety reviews, inspections, examinations, and other safety oversight activities of rail fixed guideway public transportation systems.

(a) Each SSOA shall designate its employees and contractors that must comply with the applicable training requirements of this part and the Public Transportation Safety Certification Training Program (PTSCTP) curriculum. Each SSOA must designate employees and contractors who conduct reviews, inspections, examinations, and other safety oversight activities of public transportation systems, including appropriate managers and supervisors of such personnel.

(b) Each SSOA shall ensure that each designated individual is enrolled in the PTSCTP within 30 days of the individual's designation. Each SSOA shall ensure the compliance of designated participants with the applicable training requirements of this part and the PTSCTP curriculum.

(c) Employees and contractors designated under paragraph (a) of this section shall complete applicable training requirements of this part and the PTSCTP curriculum within three (3) years of their initial PTSCTP enrollment.

(d) Thereafter, upon completion of the PTSCTP curriculum, designated personnel shall complete recertification every two (2) years. Required recertification training shall consist of two elements:

(1) Element 1: Recertification training defined by FTA, and

(2) Element 2: Recertification training defined by the SSOA, which must include, at a minimum, one (1) hour of safety oversight training.

§ 672.13

Rail transit agency employees and contractors who are directly responsible for the safety oversight of a rail fixed guideway public transportation system.

(a) Each rail transit agency shall designate its employees and contractors who must comply with the applicable training requirements of this part and the PTSCTP curriculum. Each rail transit agency must designate employees and contractors who are directly responsible for safety oversight of rail modes.

(b) Each rail transit agency shall ensure that each designated individual is enrolled in the PTSCTP within 30 days of the individual's designation. Each rail transit agency shall ensure the compliance of designated participants with the applicable training requirements of this part and the PTSCTP curriculum.

(c) Employees and contractors designated under paragraph (a) of this section shall complete applicable training requirements of this part and the PTSCTP curriculum within three (3) years of their initial PTSCTP enrollment.

(d) Thereafter, upon completion of the PTSCTP curriculum, designated personnel must complete recertification every two (2) years. Required recertification training shall consist of two elements:

(1) Element 1: Specific recertification training defined by FTA, and

(2) Element 2: Recertification training defined by the rail transit agency, which must include, at a minimum, one (1) hour of safety oversight training.

§ 672.15

Evaluation of prior certification and training.

(a) PTSCTP participants or an identified point of contact described in § 672.21(b) may request that FTA evaluate safety training or certification previously obtained from another entity to determine if the training satisfies an applicable training requirement of this part.

(b) Individuals requesting FTA evaluation of previously obtained training or certification must provide FTA with an official transcript or certificate of the training, a description of the curriculum and competencies obtained, and a brief statement detailing how the training or certification satisfies the applicable requirements of this part. The required information must be submitted using an equivalency credit request via electronic means defined by FTA.

(c) FTA will evaluate the submission and determine if a training requirement of this part may be waived. If a waiver is granted, designated personnel are responsible for completing all other applicable requirements of this part.

§ 672.17

Voluntary participants.

(a) Individuals not subject to the requirements of this part may participate voluntarily. To receive a certificate of completion as a voluntary participant, individuals must complete the PTSCTP curriculum within three (3) years of their enrollment. Voluntary participants are not required to complete recertification. FTA will not recertify voluntary participants.

(b) If a voluntary participant has received a PTSCTP certificate of completion and is subsequently designated by an SSOA or rail transit agency as a PTSCTP participant, the individual will need to complete required recertification training within two (2) years of designation.

**Subpart C—Administrative Requirements**

§ 672.21

Records.

(a) *General requirement.* Each recipient subject to the requirements of this part shall ensure that its designated personnel:

(1) Are enrolled in the PTSCTP;

(2) Complete the initial training specified in the PTSCTP curriculum within three (3) years of their enrollment as a designated participant; and

(3) Complete required recertification every two (2) years upon completion of the PTSCTP curriculum.

(b) *Point of contact identification.* Each recipient, subject to the requirements of this part, shall identify a single point of contact (POC) for communication with FTA regarding PTSCTP information. The recipient shall provide FTA, via electronic method defined by FTA, at a minimum, the POC's name, title, phone number, and email address.

(c) *Point of contact responsibilities.* Each POC will serve as a liaison between the recipient and FTA to inform FTA of changes in designated personnel participating in the PTSCTP, enroll new participants, submit proof of recertification for the recipient's designated personnel, and address any other program documentation or communications needs.

(d) *Semiannual reporting.* Semiannually, between January 1st and January 31st and between July 1st and July 31st of each calendar year, the identified POC must submit documentation to FTA, via electronic method defined by FTA, that identifies:

(1) All employees and contractors of the recipient who are designated as PTSCTP participants; and

(2) The course or courses the recipient has identified as required recertification training for their designated personnel. The agency identified recertification training must include, at a minimum, one (1) hour of safety oversight training. The documentation must include the complete name and length of each course, as well as the name of the course training provider.

(e) *SSOA requirement.*

(1) Each SSOA shall retain a record of the technical training completed by its designated personnel in accordance with the technical training requirements of this part. SSOAs shall retain training records for at least five (5) years from the date the record is created.

(2) Each SSOA shall develop and maintain a technical training plan for designated personnel who perform reviews, inspections, examinations, and other safety oversight activities. The SSOA will submit its technical training plan to FTA for review and evaluation as part of its annual reporting to FTA as required under § 674.39 of this chapter. This review process will support the consultation required between FTA and SSOAs regarding the staffing and qualification of the designated personnel in accordance with 49 U.S.C. 5329(e)(3)(D).

(3) Each SSOA shall identify the tasks related to reviews, inspections, examinations, and other safety oversight activities requiring SSOA approval, which must be performed by the SSOA to carry out its safety oversight requirements, and identify the skills and knowledge necessary to perform each oversight task at that system. At a minimum, the technical training plan will describe the process for receiving technical training in the following competency areas appropriate to the specific rail fixed guideway public transportation system(s) for which reviews and inspections conducted:

(i) Agency organizational structure.

(ii) Agency Safety Plan.

(iii) Knowledge of agency:

(A) Territory and revenue service schedules.

(B) Current bulletins, general orders, and other associated directives that ensure safe operations.

(C) Operations and maintenance rule books.

(D) Safety rules.

(E) Standard Operating Procedures.

(F) Roadway Worker Protection.

(G) Employee Hours of Service and Fatigue Management program.

(H) Employee Observation and Testing Program (Efficiency Testing).

(I) Employee training and certification requirements.

(J) Vehicle inspection and maintenance programs, schedules, and records.

(K) Track inspection and maintenance programs, schedules and records.

(L) Tunnels, bridges, and other structures inspection and maintenance programs, schedules, and records.

(M) Traction power (substation, overhead catenary system, and third rail), load dispatching, inspection and maintenance programs, schedules, and records.

(N) Signal and train control inspection and maintenance programs, schedules, and records.

(4) The SSOA will determine the length of time for the technical training based on the skill level of the designated personnel relative to the applicable rail transit agency(s). FTA will provide a template as requested to assist the SSOA with preparing and monitoring its technical training plan and will provide technical assistance as requested. Each SSOA technical training plan that is submitted to FTA for review will:

(i) Require designated personnel to successfully:

(A) Complete training that covers the skills and knowledge needed to effectively perform the tasks.

(B) Pass a written and/or oral examination covering the skills and knowledge required for the designated personnel to effectively perform their tasks.

(C) Demonstrate hands-on capability to perform their tasks to the satisfaction of the appropriate SSOA supervisor or designated instructor.

(ii) Establish equivalencies or written and oral examinations to allow designated personnel to demonstrate that they possess the skill and qualification required to perform their tasks.

(iii) Require biennial recertification training to maintain technical skills and abilities, which includes classroom and hands-on training, as well as testing. Observation and evaluation of actual performance of duties may be used to meet the hands-on portion of this requirement, provided that such testing is documented.

(iv) Require that training records be maintained to demonstrate the current qualification status of designated personnel assigned to carry out the oversight program. Records may be maintained either electronically or in writing and must be provided to FTA upon request. Records must include the following information concerning each designated personnel:

(A) Name;

(B) The title and date each training course was completed, the proficiency test score(s), and the minimum passing score of the test, where applicable;

(C) The content of each training course successfully completed;

(D) A description of the designated personnel's hands-on performance applying the skills and knowledge required to perform the tasks that the employee will be responsible for performing and the factual basis supporting the determination;

(E) The tasks the designated personnel are deemed qualified to perform; and

(F) Provide the date that the designated personnel's status as qualified to perform the tasks expires, and the date in which biennial recertification training is due.

(v) Ensure the qualification of contractors performing oversight activities. SSOAs may use demonstrations, previous training and education, and written and oral examinations to determine if contractors possess the skill and qualification required to perform their tasks.

(vi) Periodically assess the effectiveness of the technical training. One method of validation and assessment could be efficiency tests or periodic review of employee performance.

§ 672.23

Availability of records.

(a) Except as required by law, or expressly authorized or required by this part, a recipient may not release information pertaining to employees and contractors that is required by this part without the written consent of the individual.

(b) Individuals are entitled, upon written request to the recipient, to obtain copies of any records pertaining to their training required by this part. The recipient shall promptly provide the records requested by personnel and access shall not be contingent upon the recipient's receipt of payment for the production of such records.

(c) A recipient shall permit access to all facilities utilized and records compiled in accordance with the requirements of this part to the Secretary of Transportation, the Federal Transit Administration, or any State agency with jurisdiction over public transportation safety oversight of the recipient.

(d) When requested by the National Transportation Safety Board as part of an accident investigation, a recipient shall disclose information related to the training of employees and contractors.

**Subpart D—Compliance and Certification Requirements**

§ 672.31

Requirement to certify compliance.

(a) A recipient of FTA financial assistance under 49 U.S.C. chapter 53 that is subject to the requirements of this part as specified in § 672.3(b) shall annually certify compliance with this part in accordance with FTA's procedures for annual grant certification and assurances.

(b) A certification must be authorized by the recipient's governing board or other authorizing official and must be signed by a party specifically authorized to do so.

**Footnotes**

1. Public Transportation Safety Certification Training Program, 88 FR 73573 (October 26, 2023). *https://www.federalregister.gov/documents/2023/10/26/2023-23515/public-transportation-safety-certification-training-program*.

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2. Office of Management and Budget (2023). "Circular No. A-4." *https://www.whitehouse.gov/wp-content/uploads/2023/11/CircularA-4.pdf*.

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3. Federal Transit Administration. March 19, 2024. "State Safety Oversight Contacts." *https://www.transit.dot.gov/regulations-and-guidance/safety/state-safety-oversight-contacts.*

4. Federal Transit Administration. 2023. "National Transit Database: 2022 Annual Database Service." *https://www.transit.dot.gov/ntd/data-product/2022-annual-database-service.*

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5. Bureau of Labor Statistics. 2023. "May 2022 National Occupational Employment and Wage Estimates: United States: NAICS 485000—Transit and Ground Passenger Transportation." *https://www.bls.gov/oes/current/naics3_485000.htm.*

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6. Multiplier derived using Bureau of Labor Statistics data on employer costs for employee compensation in December 22 ( *https://www.bls.gov/news.release/ecec.htm*). Employer costs for state and local government workers averaged $57.60 an hour, with $35.69 for wages and $21.95 for benefit costs. To estimate full costs from wages, one would use a multiplier of $57.60/$21.95, or 1.62.

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7. Department of Transportation Updated Environmental Justice Order 5610.2(a): Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 77 FR 27534 (May 10, 2012). *https://www.transportation.gov/transportation-policy/environmental-justice/department-transportation-order-56102a.*

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8. Federal Transit Administration (February 2020). "Environmental Justice Policy Guidance for Federal Transit Administration Recipients." *https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/environmental-justice-policy-guidance-federal-transit.*

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## PART 673—PUBLIC TRANSPORTATION AGENCY SAFETY PLANS

Safety Promotion.

Subpart E—Safety Plan Documentation and Recordkeeping

**673.31**

Safety plan documentation.

Authority: 49 U.S.C. 5329, 5334; 49 CFR 1.91.

**Subpart A—General**

§ 673.1

Applicability.

(a) This part applies to any State, local governmental authority, and any other operator of a public transportation system that receives Federal financial assistance under 49 U.S.C. chapter 53.

(b) This part does not apply to an operator of a public transportation system that only receives Federal financial assistance under 49 U.S.C. 5310, 49 U.S.C. 5311, or both 49 U.S.C. 5310 and 49 U.S.C. 5311 unless it operates a rail fixed guideway public transportation system.

§ 673.3

Policy.

The Federal Transit Administration (FTA) has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation in the United States. FTA will follow the principles and methods of SMS in its development of rules, regulations, policies, guidance, best practices, and technical assistance administered under the authority of 49 U.S.C. 5329. This part sets standards for the Public Transportation Agency Safety Plan, which will be responsive to FTA's Public Transportation Safety Program, and reflect the specific safety objectives, standards, and priorities of each transit agency. Each Public Transportation Agency Safety Plan will incorporate SMS principles and methods tailored to the size, complexity, and scope of the public transportation system and the environment in which it operates.

§ 673.5

Definitions.

As used in this part:

*Accountable Executive* means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a transit agency; responsibility for carrying out the transit agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Assault on a transit worker* means, as defined under 49 U.S.C. 5302, a circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.

*CDC* means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

*Chief Safety Officer* means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

*Direct recipient* means an entity that receives Federal financial assistance directly from the Federal Transit Administration.

*Emergency* means, as defined under 49 U.S.C. 5324, a natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, as a result of which the Governor of a State has declared an emergency and the Secretary has concurred; or the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

*Equivalent entity* means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

*FTA* means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

*Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

*Injury* means any harm to persons as a result of an event that requires immediate medical attention away from the scene.

*Investigation* means the process of determining the causal and contributing factors of a safety event or hazard, for the purpose of preventing recurrence and mitigating safety risk.

*Joint labor-management process* means a formal approach to discuss topics affecting transit workers and the public transportation system.

*Large urbanized area provider* means a recipient or subrecipient of financial assistance under 49 U.S.C. 5307 that serves an urban area with a population of 200,000 or more as determined by the most recent decennial Census.

*National Public Transportation Safety Plan* means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. chapter 53.

*Near-miss* means a narrowly avoided safety event.

*Operator of a public transportation system* means a provider of public transportation.

*Performance measure* means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

*Potential consequence* means the effect of a hazard.

*Public transportation* means, as defined under 49 U.S.C. 5302, regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include:

(1) Intercity passenger rail transportation provided by the entity described in 49 U.S.C. chapter 243 (or a successor to such entity);

(2) Intercity bus service;

(3) Charter bus service;

(4) School bus service;

(5) Sightseeing service;

(6) Courtesy shuttle service for patrons of one or more specific establishments; or

(7) Intra-terminal or intra-facility shuttle services.

*Public Transportation Agency Safety Plan* means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

*Rail fixed guideway public transportation system* means any fixed guideway system, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration. These include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

*Rail transit agency* means any entity that provides services on a rail fixed guideway public transportation system.

*Recipient* means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under 49 U.S.C. chapter 53.

*Roadway* means land on which rail transit tracks and support infrastructure have been constructed to support the movement of rail transit vehicles, excluding station platforms.

*Safety Assurance* means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

*Safety Committee* means the formal joint labor-management committee on issues related to safety that is required by 49 U.S.C. 5329 and this part.

*Safety event* means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

*Safety Management management Policy* means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities for the management of safety.

*Safety Management System (SMS)* means the formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing hazards and safety risk.

*Safety Management System (SMS) Executive* means a Chief Safety Officer or an equivalent.

*Safety performance target* means a quantifiable level of performance or condition, expressed as a value for the measure, related to safety management activities, to be achieved within a specified time period.

*Safety Promotion* means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

*Safety risk* means the composite of predicted severity and likelihood of a potential consequence of a hazard.

*Safety risk assessment* means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risk.

*Safety risk management* means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating the safety risk of their potential consequences.

*Safety risk mitigation* means a method or methods to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard.

*Safety set-aside* means the allocation of not less than 0.75 percent of assistance received by a large urbanized area provider under 49 U.S.C. 5307 to safety-related projects eligible under 49 U.S.C. 5307.

*Small public transportation provider* means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service across all non-rail fixed route modes or in any one non-fixed route mode and does not operate a rail fixed guideway public transportation system.

*State* means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

*State of good repair* means the condition in which a capital asset is able to operate at a full level of performance.

*State Safety Oversight Agency* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and (k) and the regulations set forth in 49 CFR part 674.

*Subrecipient* means an entity that receives Federal transit grant funds indirectly through a State or a direct recipient.

*Transit agency* means an operator of a public transportation system that is a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 or a rail transit agency.

*Transit Asset Management Plan* means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

*Transit worker* means any employee, contractor, or volunteer working on behalf of the transit agency.

*Urbanized area* means, as defined under 49 U.S.C. 5302, an area encompassing a population of 50,000 or more that has been defined and designated in the most recent decennial census as an urban area by the Secretary of Commerce.

**Subpart B—Safety Plans**

§ 673.11

General requirements.

(a) A transit agency or State must establish a Public Transportation Agency Safety Plan that meets the requirements of this part and, at a minimum, consists of the following elements:

(1) The Public Transportation Agency Safety Plan, and subsequent updates, must be signed by the Accountable Executive and approved by—

(i) For a large urbanized area provider, the Safety Committee established pursuant to § 673.19, followed by the transit agency's Board of Directors or an equivalent entity; or

(ii) For all other transit agencies, the transit agency's Board of Directors or an equivalent entity.

(2) The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation, as required under subpart D of this part.

(3) The Public Transportation Agency Safety Plan must include annual safety performance targets based on the safety performance measures established under the National Public Transportation Safety Plan. Safety performance targets for the safety risk reduction program are only required for large urbanized area providers.

(4) The Public Transportation Agency Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the public notice and comment process.

(5) Each transit agency must establish a process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.

(6) A rail transit agency must include or incorporate by reference in its Public Transportation Agency Safety Plan:

(i) An emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of transit worker responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area;

(ii) Any policies and procedures regarding rail transit workers on the roadway the rail transit agency has issued; and

(iii) The transit agency's policies and procedures developed in consultation with the State Safety Oversight Agency to provide access and required data for the State Safety Oversight Agency's risk-based inspection program.

(7) The Public Transportation Agency Safety Plan of each large urbanized area provider must include a safety risk reduction program for transit operations to improve safety performance by reducing the number and rates of safety events, injuries, and assaults on transit workers. The safety risk reduction program must, at a minimum:

(i) Address the reduction and mitigation of vehicular and pedestrian safety events involving transit vehicles that includes safety risk mitigations consistent with § 673.25(d)(3);

(ii) Address the reduction and mitigation of assaults on transit workers that includes safety risk mitigations consistent with § 673.25(d)(4);

(iii) Include the safety performance targets set by the Safety Committee pursuant to § 673.19(d)(2) for the safety risk reduction program performance measures established in the National Public Transportation Safety Plan. These targets must be set—

(A) Based on a three-year rolling average of the data submitted by the large urbanized area provider to the National Transit Database (NTD);

(B) For all modes of public transportation; and

(C) Based on the level of detail the large urbanized area provider is required to report to the NTD. The Safety Committee is not required to set a target for a performance measure until the large urbanized area provider has been required to report three years of data to the NTD corresponding to such performance measure.

(iv) Include or incorporate by reference the safety risk mitigations identified and recommended by the Safety Committee as described in § 673.25(d)(5).

(b) A transit agency may develop one Public Transportation Agency Safety Plan for all modes of service or may develop a Public Transportation Agency Safety Plan for each mode of service not subject to safety regulation by another Federal entity.

(c) A transit agency must maintain its Public Transportation Agency Safety Plan in accordance with the recordkeeping requirements in subpart E of this part.

(d) A State must draft and certify a Public Transportation Agency Safety Plan on behalf of any small public transportation provider that is located in that State. A State is not required to draft a Public Transportation Agency Safety Plan for a small public transportation provider if that transit agency notifies the State that it will draft its own plan. In each instance, the transit agency must carry out the plan. If a State drafts and certifies a Public Transportation Agency Safety Plan on behalf of a transit agency, and the transit agency later opts to draft and certify its own Public Transportation Agency Safety Plan, then the transit agency must notify the State. The transit agency has one year from the date of the notification to draft and certify a Public Transportation Agency Safety Plan that is compliant with this part. The Public Transportation Agency Safety Plan drafted by the State will remain in effect until the transit agency drafts its own Public Transportation Agency Safety Plan.

(e) Agencies that operate passenger ferries regulated by the United States Coast Guard (USCG) or rail fixed guideway public transportation service regulated by the Federal Railroad Administration (FRA) are not required to develop Public Transportation Agency Safety Plans for those modes of service.

§ 673.13

Certification of compliance.

(a) Each direct recipient, or State as authorized in § 673.11(d), must certify that it has established a Public Transportation Agency Safety Plan meeting the requirements of this part by the start of operations. A direct recipient must certify that it and all applicable subrecipients are in compliance with the requirements of this part. A State Safety Oversight Agency must review and approve a Public Transportation Agency Safety Plan developed by a rail fixed guideway public transportation system, as authorized in 49 U.S.C. 5329(e) and its implementing regulations at 49 CFR part 674.

(b) On an annual basis, a direct recipient or State must certify its compliance with this part. A direct recipient must certify that it and all applicable subrecipients are in compliance with the requirements of this part.

§ 673.15

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

(a) A State or transit agency must make its safety performance targets available to States and Metropolitan Planning Organizations to aid in the planning process.

(b) To the maximum extent practicable, a State or transit agency must coordinate with States and Metropolitan Planning Organizations in the selection of State and MPO safety performance targets.

**Subpart C—Safety Committees and Cooperation With Frontline Transit Worker Representatives**

§ 673.17

Cooperation with frontline transit worker representatives.

(a) Each large urbanized area provider must establish a Safety Committee that meets the requirements of § 673.19.

(b) Each transit agency that is not a large urbanized area provider must:

(1) Develop its Public Transportation Agency Safety Plan, and subsequent updates, in cooperation with frontline transit worker representatives; and

(2) Include or incorporate by reference in its Public Transportation Agency Safety Plan a description of how frontline transit worker representatives cooperate in the development and update of the Public Transportation Agency Safety Plan.

§ 673.19

Safety Committees.

(a) *Establishing the Safety Committee.* Each large urbanized area provider must establish and operate a Safety Committee that is:

(1) Appropriately scaled to the size, scope, and complexity of the transit agency; and

(2) Convened by a joint labor-management process.

(b) *Safety Committee membership.* The Safety Committee must consist of an equal number of frontline transit worker representatives and management representatives. To the extent practicable, the Safety Committee must include frontline transit worker representatives from major transit service functions, such as operations and maintenance, across the transit system.

(1) The labor organization that represents the plurality of the transit agency's frontline transit workers must select frontline transit worker representatives for the Safety Committee.

(2) If the transit agency's frontline transit workers are not represented by a labor organization, the transit agency must adopt a mechanism for frontline transit workers to select frontline transit worker representatives for the Safety Committee.

(c) *Safety Committee procedures.* Each large urbanized area provider must include or incorporate by reference in its Public Transportation Agency Safety Plan procedures regarding the composition, responsibilities, and operations of the Safety Committee which, at a minimum, must address:

(1) The organizational structure, size, and composition of the Safety Committee and how it will be chaired;

(2) How meeting agendas and notices will be developed and shared, and how meeting minutes will be recorded and maintained;

(3) Any required training for Safety Committee members related to the transit agency's Public Transportation Agency Safety Plan and the processes, activities, and tools used to support the transit agency's SMS;

(4) The compensation policy established by the agency for participation in Safety Committee meetings;

(5) How the Safety Committee will access technical experts, including other transit workers, to serve in an advisory capacity as needed; transit agency information, resources, and tools; and submissions to the transit worker safety reporting program to support its deliberations;

(6) How the Safety Committee will reach and record decisions;

(7) How the Safety Committee will coordinate and communicate with the transit agency's Board of Directors, or equivalent entity, and the Accountable Executive;

(8) How the Safety Committee will manage disputes to ensure it carries out its operations. The Safety Committee may use the dispute resolution or arbitration process from the transit agency's Collective Bargaining Agreement, or a different process that the Safety Committee develops and agrees upon, but the Accountable Executive may not be designated to resolve any disputes within the Safety Committee; and

(9) How the Safety Committee will carry out its responsibilities identified in paragraph (d) of this section.

(d) *Safety Committee responsibilities.* The Safety Committee must conduct the following activities to oversee the transit agency's safety performance:

(1) Review and approve the transit agency's Public Transportation Agency Safety Plan and any updates as required at § 673.11(a)(1)(i);

(2) Set annual safety performance targets for the safety risk reduction program as required at § 673.11(a)(7)(iii); and

(3) Support operation of the transit agency's SMS by:

(i) Identifying and recommending safety risk mitigations necessary to reduce the likelihood and severity of potential consequences identified through the transit agency's safety risk assessment, including safety risk mitigations associated with any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program;

(ii) Identifying safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended, including safety risk mitigations associated with any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program; and

(iii) Identifying safety deficiencies for purposes of continuous improvement as required at § 673.27(d), including any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program.

**Subpart D—Safety Management Systems**

§ 673.21

General requirements.

Each transit agency must establish and implement a Safety Management System under this part. A transit agency Safety Management System must be appropriately scaled to the size, scope and complexity of the transit agency and include the following elements:

(a) Safety Management Policy as described in § 673.23;

(b) Safety Risk Management as described in § 673.25;

(c) Safety Assurance as described in § 673.27; and

(d) Safety Promotion as described in § 673.29.

§ 673.23

Safety Management Policy.

(a) A transit agency must establish its organizational accountabilities and responsibilities and have a written statement of Safety Management Policy that includes the transit agency's safety objectives and a description of the transit agency's Safety Committee or approach to cooperation with frontline transit worker representatives.

(b) A transit agency must establish and implement a process that allows transit workers to report safety concerns, including assaults on transit workers, near-misses, and unsafe acts and conditions to senior management, includes protections for transit workers who report, and includes a description of transit worker behaviors that may result in disciplinary action.

(c) The Safety Management Policy must be communicated throughout the transit agency's organization.

(d) The transit agency must establish the necessary authorities, accountabilities, and responsibilities for the management of safety amongst the following individuals or groups within its organization, as they relate to the development and management of the transit agency's SMS:

(1) *Accountable Executive.* The transit agency must identify an Accountable Executive. The Accountable Executive is accountable for ensuring that the transit agency's SMS is effectively implemented throughout the transit agency's public transportation system. The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the transit agency's SMS. The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the transit agency's safety performance cannot be delegated and always rests with the Accountable Executive.

(i) The Accountable Executive of a large urbanized area provider must implement safety risk mitigations for the safety risk reduction program that are included in the Agency Safety Plan under § 673.11(a)(7)(iv).

(ii) The Accountable Executive of a large urbanized area provider receives and must consider all other safety risk mitigations recommended by the Safety Committee, consistent with requirements in §§ 673.19(d) and 673.25(d)(6).

(2) *Chief Safety Officer or Safety Management System (SMS) Executive.* The Accountable Executive must designate a Chief Safety Officer or SMS Executive who has the authority and responsibility for day-to-day implementation and operation of a transit agency's SMS. The Chief Safety Officer or SMS Executive must hold a direct line of reporting to the Accountable Executive. A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer or SMS Executive.

(3) *Safety Committee.* A large urbanized area provider must establish a joint labor-management Safety Committee that meets the requirements of § 673.19.

(4) *Transit agency leadership and executive management.* A transit agency must identify those members of its leadership or executive management, other than an Accountable Executive, Chief Safety Officer, or SMS Executive, who have authorities or responsibilities for day-to-day implementation and operation of a transit agency's SMS.

(5) *Key staff.* A transit agency may designate key staff, groups of staff, or committees to support the Accountable Executive, Chief Safety Officer, Safety Committee, or SMS Executive in developing, implementing, and operating the transit agency's SMS.

§ 673.25

Safety Risk Management.

(a) *Safety Risk Management process.* A transit agency must develop and implement a Safety Risk Management process for all elements of its public transportation system. The Safety Risk Management process must be comprised of the following activities: hazard identification, safety risk assessment, and safety risk mitigation.

(b) *Hazard identification.*

(1) A transit agency must establish methods or processes to identify hazards and potential consequences of the hazards.

(2) A transit agency must consider, as a source for hazard identification:

(i) Data and information provided by an oversight authority, including but not limited to FTA, the State, or as applicable, the State Safety Oversight Agency having jurisdiction;

(ii) Data and information regarding exposure to infectious disease provided by the CDC or a State health authority; and

(iii) Safety concerns identified through Safety Assurance activities carried out under § 673.27.

(c) *Safety risk assessment.*

(1) A transit agency must establish methods or processes to assess the safety risk associated with identified hazards.

(2) A safety risk assessment includes an assessment of the likelihood and severity of the potential consequences of identified hazards, taking into account existing safety risk mitigations, to determine if safety risk mitigation is necessary and to inform prioritization of safety risk mitigations.

(d) *Safety risk mitigation.*

(1) A transit agency must establish methods or processes to identify safety risk mitigations or strategies necessary as a result of the transit agency's safety risk assessment to reduce the likelihood and severity of the potential consequences. For large urbanized area providers, these methods or processes must address the role of the transit agency's Safety Committee.

(2) A transit agency must consider, as a source for safety risk mitigation:

(i) Guidance provided by an oversight authority, if applicable, and FTA; and

(ii) Guidelines to prevent or control exposure to infectious diseases provided by the CDC or a State health authority.

(3) When identifying safety risk mitigations for the safety risk reduction program related to vehicular and pedestrian safety events involving transit vehicles, including to address a missed safety performance target set by the Safety Committee under § 673.19(d)(2), each large urbanized area provider and its Safety Committee must consider mitigations to reduce visibility impairments for transit vehicle operators that contribute to accidents, including retrofits to vehicles in revenue service and specifications for future procurements that reduce visibility impairments.

(4) When identifying safety risk mitigations for the safety risk reduction program related to assaults on transit workers, including to address a missed safety performance target set by the Safety Committee under § 673.19(d)(2), each large urbanized area provider and its Safety Committee must consider deployment of assault mitigation infrastructure and technology on transit vehicles and in transit facilities. Assault mitigation infrastructure and technology includes barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators.

(5) When a large urbanized area provider's Safety Committee, as part of the transit agency's safety risk reduction program, identifies and recommends under § 673.19(c)(6) safety risk mitigations,

including mitigations relating to vehicular and pedestrian safety events involving transit vehicles or assaults on transit workers, based on a safety risk assessment conducted under § 673.25(c), the transit agency must include or incorporate by reference these safety risk mitigations in its ASP pursuant to § 673.11(a)(7)(iv).

(6) When a large urbanized area provider's Safety Committee recommends a safety risk mitigation unrelated to the safety risk reduction program, and the Accountable Executive decides not to implement the safety risk mitigation, the Accountable Executive must prepare a written statement explaining their decision, pursuant to recordkeeping requirements at § 673.31. The Accountable Executive must submit and present this explanation to the transit agency's Safety Committee and Board of Directors or equivalent entity.

§ 673.27

Safety Assurance.

(a) *Safety Assurance process.* A transit agency must develop and implement a Safety Assurance process, consistent with this subpart. A rail fixed guideway public transportation system, and a recipient or subrecipient of Federal financial assistance under 49 U.S.C. chapter 53 that operates more than one hundred vehicles in peak revenue service, must include in its Safety Assurance process each of the requirements in paragraphs (b), (c), and (d) of this section. A small public transportation provider only must include in its Safety Assurance process the requirements in paragraphs (b) and (d) of this section.

(b) *Safety performance monitoring and measurement.* A transit agency must establish activities to:

(1) Monitor its system for compliance with, and sufficiency of, the transit agency's procedures for operations and maintenance;

(2) Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended. For large urbanized area providers, these activities must address the role of the transit agency's Safety Committee;

(3) Conduct investigations of safety events to identify causal factors; and

(4) Monitor information reported through any internal safety reporting programs.

(c) *Management of change.*

(1) A transit agency must establish a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance.

(2) If a transit agency determines that a change may impact its safety performance, then the transit agency must evaluate the proposed change through its Safety Risk Management process.

(d) *Continuous improvement.* (1) A transit agency must establish a process to assess its safety performance annually.

(i) This process must include the identification of deficiencies in the transit agency's SMS and deficiencies in the transit agency's performance against safety performance targets required in § 673.11(a)(3).

(ii) For large urbanized area providers, this process must also address the role of the transit agency's Safety Committee, and include the identification of deficiencies in the transit agency's

performance against annual safety performance targets set by the Safety Committee under § 673.19(d)(2) for the safety risk reduction program required in § 673.11(a)(7).

(iii) Rail transit agencies must also address any specific internal safety review requirements established by their State Safety Oversight Agency.

(2) A large urbanized area provider must monitor safety performance against annual safety performance targets set by the Safety Committee under § 673.19(d)(2) for the safety risk reduction program in § 673.11(a)(7).

(3) A large urbanized area provider that does not meet an established annual safety performance target set by the Safety Committee under § 673.19(d)(2) for the safety risk reduction program in § 673.11(a)(7) must:

(i) Assess associated safety risk, using the methods or processes established under § 673.25(c);

(ii) Mitigate associated safety risk based on the results of a safety risk assessment using the methods or processes established under § 673.25(d). The transit agency must include these mitigations in the plan described at § 673.27(d)(4) and in the Agency Safety Plan as described in § 673.25(d)(5); and

(iii) Allocate its safety set-aside in the following fiscal year to safety-related projects eligible under 49 U.S.C. 5307 that are reasonably likely to assist the transit agency in meeting the safety performance target in the future.

(4) A transit agency must develop and carry out, under the direction of the Accountable Executive, a plan to address any deficiencies identified through the safety performance assessment as described in this section.

§ 673.29

Safety Promotion.

(a) *Competencies and training.*

(1) A transit agency must establish and implement a comprehensive safety training program that includes de-escalation training, safety concern identification and reporting training, and refresher training for all operations transit workers and transit workers directly responsible for safety in the transit agency's public transportation system. The training program must include refresher training, as necessary.

(2) Large urbanized area providers must include maintenance transit workers in the safety training program.

(b) *Safety communication.* A transit agency must communicate safety and safety performance information throughout the transit agency's organization that, at a minimum, conveys information on hazards and safety risk relevant to transit workers' roles and responsibilities and informs transit workers of safety actions taken in response to reports submitted through a transit worker safety reporting program. A transit agency must also communicate the results of cooperation with frontline transit worker representatives as described at § 673.17(b) or the Safety Committee activities described in § 673.19.

**Subpart E—Safety Plan Documentation and Recordkeeping**

§ 673.31

Safety plan documentation.

At all times, a transit agency must maintain documents that set forth its Public Transportation Agency Safety Plan, including those related to the implementation of its SMS, and results from SMS processes and activities. A transit agency must maintain documents that are included in whole, or by reference, that describe the programs, policies, and procedures that the transit agency uses to carry out its Public Transportation Agency Safety Plan. These documents must be made available upon request by FTA or other Federal entity, or a State or State Safety Oversight Agency having jurisdiction. A transit agency must maintain these documents for a minimum of three years after they are created.

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## PART 674—STATE SAFETY OVERSIGHT

**674.27**

State safety oversight program standards.

**674.29**

Public Transportation Agency Safety Plans: general requirements.

**674.31**

Triennial audits: general requirements.

**674.33**

Notifications of safety events.

**674.35**

Investigations.

**674.37**

Corrective action plans.

**674.39**

State Safety Oversight Agency annual reporting to FTA.

**674.41**

Conflicts of interest.

Authority: 49 U.S.C. 5329; 49 CFR 1.91.

**49 CFR Part 674**

**Subpart A—General Provisions**

§ 674.1

Purpose.

This part carries out the mandate of 49 U.S.C. 5329 for State safety oversight of rail fixed guideway public transportation systems.

§ 674.3

Applicability.

This part applies to States with rail fixed guideway public transportation systems; State safety oversight agencies that oversee the safety of rail fixed guideway public transportation systems; and entities that own or operate rail fixed guideway public transportation systems with Federal financial assistance authorized under 49 U.S.C. Chapter 53.

§ 674.5

Policy.

(a) In accordance with 49 U.S.C. 5329, a State that has a rail fixed guideway public transportation system within the State has primary responsibility for overseeing the safety of that rail fixed guideway public transportation system. A State safety oversight agency must have the authority, resources, and qualified personnel to oversee the number, size, and complexity of rail fixed guideway public transportation systems that operate within a State.

(b) FTA will certify whether a State safety oversight program meets the requirements of 49 U.S.C. 5329 and is adequate to promote the purposes of the public transportation safety programs codified at 49 U.S.C. 5329.

§ 674.7

Definitions.

As used in this part:

*Accountable Executive* means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a transit agency; responsibility for carrying out the transit agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Administrator* means the Federal Transit Administrator or the Administrator's designee.

*Collision* means any impact between a rail transit vehicle and any other vehicle, object, or any person.

*Contractor* means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or a Rail Transit Agency, through contract or other agreement.

*Corrective action plan* means a plan developed by a rail transit agency that describes the actions the rail transit agency will take to address an identified deficiency or safety concern, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require a rail transit agency to develop and carry out a corrective action plan.

*Derailment* for the purposes of this part means a safety event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails.

*Designated personnel* means:

(1) Employees and contractors identified by a recipient whose job functions are directly responsible for safety oversight of the public transportation system of the public transportation agency; or

(2) Employees and contractors of a State Safety Oversight Agency whose job functions require them to conduct reviews, inspections, examinations, and other safety oversight activities of the rail fixed guideway public transportation systems subject to the jurisdiction of the agency.

*Disabling damage* means damage to a rail transit vehicle resulting from a collision and preventing the vehicle from operating under its own power.

*Evacuation for life safety reasons* means a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuation. A life safety reason may include a situation such as a fire, the presence of smoke or noxious fumes, a fuel leak from any source, an electrical hazard,

or other hazard to any person. An evacuation of passengers into the rail right of way (not at a platform or station) for any reason is presumed to be an evacuation for life safety reasons.

*Fatality* means a death confirmed within 30 days of a safety event. Fatalities include suicides, but do not include deaths in or on transit property that are a result of drug overdose, exposure to the elements, illness, or natural causes.

*FRA* means the Federal Railroad Administration, an operating administration within the United States Department of Transportation.

*FTA* means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

*Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

*Injury* means any harm to persons as a result of a safety event that requires immediate medical attention away from the scene. Does not include harm resulting from a drug overdose, exposure to the elements, illness, natural causes, or occupational safety events occurring in administrative buildings.

*Inspection* means a physical observation of equipment, facilities, rolling stock, operations, personnel, or records for the purpose of gathering or analyzing facts or information.

*Investigation* means the process of determining the causal and contributing factors of a safety event or hazard, for the purpose of preventing recurrence and mitigating safety risk.

*National Public Transportation Safety Plan* means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

*NTSB* means the National Transportation Safety Board, an independent Federal agency.

*Person* means a passenger, employee, contractor, volunteer, official worker, pedestrian, trespasser, or any other individual on the property of a rail fixed guideway public transportation system or associated infrastructure.

*Potential consequence* means the effect of a hazard.

*Public transportation* has the meaning found in 49 U.S.C. 5302.

*Public Transportation Agency Safety Plan (PTASP)* means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and part 673 of this chapter.

*Public Transportation Safety Certification Training Program (PTSCTP)* means the certification training program that is required by 49 U.S.C. 5329(c) and part 672 of this chapter.

*Rail fixed guideway public transportation system* means any fixed guideway system, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration. These include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

*Rail transit agency (RTA)* means any entity that provides services on a rail fixed guideway public transportation system.

*Rail transit vehicle* means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

*Revenue vehicle* means a rail transit vehicle used to provide revenue service for passengers. This includes providing fare free service.

*Risk-based inspection program* means an inspection program that uses qualitative and quantitative data analysis to inform ongoing inspection activities. Risk-based inspection programs are designed to prioritize inspections to address safety concerns and hazards associated with the highest levels of safety risk.

*Safety event* means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

*Safety risk* means the composite of predicted severity and likelihood of a potential consequence of a hazard.

*Safety risk mitigation* means a method or methods to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard.

*State* means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

*State Safety Oversight Agency (SSOA)* means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and (k) and the regulations set forth in this part.

*Unintended train movement* means any instance where a revenue vehicle is moving and is not under the control of a driver (whether or not the operator is physically on the vehicle at the time). This applies regardless of whether the event occurred in revenue service.

§ 674.9

[Reserved]

**Subpart B—Role of the State**

§ 674.11

State Safety Oversight Program.

Every State that has a rail fixed guideway public transportation system must have a State Safety Oversight (SSO) program that has been approved by the Administrator. FTA will audit each State's compliance at least triennially, consistent with 49 U.S.C. 5329(e)(10). At minimum, an SSO program must:

(a) Explicitly acknowledge the State's responsibility for overseeing the safety of the rail fixed guideway public transportation systems within the State;

(b) Demonstrate the State's ability to adopt and enforce Federal and relevant State law for safety in rail fixed guideway public transportation systems;

(c) Establish a State safety oversight agency, by State law, in accordance with the requirements of 49 U.S.C. 5329 and this part;

(d) Demonstrate that the State has determined an appropriate staffing level for the State safety oversight agency commensurate with the number, size, and complexity of the rail fixed guideway public transportation systems in the State, and that the State has consulted with the Administrator for that purpose;

(e) Demonstrate that the employees and other personnel of the State safety oversight agency who are responsible for the oversight of rail fixed guideway public transportation systems are qualified to perform their functions, based on appropriate training, including substantial progress toward or completion of the Public Transportation Safety Certification Training Program; and

(f) Demonstrate that by law, the State prohibits any public transportation agency in the State from providing funds to the SSOA.

§ 674.13

Designation of oversight agency.

(a) Every State that must establish a State Safety Oversight program in accordance with 49 U.S.C. 5329 must also establish an SSOA for the purpose of overseeing the safety of rail fixed guideway public transportation systems within that State. Further, the State must ensure that:

(1) The SSOA is financially and legally independent from any public transportation agency the SSOA is obliged to oversee;

(2) The SSOA does not directly provide public transportation services in an area with a rail fixed guideway public transportation system the SSOA is obliged to oversee;

(3) The SSOA does not employ any individual who is also responsible for administering a rail fixed guideway public transportation system the SSOA is obliged to oversee;

(4) The SSOA has authority to review, approve, oversee, and enforce the Public Transportation Agency Safety Plan for a rail fixed guideway public transportation system required by 49 U.S.C. 5329(d) and part 673 of this chapter;

(5) The SSOA has investigative, inspection, and enforcement authority with respect to the safety of all rail fixed guideway public transportation systems within the State;

(6) At least once every three years, the SSOA audits every rail fixed guideway public transportation system's compliance with the Public Transportation Agency Safety Plan required by 49 U.S.C. 5329(d) and part 673 of this chapter; and

(7) At least once a year, the SSOA reports the status of the safety of each rail fixed guideway public transportation system to the Governor, the FTA, and the board of directors, or equivalent entity, of the rail fixed guideway public transportation system.

(b) At the request of the Governor of a State, the Administrator may waive the requirements for financial and legal independence and the prohibitions on employee conflicts of interest under paragraphs (a)(1) and (3) of this section, if the rail fixed guideway public transportation systems in design, construction, or revenue operations in the State have fewer than one million combined actual and projected rail fixed guideway revenue miles per year or provide fewer than ten million combined actual and projected unlinked passenger trips per year. However:

(1) If a State shares jurisdiction over one or more rail fixed guideway public transportation systems with another State, and has one or more rail fixed guideway public transportation systems that are not shared with another State, the revenue miles and unlinked passenger trips of the rail fixed guideway public transportation system under shared jurisdiction will not be counted in the Administrator's decision whether to issue a waiver.

(2) The Administrator will rescind a waiver issued under this subsection if the number of revenue miles per year or unlinked passenger trips per year increases beyond the thresholds specified in this subsection.

§ 674.15

Designation of oversight agency for multi-state system.

In an instance of a rail fixed guideway public transportation system that operates in more than one State, all States in which that rail fixed guideway public transportation system operates must either:

(a) Ensure that uniform safety standards and procedures in compliance with 49 U.S.C. 5329 are applied to that rail fixed guideway public transportation system, through an SSO program that has been approved by the Administrator; or

(b) Designate a single entity that meets the requirements for an SSOA to serve as the SSOA for that rail fixed guideway public transportation system, through an SSO program that has been approved by the Administrator.

§ 674.17

Use of Federal financial assistance.

(a) In accordance with 49 U.S.C. 5329(e)(6), FTA will make grants of Federal financial assistance to eligible States to help the States develop and carry out their SSO programs. This Federal financial assistance may be used for reimbursement of both the operational and administrative expenses of SSO programs, consistent with the uniform administrative requirements for grants to States under 2 CFR parts 200 and 1201. The expenses eligible for reimbursement include, specifically, the expense of employee training and the expense of establishing and maintaining an SSOA in compliance with 49 U.S.C. 5329.

(b) The apportionments of available Federal financial assistance to eligible States will be made in accordance with a formula, established by the Administrator, following opportunity for public notice and comment. The formula will take into account fixed guideway vehicle revenue miles, fixed guideway route miles, and fixed guideway vehicle passenger miles attributable to all rail fixed guideway systems within each eligible State not subject to the jurisdiction of the FRA.

(c) The grants of Federal financial assistance for State safety oversight shall be subject to terms and conditions as the Administrator deems appropriate.

(d) The Federal share of the expenses eligible for reimbursement under a grant for State safety oversight activities shall be eighty percent of the reasonable costs incurred under that grant.

(e) The non-Federal share of the expenses eligible for reimbursement under a grant for State safety oversight activities may not be comprised of Federal funds, any funds received from a public transportation agency, or any revenues earned by a public transportation agency.

§ 674.19

Certification of a State Safety Oversight Program.

(a) The Administrator must determine whether a State's SSO program meets the requirements of 49 U.S.C. 5329. Also, the Administrator must determine whether an SSO program is adequate to promote the purposes of 49 U.S.C. 5329, including, but not limited to, the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, and the Public Transportation Agency Safety Plans.

(b) The Administrator must issue a certification to a State whose SSO program meets the requirements of 49 U.S.C. 5329. The Administrator must issue a denial of certification to a State whose SSO program does not meet the requirements of 49 U.S.C. 5329.

(c) In an instance in which the Administrator issues a denial of certification to a State whose SSO program does not meet the requirements of 49 U.S.C. 5329, the Administrator must provide a written explanation, and allow the State an opportunity to modify and resubmit its SSO program for the Administrator's approval. In the event the State is unable to modify its SSO program to merit the Administrator's issuance of a certification, the Administrator must notify the Governor of that fact, and must ask the Governor to take all possible actions to correct the deficiencies that are precluding the issuance of a certification for the SSO program. In his or her discretion, the Administrator may also impose financial penalties as authorized by 49 U.S.C. 5329(e), which may include:

(1) Withholding SSO grant funds from the State;

(2) Withholding up to five percent of the 49 U.S.C. 5307 Urbanized Area formula funds appropriated for use in the State or urbanized area in the State, until such time as the SSO program can be certified; or

(3) Requiring all rail fixed guideway public transportation systems governed by the SSO program to spend up to 100 percent of their Federal funding under 49 U.S.C. chapter 53 only for safety-related improvements on their systems, until such time as the SSO program can be certified.

(d) When determining whether to issue a certification or a denial of certification for an SSO program, the Administrator must evaluate whether the cognizant SSOA has the authority, resources, and expertise to oversee the number, size, and complexity of the rail fixed guideway public transportation systems that operate within the State, or will attain the necessary authority, resources, and expertise in accordance with a developmental plan and schedule.

§ 674.21

Withholding of Federal financial assistance for noncompliance.

(a) In making a decision to impose financial penalties as authorized by 49 U.S.C. 5329(e) and determining the nature and amount of the financial penalties, the Administrator shall consider the extent and circumstances of the noncompliance; the operating budgets of the SSOA and the rail fixed guideway public transportation systems that will be affected by the financial penalties; and such other matters as justice may require.

(b) If a State fails to establish an SSO program that has been approved by the Administrator prior to a rail fixed guideway public transportation system entering the engineering or construction phase of development, FTA will be prohibited from obligating Federal financial assistance authorized under 49 U.S.C. 5338 to any entity in the State that is otherwise eligible to receive that Federal financial assistance, in accordance with 49 U.S.C. 5329(e)(3).

§ 674.23

Confidentiality of information.

(a) A State, an SSOA, or an RTA may withhold an investigation report prepared or adopted in accordance with these regulations from being admitted as evidence or used in a civil action for damages resulting from a matter mentioned in the report.

(b) This part does not require public availability of any data, information, or procedures pertaining to the security of a rail fixed guideway public transportation system or its passenger operations.

**Subpart C—State Safety Oversight Agencies**

§ 674.25

Role of the State safety oversight agency.

(a) An SSOA must establish minimum standards for the safety of all rail fixed guideway public transportation systems within its oversight. These minimum standards must be consistent with the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, the rules for Public Transportation Agency Safety Plans and all applicable Federal and State law.

(b) An SSOA must review and approve the Public Transportation Agency Safety Plan for every rail fixed guideway public transportation system within its oversight. An SSOA must oversee an RTA's execution of its Public Transportation Agency Safety Plan. An SSOA must enforce the execution of a Public Transportation Agency Safety Plan, through an order of a corrective action plan or any other means, as necessary or appropriate.

(c) An SSOA has the responsibility to provide safety oversight of an RTA's project(s) in the engineering or construction phase to verify compliance with all applicable Federal and State safety requirements. For purposes of §§ 674.33 and 674.35, this is limited to safety events that involve transit-related activities such as operations, testing, simulated service or pre-revenue service, or a transit-related maintenance activity.

(d) An SSOA must ensure that a Public Transportation Agency Safety Plan meets the requirements at 49 U.S.C. 5329(d) and part 673 of this chapter.

(e) An SSOA has primary responsibility for the investigation of any allegation of noncompliance with a Public Transportation Agency Safety Plan. These responsibilities do not preclude the Administrator from exercising their authority under 49 U.S.C. 5329(f).

(f) An SSOA has primary responsibility for the investigation of a safety event on a rail fixed guideway public transportation system. This responsibility does not preclude the Administrator from exercising his or her authority under 49 U.S.C. 5329(f).

(g) An SSOA may enter into an agreement with a contractor for assistance in overseeing safety event investigations and performing independent safety event investigations; and for expertise the SSOA does not have within its own organization.

(h) All designated personnel employed by an SSOA must comply with the requirements of the Public Transportation Safety Certification Training Program.

§ 674.27

State safety oversight program standards.

(a) An SSOA must adopt and distribute a written SSO program standard, consistent with the National Public Transportation Safety Plan and the rules for Public Transportation Agency Safety Plans. This SSO program standard must identify the processes and procedures that govern the activities of the SSOA. Also, the SSO program standard must identify the processes and procedures an RTA must have in place to comply with the standard. At minimum, the program standard must meet the following requirements:

(1) *Program management.* The SSO program standard must explain the authority of the SSOA to oversee the safety of rail fixed guideway public transportation systems; the policies that govern the activities of the SSOA; the reporting requirements that govern both the SSOA and the rail fixed guideway public transportation systems; and the steps the SSOA will take to ensure open, on-going communication between the SSOA and every rail fixed guideway public transportation system within its oversight.

(2) *Program standard development.* The SSO program standard must explain the SSOA's process for developing, reviewing, adopting, and revising its minimum standards for safety, and distributing those standards to the rail fixed guideway public transportation systems.

(3) *Disposition of RTA comments.* The SSO program standard must establish a disposition process that defines how the SSOA will address any comments the RTA makes with respect to the SSO program standard.

(4) *Program policy and objectives.* The SSO program standard must set an explicit policy and objectives for safety in rail fixed guideway public transportation throughout the State.

(5) *Oversight of RTA Public Transportation Agency Safety Plans and internal safety reviews.* The SSO program standard must explain the role of the SSOA in overseeing an RTA's execution of its Public Transportation Agency Safety Plan and any related safety reviews of the RTA's fixed guideway public transportation system. The SSO program standard must describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA's Accountable Executive. The SSO program standard must define baseline RTA internal safety review requirements including, at a minimum, the following requirements:

(i) The RTA must develop and document an ongoing internal safety review process to ensure that all elements of an RTA's Public Transportation Agency Safety Plan are performing and being implemented as intended.

(ii) The RTA's internal safety review process must ensure that the implementation of all elements of its Public Transportation Agency Safety Plan are reviewed within a three-year period.

(iii) The RTA must notify the SSOA at least thirty (30) days before the RTA conducts an internal safety review of any aspect of the rail fixed guideway public transportation system and provide any checklists or procedures it will use during the review.

(iv) The RTA must submit a report to the SSOA annually documenting the internal safety review activities and the status of subsequent findings and corrective actions.

(6) *Oversight of safety risk mitigations.* The SSO program standard must explain the role of the SSOA in overseeing an RTA's development, implementation, and monitoring of safety risk mitigations related to rail fixed guideway transportation, including how the SSOA will track RTA safety risk

mitigations. The SSO program standard must specify the frequency and format whereby the SSOA will receive and review information on RTA safety risk mitigation status and effectiveness.

(7) *Oversight of RTA compliance with the Public Transportation Safety Certification Training Program.* The SSO program standard must explain how the SSOA will ensure that the RTA satisfies the requirements of the *Public Transportation Safety Certification Training Program,* including the RTA's designation of personnel and the RTA's identification of refresher training.

(8) *Triennial SSOA audits of RTA Public Transportation Agency Safety Plans.* The SSO program standard must explain the process the SSOA will follow and the criteria the SSOA will apply in conducting a complete audit of the RTA's compliance with its Public Transportation Agency Safety Plan at least once every three years, in accordance with 49 U.S.C. 5329. Alternatively, the SSOA and RTA may agree that the SSOA will conduct its audit on an on-going basis over the three-year timeframe. The program standard must establish a procedure the SSOA and RTA will follow to manage findings and recommendations arising from the triennial audit.

(9) *Safety event notifications.* The SSO program standard must establish requirements for RTA notifications of safety events occurring on the RTA's rail fixed guideway public transportation system, including notifications to the SSOA and to FTA. SSOA safety event notification requirements must address, specifically, the time limits for notification, methods of notification, and the nature of the information the RTA must submit to the SSOA.

(10) *Investigations.* The SSO program standard must identify safety events that require an RTA to conduct an investigation. Also, the program standard must address how the SSOA will oversee an RTA's own internal investigation; the role of the SSOA in supporting any investigation conducted or findings and recommendations made by the NTSB or FTA; and procedures for protecting the confidentiality of the investigation reports.

(11) *Corrective actions.* The program standard must explain the process and criteria by which the SSOA may order an RTA to develop and carry out a corrective action plan (CAP), and a procedure for the SSOA to review and approve a CAP. Also, the program standard must explain the SSOA's policy and practice for tracking and verifying an RTA's compliance with the CAP and managing any conflicts between the SSOA and RTA relating either to the development or execution of the CAP or the findings of an investigation.

(12) *Inspections.* The SSO program standard must include or incorporate by reference a risk-based inspection program that:

(i) Is commensurate with the number, size, and complexity of the rail fixed guideway public transportation systems that the State safety oversight agency oversees;

(ii) Provides the SSOA with the authority and capability to enter the facilities of each rail fixed guideway public transportation system that the SSOA oversees to inspect infrastructure, equipment, records, personnel, and data, including the data that the RTA collects when identifying and evaluating safety risks; and

(iii) Include policies and procedures regarding the access of the SSOA to conduct inspections of the rail fixed guideway public transportation system, including access for inspections that occur without advance notice to the RTA.

(13) *Vehicle maintenance and testing.* The SSO program standard must include the process by which the SSOA will review an RTA's rail transit vehicle maintenance program, including the RTA's periodic testing of rail transit vehicle braking systems to ensure performance and to detect potential latent system failures.

(14) *Data collection.* The program standard must include policies and procedures for collecting and reviewing data that the RTA uses when identifying hazards and assessing safety risk and explain how the SSOA uses collected data to support oversight of the RTA's safety risk management process. The frequency of collection shall be commensurate with the size and complexity of the rail fixed guideway public transportation system.

(b) At least once a year an SSOA must submit its SSO program standard and any referenced program procedures to FTA, with an indication of any revisions made to the program standard since the last annual submittal. FTA will evaluate the SSOA's program standard as part of its continuous evaluation of the State Safety Oversight Program, and in preparing FTA's report to Congress on the certification status of that State Safety Oversight Program, in accordance with 49 U.S.C. 5329.

§ 674.29

Public Transportation Agency Safety Plans: general requirements.

(a) In determining whether to approve a Public Transportation Agency Safety Plan for a rail fixed guideway public transportation system, an SSOA must evaluate whether the Public Transportation Agency Safety Plan is compliant with 49 U.S.C. 5329(d) and part 673 of this chapter; is consistent with the National Public Transportation Safety Plan; and is in compliance with the SSO program standard set by the SSOA.

(b) In an instance in which an SSOA does not approve a Public Transportation Agency Safety Plan, the SSOA must provide a written explanation and allow the RTA an opportunity to modify and resubmit its Public Transportation Agency Safety Plan for the SSOA's approval.

§ 674.31

Triennial audits: general requirements.

At least once every three years, an SSOA must conduct a complete audit of an RTA's compliance with its Public Transportation Agency Safety Plan. Alternatively, an SSOA may conduct the audit on an on-going basis over the three-year timeframe. If an SSOA audits an RTA's compliance on an ongoing basis, the SSOA shall issue interim audit reports at least annually. At the conclusion of the three-year audit cycle, the SSOA shall issue a report with findings and recommendations arising from the triennial or ongoing audit, which must include, at minimum, an analysis of the effectiveness of the Public Transportation Agency Safety Plan, recommendations for improvements, and a corrective action plan, if necessary or appropriate. The RTA must be given an opportunity to comment on the findings and recommendations.

§ 674.33

Notifications of safety events.

(a) An RTA must notify FTA and the SSOA within two hours of any safety event occurring on a rail fixed guideway public transportation system that results in one or more of the following:

(1) Fatality

(2) Two or more injuries

(3) Derailment

(4) Collision resulting in one or more injuries

(5) Collision between two rail transit vehicles

(6) Collision resulting in disabling damage to a rail transit vehicle

(7) Evacuation for life safety reasons

(8) Unintended train movement.

(b) The two-hour notification requirement excludes criminal actions that result in fatalities or injuries, such as homicides and assaults.

§ 674.35

Investigations.

(a) An SSOA must investigate or require an investigation of any safety event that requires notification under § 674.33.

(b) The SSOA is ultimately responsible for the sufficiency and thoroughness of all investigations, whether conducted by the SSOA or RTA. If an SSOA requires an RTA to investigate a safety event, the SSOA must conduct an independent review of the RTA's findings of causation. In any instance in which an RTA is conducting its own internal investigation of the safety event, the SSOA and the RTA must coordinate their investigations in accordance with the SSO program standard and any agreements in effect.

(c) Within a reasonable time, an SSOA must issue a written report on its investigation of a safety event or review of an RTA's safety event investigation in accordance with the reporting requirements established by the SSOA. The report must describe the investigation activities; identify the factors that caused or contributed to the safety event; and set forth a corrective action plan, as necessary or appropriate. The SSOA must formally adopt the report of a safety event and transmit that report to the RTA for review and concurrence. If the RTA does not concur with an SSOA's report, the SSOA may allow the RTA to submit a written dissent from the report, which may be included in the report, at the discretion of the SSOA.

(d) All personnel and contractors that conduct investigations on behalf of an SSOA must be trained to perform their functions in accordance with the Public Transportation Safety Certification Training Program.

(e) The Administrator may conduct an independent investigation of any safety event or an independent review of an SSOA's or an RTA's findings of causation of a safety event.

§ 674.37

Corrective action plans.

(a) The SSOA must, at a minimum, require the development of a CAP for the following:

(1) Results from investigations, in which the RTA or SSOA determined that causal or contributing factors require corrective action;

(2) Findings of non-compliance from safety reviews and inspections performed by the SSOA; or

(3) Findings of non-compliance from internal safety reviews performed by the RTA.

(b) In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan. However, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval.

(c) A CAP must describe, specifically, the actions the RTA will take to correct the deficiency identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA may monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

(d) In any instance in which a safety event on the RTA's rail fixed guideway public transportation system is the subject of an investigation by the NTSB or FTA, the SSOA must evaluate whether the findings or recommendations by the NTSB or FTA require a CAP by the RTA, and if so, the SSOA must order the RTA to develop and carry out a CAP.

§ 674.39

State Safety Oversight Agency annual reporting to FTA.

(a) On or before March 15 of each year, an SSOA must submit the following material to FTA:

(1) The SSO program standard adopted in accordance with § 674.27, with an indication of any changes to the SSO program standard during the preceding twelve months;

(2) Evidence that its designated personnel have completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;

(3) A publicly available report that summarizes its oversight activities for the preceding twelve months, describes the causal factors of safety events identified through investigation, and identifies the status of corrective actions, changes to Public Transportation Agency Safety Plans, and the level of effort by the SSOA in carrying out its oversight activities;

(4) Final investigation reports for all safety events meeting one or more of the criteria specified at § 674.33;

(5) A summary of the internal safety reviews conducted by RTAs during the previous twelve months, and the RTA's progress in carrying out CAPs arising under § 674.37(a)(3);

(6) A summary of the triennial audits completed during the preceding twelve months, and the RTAs' progress in carrying out CAPs arising from triennial audits conducted in accordance with § 674.31;

(7) Evidence that the SSOA has reviewed and approved any changes to the Public Transportation Agency Safety Plans during the preceding twelve months; and

(8) A certification that the SSOA is in compliance with the requirements of this part.

(b) These materials must be submitted electronically through a reporting system specified by FTA.

§ 674.41

Conflicts of interest.

(a) An SSOA must be financially and legally independent from any rail fixed guideway public transportation system under the oversight of the SSOA, unless the Administrator has issued a waiver of this requirement in accordance with § 674.13(b).

(b) An SSOA may not employ any individual who provides services to a rail fixed guideway public transportation system under the oversight of the SSOA, unless the Administrator has issued a waiver of this requirement in accordance with § 674.13(b).

(c) A contractor may not provide services to both an SSOA and a rail fixed guideway public transportation system under the oversight of that SSOA, unless the Administrator has issued a waiver of this prohibition.

**Footnotes**

1. Office of Management and Budget (2023). "Circular No. A-4." *https://www.whitehouse.gov/wp-content/uploads/2023/11/CircularA-4.pdf.*

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2. Federal Transit Administration. August 3, 2022. "State Safety Oversight Contacts." *https://www.transit.dot.gov/regulations-and-guidance/safety/state-safety-oversight-contacts.* P>3. Average events calculated using FTA's State Safety Oversight Reporting system.

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4. Bureau of Labor Statistics. 2024. "May 2022 National Occupational Employment and Wage Estimates: United States." *https://www.bls.gov/oes/2022/may/oes_nat.htm.*

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5. Multiplier derived using Bureau of Labor Statistics data on employer costs for employee compensation in December 22 ( *https://www.bls.gov/news.release/ecec.htm*). Employer costs for state and local government workers averaged $57.60 an hour, with $35.69 for wages and $21.95 for benefit costs. To estimate full costs from wages, one will use a multiplier of $57.60/$21.95, or 1.62.

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# National Public Transportation Safety Plan

## April 2024

Version 2




U.S. Department of Transportation

**Federal Transit Administration**

# Table of Contents



*The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Recipients and subrecipients should refer to FTA's statutes and regulations for applicable requirements.*

# Executive Summary

Safety is the number one priority of the United States Department of Transportation (USDOT) and Federal Transit Administration (FTA). The purpose of the National Public Transportation Safety Plan (National Safety Plan) is to guide the national effort to manage safety risk in our nation's public transportation systems. This update continues to mature FTA's national safety program and addresses new requirements in the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act, to further advance transit safety.

This plan supersedes the plan that FTA published in January 2017. It lays out a performance-based approach to reduce injuries and fatalities on transit systems under FTA's safety jurisdiction. This plan also supports the USDOT's long-term goal of reaching zero fatalities on America's roadways, as presented in the January 2022 National Roadway Safety Strategy, by adding safety performance criteria for vehicular collisions and providing voluntary standards for bus transit.

This plan includes:

- Safety performance criteria for all recipients that must develop Agency Safety Plans under FTA's Public Transportation Agency Safety Plan (PTASP) regulation, 49 CFR part 673, including safety performance measures related to the PTASP safety risk reduction program (see Chapter II); and

- Voluntary minimum safety standards and recommended practices to support mitigation of safety risk and to improve safety performance (see Chapter III), including:

    - Recommendations issued by the National Transportation Safety Board (NTSB),

    - Recommended practices and standards developed by the transit industry, and

    - Recommended precautionary and reactive actions to ensure public and personnel safety and health during an emergency established in consultation with the Secretary of Health and Human Services.

# Introduction

Safety is the top priority of both the USDOT and the FTA. While transit is already one of the safest modes of transportation, FTA is committed to improving safety even further. FTA is committed to developing, implementing, and consistently improving strategies and processes to ensure that public transportation achieves the highest practicable level of safety and is committed to the USDOT's vision of a future with zero transportation-related fatalities and the elimination of transportation-related serious injuries. Transit should be safe for the passengers using the system, the workers operating the system, and the pedestrians, bicyclists, and all other persons who interact with the system.

FTA has adopted the principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation in the United States. FTA follows the principles and methods of SMS in its development and revision of this plan, regulations, policies, guidance, best practices, and technical assistance administered under the authority of 49 U.S.C. § 5329.

SMS is a formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation.[1] SMS includes systematic procedures, practices, and policies for managing hazards and safety risk. FTA will continue to support the transit industry's implementation of SMS and will continue to use SMS to strengthen its own safety management processes.

## Plan Overview

The purpose of the National Safety Plan is to improve the safety of all public transportation systems that receive funding under 49 U.S.C. Chapter 53. FTA uses the National Safety Plan to guide the national effort to manage safety risk in our Nation's public transportation systems. The Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act, adds new elements that must be included in the National Safety Plan, including:

- Safety performance measures related to the PTASP safety risk reduction program;
- In consultation with the Secretary of Health and Human Services, precautionary and reactive actions required to ensure public and personnel safety and health during an emergency; and
- Consideration, where appropriate, of performance-based and risk-based methodologies.

The Bipartisan Infrastructure Law also requires that the minimum safety performance standards for public transportation vehicles used in revenue operations take into consideration, to the extent practicable, innovations in driver assistance technologies and driver protection infrastructure, where appropriate, and a reduction in visibility impairments that contribute to pedestrian fatalities.

The National Safety Plan also acknowledges recommendations made by the NTSB. Chapter III includes, to the extent practicable, voluntary minimum safety standards for public transportation

[1] 49 CFR § 673.5

vehicles and transit operations that take into consideration relevant NTSB recommendations. In addition to the voluntary standards contained in the National Safety Plan, FTA is exploring expanding its regulatory framework to include potential minimum mandatory baseline standards for public transit safety and NTSB recommendations, including those relating to roadway worker protection and fatigue.

The National Safety Plan is organized into three chapters:

- **Chapter I: Keeping Safety the Top Priority –** This chapter presents FTA's safety vision, strategic objectives, and an overview of FTA's National Public Transportation Safety Program; and provides high-level safety performance data related to FTA safety priorities.

- **Chapter II: Safety Performance Criteria –** This chapter defines safety performance measures[2] for transit agencies required to establish and implement Agency Safety Plans under FTA's PTASP regulation, 49 CFR part 673. The chapter identifies 14 safety performance measures for all modes of public transportation and presents eight safety performance measures for the PTASP safety risk reduction program for agencies that serve an urbanized area with a population of 200,000 or more.

- **Chapter III: Voluntary Minimum Safety Standards and Recommended Practices** – This chapter presents voluntary minimum safety performance standards for public transportation vehicles used in revenue operations and voluntary minimum safety standards to ensure the safe operation of public transportation systems, as well as recommended practices that may support the transit industry in assessing and mitigating safety risk and help improve safety performance.

[2] In this plan FTA uses the term "performance measure" as a synonym for "performance criteria," which is used in 49 U.S.C. § 5329(b)(2).

# Chapter I: Keeping Safety the Top Priority

## FTA's Safety Vision and Strategic Objectives

FTA is committed to its vision of a better quality of life for all built on public transportation excellence and its mission of improving America's communities through public transportation. Enhancing safety by reducing safety events on the Nation's transit systems is integral to achieving this vision. The USDOT Strategic Plan establishes Safety as the top strategic goal for the Department, and emphasizes five objectives: Safe Public, Safe Workers, Safe Design, Safe Systems, and Critical Infrastructure Cybersecurity. In addition, FTA has adopted the principles and methods of SMS to achieve the highest degree of safety. The SMS approach is a formal, organization-wide approach for managing safety risk and assuring the effectiveness of safety risk mitigation.

## Areas of Safety Focus

FTA has identified the following five areas of safety focus to guide the implementation of the Federal Public Transportation Safety Program:

- **Transit's role in the community –** Public transportation is on the frontline of many of society's most challenging safety and public health issues, including the Coronavirus Disease 2019 (COVID-19) pandemic, substance abuse, mental health, homelessness, and crime. Transit also advances equity and sustainability in America's communities. Documenting and sharing lessons learned helps the transit community identify and mitigate safety risk to keep passengers and transit workers safe while also advancing opportunity and tackling climate change.
- **Shared responsibility –** Transit safety is a shared responsibility that is coordinated across stakeholders, including government at all levels, labor, industry, nonprofit and advocacy groups, researchers, and the public, to prevent fatalities and serious injuries.
- **Performance-based approach to SMS –** Setting and achieving performance targets and using performance-based standards enhances the SMS approach and supports efforts to identify and mitigate safety risk in transit systems before harmful consequences occur.
- **Data-driven decision-making –** Identifying data relevant to safety, conducting analyses, and developing data-driven conclusions strengthens both the performance of an SMS and the understanding and management of safety risk.
- **Accounting for human factors as part of safety risk mitigation –** Safety risk mitigations developed as part of an SMS should consider and address certain types of human error. This approach recognizes the role of human behavior and works to effectively reduce safety risk for passengers, transit workers, and all who encounter the system.

## The National Public Transportation Safety Program

FTA carries out its safety vision, mission, and strategic objectives through the National Public Transportation Safety Program. In 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) amended Federal transit law by authorizing a new public transportation safety program at 49 U.S.C. § 5329. FTA's Safety Program was further strengthened in the Fixing America's Surface Transportation (FAST) Act in 2015 and, most recently, in 2021 through the Bipartisan Infrastructure Law. FTA also carries out an Alcohol and Controlled Substances Testing program under 49 U.S.C. § 5331, which was first established in law in the Omnibus Transportation Employee Testing Act of 1991.

FTA follows the principles and methods of SMS in its development and revision of regulations, policies, guidance, best practices, and technical assistance to administer its Safety Program under the authority of 49 U.S.C. § 5329. The following list identifies the main elements of FTA's Safety Program which include:

- **The National Safety Plan** establishes key safety performance measures and identifies voluntary minimum safety standards and recommended practices to mitigate safety risk and improve safety performance across the transit industry.
- **The Public Transportation Safety Certification Training Program (PTSCTP)**, described in FTA's PTSCTP regulation at 49 CFR part 672, establishes a curriculum and provides minimum training requirements to enhance technical proficiency for State Safety Oversight Agency personnel and contractors who conduct safety audits and examinations of rail fixed guideway public transportation systems, and for designated transit agency personnel and contractors who are directly responsible for safety oversight of a recipient's rail fixed guideway public transportation system.
- **The Public Transportation Agency Safety Plan (PTASP) Program,** described in FTA's PTASP regulation at 49 CFR part 673, requires certain transit agencies to develop agency safety plans and establish and implement an SMS.
- **The State Safety Oversight (SSO) Program** for rail transit agencies (RTAs), described in FTA's SSO regulation at 49 CFR part 674, outlines a State Safety Oversight Agency's authority to oversee rail transit agency safety performance.
- **FTA's safety oversight and enforcement authorities**, described in FTA's Public Transportation Safety Program regulation at 49 CFR part 670, establishes substantive and procedural rules for FTA's administration of the Safety Program. Importantly, the rule formally establishes SMS as the foundation for FTA's development and implementation of the Safety Program.

FTA's Safety Program also includes a drug and alcohol compliance program. The Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations at 49 CFR part 655, establishes programs to be implemented by employers that receive financial assistance from FTA and by contractors of those employers, that are designed to help prevent accidents, injuries, and fatalities resulting from the misuse of alcohol and use of prohibited drugs by those performing safety-sensitive functions.

In addition, FTA's Safety Program considers how the condition of transit assets can affect safety performance. In passing MAP-21, Congress recognized the critical relationship between safety and asset condition, requiring the National Safety Plan to include the definition of state of good repair set in the rulemaking for asset management (49 U.S.C. § 5329(b)(2)(B)). The Transit Asset Management (TAM) rule at 49 CFR part 625 defines state of good repair as "the condition in which a capital asset is able to operate at a full level of performance" (49 CFR § 625.5). Both TAM and PTASP emphasize opportunities for transit agencies to share information and analyses, thereby improving decision-making agency-wide to address safety risk.

Finally, FTA's internal Safety Risk Management (SRM) process supports FTA's Safety Program by proactively identifying and addressing safety concerns in the transit industry. FTA uses its SRM process to assess and mitigate industry-wide safety risk using authorities specified in 49 U.S.C. § 5329. FTA also used outputs from this process to support the identification of public transportation safety priorities outlined in this National Safety Plan.

## Public Transportation Safety Data

While public transportation fatalities and injuries comprise less than one percent of total casualties on America's surface transportation network,[3] transit fatalities and injuries remain a significant concern for America's communities. Over the last six years, there has been a general increasing trend in the number and rate of major transit safety events and fatalities reported to FTA's National Transit Database (NTD).

Between 2016 and 2021, the U.S. public transportation industry reported an annual average of 9,498 major safety events,[4] 284 fatalities, and 21,066 injuries requiring immediate medical attention away from the scene to the NTD.[5] The tables below present the annual industry-wide counts and rates (per 100 million Vehicle Revenue Miles (VRM)) for these metrics between calendar years 2016 and 2021 as reported by transit agencies to the NTD.

| Counts | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | Annual Average |
|---|---|---|---|---|---|---|---|
| Major Events | 9,988 | 9,801 | 10,121 | 10,522 | 7,739 | 8,819 | 9,498 |
| Fatalities | 269 | 254 | 263 | 278 | 304 | 334 | 284 |
| Injuries | 23,970 | 23,144 | 23,157 | 23,695 | 15,742 | 16,687 | 21,066 |

[3] USDOT National Roadway Safety Strategy, page 1.
[4] Major events are defined in the NTD Safety and Security Policy Manual.
[5] These numbers include data reported to the NTD by full and reduced reporters and excludes rail service under the jurisdiction of the Federal Railroad Administration. See the NTD Reporting Manuals for descriptions of reporting thresholds and other information.

| Rates per 100M VRM | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2016–2021 |
|---|---|---|---|---|---|---|---|
| Major Event Rate | 227.90 | 221.90 | 227.81 | 234.69 | 214.54 | 238.76 | 227.72 |
| Fatality Rate | 6.14 | 5.75 | 5.92 | 6.20 | 8.43 | 9.04 | 6.80 |
| Injury Rate | 546.93 | 523.98 | 521.24 | 528.52 | 436.41 | 451.77 | 505.05 |

From 2016 to 2021, the U.S. public transportation industry averaged 284 fatalities per year. The fatality rate (per 100 million VRM) has increased in each of the last four years, with the transit industry reporting its highest number of fatalities in 2021, despite reduced service and ridership during the COVID-19 pandemic affecting years 2020 and 2021.

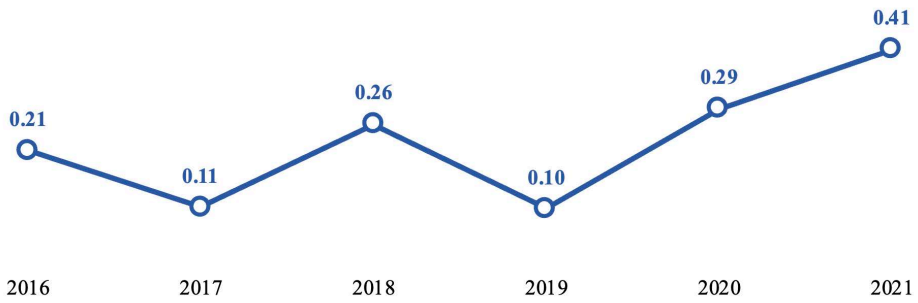
Major event numbers and rates (per 100 million VRM) remained relatively constant but dropped in 2020. Major event counts remained low in 2021, but rates increased above pre-pandemic levels in 2021. Injury numbers and rates (per 100 million VRM) also did not vary considerably between 2016 and 2019 but dropped significantly in 2020. Injury numbers and rates increased in 2021 but were still below 2016–2019 levels.

## Public Transportation Safety Concerns

FTA has identified the following significant safety concerns in the transit industry:

1) **Transit Worker Fatalities** – Despite safety risk mitigations put in place to protect transit workers from harm, the transit industry continues to experience workforce fatalities. The chart below shows the transit worker fatality rates (per 100 million VRM) between 2016 and 2021, as reported to the NTD.[6]

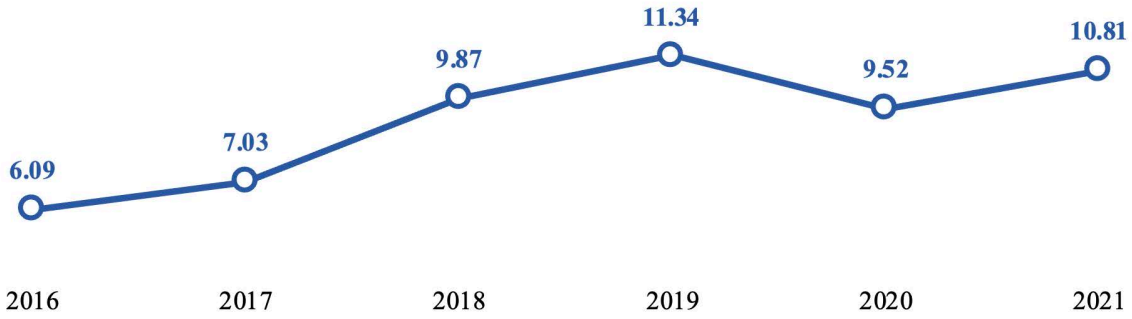
**Figure 1: Transit Worker Fatality Rate (per 100M VRM)**




[6] See NTD Reporting Manuals for reporting requirements.

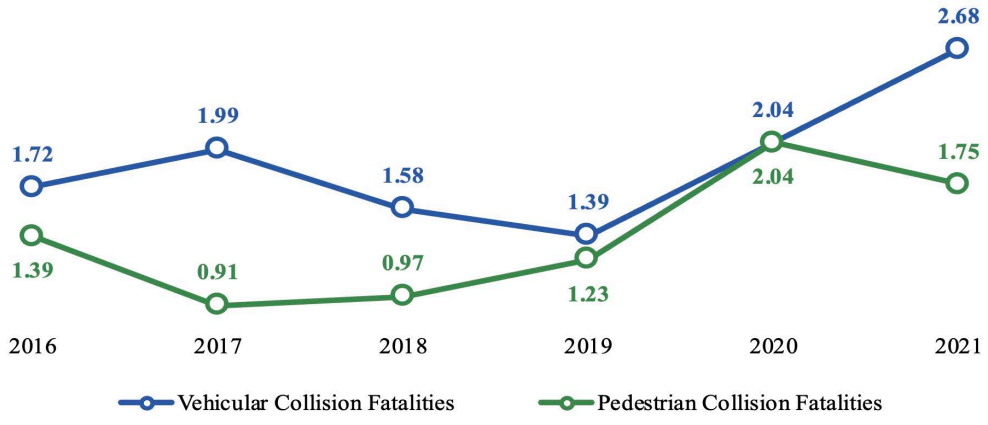
2) **Assaults on Transit Workers** – FTA's internal SRM process has identified assaults on transit workers as a key safety concern for the transit industry. The chart below, which uses data reported to the NTD, depicts a significant increase in the rate of assaults where a transit worker was injured or killed (per 100 million VRM) between 2016 and 2021 across bus and rail transit modes.[7]

**Figure 2: Transit Worker Assault Event Rate (per 100M VRM)**




3) **Bus Transit Collisions** – The Bipartisan Infrastructure Law requires Section 5307 recipients that serve an urbanized area with a population of 200,000 or more to include in their Agency Safety Plans a safety risk reduction program that, in part, addresses the reduction of vehicular and pedestrian accidents involving buses. The chart below shows bus transit pedestrian and vehicular collision fatality rates (per 100 million VRM) between 2016 and 2021, as reported to the NTD.

**Figure 3: Bus Vehicular and Pedestrian Collision Fatality Rates (per 100M VRM)**




[7] See NTD Reporting Manuals for reporting requirements.

# Chapter II: Safety Performance Criteria

This chapter establishes safety performance measures[8] for all modes of public transportation. Per 49 CFR § 673.11(a)(3), a recipient's Agency Safety Plan must include performance targets based on the safety performance measures established under the National Safety Plan. In addition, the Bipartisan Infrastructure Law requires the Safety Committee of recipients of Urbanized Area Formula funds under 49 U.S.C. § 5307 (Section 5307) that serve an urbanized area with a population of 200,000 or more (large UZA) to set performance targets for their safety risk reduction programs.

The continuous improvement requirements for transit agencies established under the Safety Assurance component of SMS at 49 CFR § 673.27(d) require transit agencies to establish a process to assess safety performance.

## Safety Performance Measures for All Agencies Subject to the PTASP Regulation

Safety performance measures help support transit agency safety risk management and safety assurance processes. The Safety Assurance component of an SMS leverages a structured approach of planning, identifying safety performance measures, conducting data analysis, setting safety performance targets, and monitoring safety performance. Safety performance measures provide the basis for continuous safety improvement.

To align safety performance measurement requirements across all agencies subject to the PTASP regulation, the measures outlined in this chapter are based on safety and service data that the NTD collects from applicable agencies. For clarification on NTD reporting requirements and definitions, please refer to the latest NTD Safety & Security Reporting Policy Manual at the NTD Manuals web page.

All transit agencies subject to the PTASP regulation report safety data to the NTD. However, due to NTD reporting requirements, some smaller transit agencies may report less-detailed safety and security event data than larger agencies. Some of the measures defined below use categories that exceed the level of detail these smaller agencies report to the NTD. Where data is not reported to the NTD, agencies should reference internal agency records to identify appropriate data for each measure to support the setting of all required targets.

The previous version of the National Safety Plan identified safety performance measures to support the required PTASP safety performance target setting for all modes of public transportation, identifying seven (7) measures for each mode (or modal group). This updated plan identifies 14 safety performance measures for all transit providers subject to the PTASP regulation. The table below lists each safety performance measure and indicates which performance measures are additions from the previous version of the National Safety Plan.

[8] In this plan FTA uses the term "performance measure" as a synonym for "performance criteria" which is used in statute at 49 U.S.C. § 5329(b)(2).

| Safety Performance Measure | | Description |
|---|---|---|
| 1 | Measure 1a – Major Events | This includes all safety and security major events as defined by the NTD. |
| 2 | Measure 1b – Major Event Rate | This includes all safety and security major events as defined by the NTD, divided by VRM. |
| ***3*** | ***Measure 1.1 – Collision Rate (new)*** | This includes all collisions reported to the NTD, divided by VRM. |
| ***4*** | ***Measure 1.1.1 – Pedestrian Collision Rate (new)*** | This includes all collisions "with a person," as defined by the NTD, divided by VRM. |
| ***5*** | ***Measure 1.1.2 – Vehicular Collision Rate (new)*** | This includes all collisions "with a motor vehicle," as defined by the NTD, divided by VRM. |
| 6 | Measure 2a – Fatalities | This includes all fatalities as defined by the NTD. |
| 7 | Measure 2b – Fatality Rate | This includes all fatalities as defined by the NTD, divided by VRM. |
| ***8*** | ***Measure 2.1 – Transit Worker Fatality Rate (new)*** | This includes all transit worker fatalities as defined by the NTD, including the categories "Transit Employee/Contractor," "Transit Vehicle Operator," and "Other Transit Staff," divided by VRM. |
| 9 | Measure 3a – Injuries | This includes all injuries as defined by the NTD. |
| 10 | Measure 3b – Injury Rate | This includes all injuries as defined by the NTD, divided by VRM. |
| ***11*** | ***Measure 3.1 – Transit Worker Injury Rate (new)*** | This includes all transit worker injuries as defined by the NTD, including the categories "Transit Employee/Contractor," "Transit Vehicle Operator," and "Other Transit Staff," divided by VRM. |
| ***12*** | ***Measure 4a – Assaults on Transit Workers (new)*** | This includes all assaults on transit workers as defined by the NTD.[9] |
| ***13*** | ***Measure 4b – Rate of Assaults on Transit Workers (new)*** | This includes all assaults on transit workers as defined by the NTD,[9] divided by VRM. |
| 14 | Measure 5 – System Reliability | This includes Major Mechanical System failures as defined by the NTD. |

[9] Historically, assaults on transit workers were not collected in the NTD as a separate category from other assaults and were not reported if they did not result in a fatality, injury, or other major event threshold. Additionally, the term *transit worker* previously only included paid employees and contractors and excluded volunteers. On February 23, 2023, FTA finalized new NTD reporting requirements that will collect data on all assaults on all transit workers, regardless of injury. Some of these reporting requirements took effect in Calendar Year 2023, while others will take effect in NTD Report Year 2023.

## Safety Performance Targets for All Agencies Subject to the PTASP Regulation

The PTASP regulation requires all applicable transit agencies to set safety performance targets based on the safety performance measures established in the National Safety Plan. In this context, the measure defines the data point that an agency will "watch" to monitor safety performance. The target defines the desired level of safety performance over a specified timeframe (e.g., annually). Rates are calculated using VRM, as defined by and reported to the NTD.

In general, a transit agency sets annual safety performance targets that represent its safety performance goals for the coming year. Transit agencies may define their own methodology for setting targets. For example, in its efforts to improve safety an agency may want to improve its own current safety performance or set performance targets based on peer agency benchmarking. Please note that transit agencies that serve a large UZA are subject to additional target setting requirements as part of the safety risk reduction program, as defined in 49 U.S.C. § 5329.

## Safety Performance Measures for Safety Risk Reduction Programs

The Bipartisan Infrastructure Law requires Section 5307 recipients that serve an urbanized area with a population of 200,000 or more to include in their Agency Safety Plan a safety risk reduction program for transit operations. These safety risk reduction programs aim to improve safety performance by reducing the number and rates of accidents, injuries, and assaults on transit workers, including:

- a reduction of vehicular and pedestrian accidents involving buses that includes measures to reduce visibility impairments for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments; and
- the mitigation of assaults on transit workers, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators when a risk analysis performed by the transit agency's Safety Committee determines that such barriers or other measures would reduce assaults on transit workers and injuries to transit workers.

The Bipartisan Infrastructure Law directs that performance measures for a safety risk reduction program, required under 49 U.S.C. 5329(d)(4), be included in the National Safety Plan (49 U.S.C. 5329(b)(2)(A)). FTA identifies the below eight measures for the safety risk reduction program. The Safety Committee of applicable transit agencies will use these measures to set targets for the safety risk reduction program, as required by 49 U.S.C. 5329(d) and 49 CFR § 673.19(d)(2). Under the new Bipartisan Infrastructure Law requirements, the Safety Committee must establish these targets using a 3-year rolling average of the data the agency submits to the NTD.

| Required Safety Risk Reduction Program Measure | | Description |
|---|---|---|
| 1 | Major Events | This includes all safety and security major events as defined by the NTD. |
| 2 | Major Event Rate | This includes all safety and security major events as defined by the NTD, divided by VRM. |
| 3 | Collisions | This includes all collisions reported to the NTD. |
| 4 | Collision Rate | This includes all collisions reported to the NTD, divided by VRM. |
| 5 | Injuries | This includes all injuries as defined by the NTD. |
| 6 | Injury Rate | This includes all injuries as defined by the NTD, divided by VRM. |
| 7 | Assaults on Transit Workers | This includes all assaults on transit workers as defined by the NTD.[10] |
| 8 | Rate of Assaults on Transit Workers | This includes all assaults on transit workers as defined by the NTD,[10] divided by VRM. |

Some of the performance measures for the safety risk reduction program overlap with the measures for all agencies subject to the PTASP regulation described above. Section 5307 recipients that serve an urbanized area with a population of 200,000 or more may choose to use the target set by the Safety Committee for the safety risk reduction program for both measures, provided the target for the safety risk reduction program is set using a 3-year rolling average of NTD data.

The Bipartisan Infrastructure Law establishes a safety set aside requirement for all Section 5307 recipients that serve a large UZA. These transit agencies must allocate not less than 0.75 percent of section 5307 funds to eligible safety-related projects. As required under the Bipartisan Infrastructure Law and at 49 CFR § 673.27(d)(3)(iii), if an agency fails to meet a safety performance target under the safety risk reduction program, it must allocate its safety set aside in the following fiscal year to eligible projects that are reasonably likely to assist the agency in meeting the target.

[10] Historically, assaults on transit workers were not collected in the NTD as a separate category from other assaults and were not reported if they did not result in a fatality or serious injury, or other major event threshold. Additionally, the term *transit worker* previously only included paid employees and contractors and excluded volunteers. On February 23, 2023, FTA finalized new NTD reporting requirements that will collect data on all assaults on all transit workers, regardless of injury. Some of these reporting requirements took effect in Calendar Year 2023, while others will take effect in NTD Report Year 2023.

## Modal Groups: Rail, Fixed Route Bus, and Non-Fixed Route Bus

Transit agencies must set targets for the different modes of transit service they provide. When setting targets based on the safety performance measures for all agencies subject to the PTASP regulation and for the safety risk reduction program, transit agencies should use the following modal groups: rail, fixed route bus, and non-fixed route bus. Using this approach, a transit agency would only set the required targets for three modal groups, regardless of how many individual modes of transit service it reports to the NTD. The following table presents these three modal groups and the individual NTD modes included in each.

| Rail | Fixed Route Bus | Non-Fixed Route Bus |
|---|---|---|
| • Heavy Rail (HR)<br>• Light Rail (LR)<br>• Streetcar (SR)<br>• Hybrid Rail (YR)<br>• Monorail/Automated Guideway (MG)<br>• Inclined Plane (IP)<br>• Cable Car (CC)<br>• Aerial Tramway (TR) | • Motorbus (MB)<br>• Commuter Bus (CB)<br>• Bus Rapid Transit (RB)<br>• Trolley Bus (TB)<br>• Publico (PB)<br>• Jitney (JT) | • Demand Response (DR)<br>• Vanpool (VP) |

**Note:** The modes above exclude Alaska rail (AR), commuter rail (CR), and ferry boat (FB). The PTASP regulation does not apply to certain modes of transit service that are subject to the safety jurisdiction of another Federal agency, including passenger ferry operations that are regulated by the United States Coast Guard and commuter rail operations that are regulated by the Federal Railroad Administration.

# Chapter III: Voluntary Minimum Safety Standards and Recommended Practices

FTA has identified voluntary minimum safety standards and recommended practices for improving public transportation safety. These include safety performance standards for public transportation vehicles used in revenue operations and safety standards to ensure the safe operation of public transportation systems. These standards also further a comprehensive approach to roadway safety within the United States. These voluntary safety standards and recommended practices are provided as resources to support the transit industry in assessing and mitigating safety risk.

To the extent practicable, the voluntary minimum safety performance standards for public transportation vehicles take into consideration relevant recommendations of the NTSB, recommendations and best practices standards developed by the public transportation industry, innovations in driver assistance technologies and driver protection infrastructure, and strategies to reduce visibility impairments that may contribute to pedestrian fatalities.

Similarly, to the extent practicable, the voluntary minimum safety standards to ensure the safe operation of public transportation systems take into consideration relevant recommendations of the NTSB, best practices standards developed by the public transportation industry, minimum safety standards or performance criteria being implemented across the public transportation industry, and recommendations from FTA's Review and Evaluation of Public Transportation Safety Standards report prepared pursuant to Section 3020 of the Fixing America's Surface Transportation (FAST) Act.

FTA strongly encourages transit agencies to review these voluntary minimum safety standards and recommended practices and incorporate them into their operations and maintenance, as appropriate. These standards and practices may help transit agencies improve safety performance in response to the safety performance measures outlined in Chapter II and may support the development of mitigations and strategies to address specific safety concerns identified by the transit agency or its Safety Committee. Further, FTA strongly encourages transit agencies to work with roadway owner(s) to proactively address safety concerns to benefit the riding public, particularly those that reach public transportation through walking, biking, and those that make use of assistive devices including wheelchairs.

The voluntary safety standards and recommended practices included in this chapter include standards developed through research supported by FTA; other Federal agencies, such as the Federal Highway Administration (FHWA) and Federal Railroad Administration (FRA); the American Public Transportation Association (APTA), the designated standards development organization for the public transportation industry; and associations focused on electrical and mechanical engineering practices and technical and safety training, among others. This chapter of the National Safety Plan also includes voluntary safety standards and recommended practices identified by the NTSB to address findings resulting from investigations of major public transportation accidents.

Where safety standards and/or recommended practices have not yet been developed, this chapter identifies useful resources for transit agencies to consider from FTA, the Transit Cooperative Research Program (TCRP) of the Transportation Research Board, FTA's Transit Advisory Committee for Safety (TRACS), and other sources, where applicable.

The National Safety Plan includes 11 categories of voluntary safety standards and recommended practices:

- **Category A: Transit Worker Safety (Bus and Rail Transit)** – to reduce transit worker fatalities and injuries
  - Subcategory A.1: Transit Worker Assault Prevention (Bus and Rail Transit)
  - Subcategory A.2: Roadway Worker Protection (Rail Transit)
  - Subcategory A.3: Fatigue Management, Fitness for Duty, and Employee Distraction (Bus and Rail Transit)
- **Category B: Pedestrian and Bicyclist Safety (Bus and Rail Transit)** – to reduce collisions with pedestrians and bicyclists resulting in fatalities and injuries
- **Category C: Rail Grade Crossing Safety (Rail Transit)** – to reduce rail transit collisions at rail grade crossings resulting in fatalities and injuries
- **Category D: Bus Transit Safety (Bus Transit)** – to reduce bus transit collisions resulting in fatalities and injuries
- **Category E: Tunnel Ventilation and Fire Safety (Rail Transit)** – to reduce the consequences of fire and smoke events in tunnels
- **Category F: Signal System Safety (Rail Transit)** – to improve the performance and reliability of signal systems to control train movement and reduce collisions
- **Category G: Vehicle Safety (Bus and Rail Transit)** – to improve the design and performance of transit vehicles to protect occupants, communicate safety information, and support emergency access and egress
  - Subcategory G.1: Vehicle Crashworthiness and Brake Testing (Bus and Rail Transit)
  - Subcategory G.2: Vehicle End-of-Railcar Door Messaging (Rail Transit)
  - Subcategory G.3: Vehicle Emergency Systems and Fire Safety (Rail Transit)
  - Subcategory G.4: Vehicle Safety Standards and Practices (Bus Transit)
- **Category H: Electronic Recording Devices and Cameras (Rail Transit)** – to support monitoring of transit operations and investigation of safety events
- **Category I: Operations Procedures, Compliance, and Training (Bus and Rail Transit)** – to support compliance with and sufficiency of operations procedures and the training, supervision, and qualification of operations personnel

- **Category J: Maintenance Procedures, Compliance, and Training (Bus and Rail Transit)** – to support compliance with and sufficiency of maintenance procedures and the training, supervision, and qualification of maintenance personnel
- **Category K: Precautionary and Reactive Actions during an Emergency** – to ensure public and worker health and safety during emergencies

## Category A: Transit Worker Safety (Bus and Rail Transit)

*(To reduce transit worker fatalities and injuries)*

### ***Subcategory A.1: Transit Worker Assault Prevention (Bus and Rail Transit)***

Vol. 1 – Research Overview and Vol. 2 – User Guide, TCRP
TCRP Report 193 – Tools and Strategies for Eliminating Assaults Against Transit Operators

*Considerations for preventing assaults against transit operators and a set of checklists, voluntary guidelines, and methodologies.*

Report 14-01, TRACS
Preventing and Mitigating Transit Worker Assaults in the Bus and Rail Transit Industry

*Recommendations for reducing assaults.*

### ***Subcategory A.2: Roadway Worker Protection (Rail Transit)***[11]

Report 0212, FTA
FTA Standards Development Program: Rail Transit Roadway Worker Protection

*Research on existing standards and best practices, use cases, a risk assessment matrix, and high-level concepts of operations for roadway worker protection.*

APTA RT-OP-S-016-11, APTA
Roadway Worker Protection Program Requirements

*Recommendations for formalized safe operating practices as they pertain to work performed on or in proximity to rail transit rights-of-way.*

APTA RT-OP-RP-026-20, APTA
Roadway Worker Near Miss Reporting Requirements

*Recommendations on the elements that comprise comprehensive near-miss reporting so useful information is gathered and analyzed.*

[11] Recommended practices and safety standards in this subcategory also address safety concerns identified by the NTSB in R-13-039, R-13-040, R-14-036, R-14-038, R-14-039 and R-14-040.

APTA RT-OP-S-004-03, APTA
Work Zone Safety Practices

*Recommendations on ways to address situations that are present when workers perform routine and emergency work on an operating rail line.*

APTA RT-OP-S-010-04, APTA
Contractors' Responsibility for Safety on the Right-of-Way

*Recommendations for formalizing contractors' responsibilities for knowing, complying with, and enforcing rail transit system guidelines, rules, and procedures to govern the activities of contractors performing work on or near a rail right-of-way.*

***Subcategory A.3: Fatigue Management, Fitness for Duty, and Employee Distraction (Bus and Rail Transit)***[12]

***Fatigue Management***

APTA RT-OP-S-015-09, APTA
Standard for Train Operator Hours-of-Service Requirements

*Outline of the basic elements of an hours-of-service program that creates the conditions in which train operators have an opportunity to get sufficient rest between work shifts to minimize the impact of fatigue on their job performance.*

APTA RT-OP-S-023-17, APTA
Fatigue Management Program Requirements

*Recommendations on developing a fatigue management program to mitigate the impacts of fatigue.*

Report 14-02, TRACS
Establishing a Fatigue Management Program for the Bus and Rail Transit Industry

*Recommendations regarding the components of a successful fatigue management program, including hours of service, shift scheduling, fatigue prevention and awareness training, fitness-for-duty medical evaluations and screenings, work and vehicle environment design, safety culture, incident investigation, and data collection.*

[12] Recommended practices and safety standards in this sub-category also address safety concerns identified by the NTSB in R-15-018, R-15-019, R-15-20 and R-15-021.

***Fitness for Duty***

APTA RT-OP-S-018-12, APTA
Fitness for Duty Program Requirements

*Recommendations on developing a fitness for duty program so rail transit systems may formalize measures to hire rail vehicle and on-track equipment operators who are able to perform physical job duties.*

APTA RT-OP-S-014-04, APTA
Standard for Train Operating Employees Reporting to Work

*Recommendations on conducting readiness reviews of train operators before they begin vehicle operations to allow an extra margin of safety concerning employee fitness and readiness to operate a rail vehicle.*

R-09-011, NTSB

*Recommendation made to all rail transit agencies to establish a program to identify operators who are at high risk for obstructive sleep apnea or other sleep disorders and require that such operators be appropriately evaluated and treated.*

***Distraction***

APTA RT-OP-S-017 -11, APTA
Electronic Device Distraction Policy Requirements

*Recommendations on developing a policy that provides direction as to when and where electronic devices may and may not be used by rail transit system employees.*

APTA BTS-BS-RP-005-09, APTA
Reducing Driver-Controlled Distractions While Operating a Vehicle on Agency Time

*Recommended practices for reducing operator distractions.*

## Category B: Pedestrian and Bicyclist Safety (Bus and Rail Transit)

*(To reduce collisions with pedestrians and bicyclists resulting in fatalities and injuries)*

***Design***

Improving Safety for Pedestrians and Bicyclists Accessing Transit, FHWA/FTA

*Recommendations for improving pedestrian safety.*

Pedestrian and Bicycle Safety, USDOT

*Links to Federal policies, manuals, and other materials on pedestrian and bicycle safety.*

Pedestrian and Bicycle Safety, FHWA

*Links to projects, programs, and materials for use in reducing pedestrian and bicyclist fatalities.*

Complete Streets, FHWA

*Links to funding and design, plans and analysis, and construction, operation, and maintenance practices in integrating safety in roadway design for all roadway users.*

Engineering Design for Pedestrian Safety at Highway-Rail Grade Crossings, FRA

*Research report on engineering designs for pedestrian treatments at rail grade crossings.*

Transit Street Design Guide, National Association of City Transportation Officials (NACTO)

*Guidance for the development of transit facilities on city streets and the design and engineering of city streets to prioritize transit, improve transit service quality, and support other transit-related goals.*

Urban Street Design Guide, NACTO

*The toolbox and tactics cities use to make streets safer, more livable, and more economically vibrant.*

Urban Bikeway Design Guide, NACTO

*State-of-the-practice solutions for creating complete streets that are safe and enjoyable for bicyclists.*

Global Street Design Guide, NACTO

*Guidance on how to measure the success of urban streets to include access, safety and mobility for all users, environmental quality, economic benefit, public health, and overall quality of life.*

APTA SUDS-UD-RP-009-18, APTA
Bicycle and Transit Integration: A Practical Transit Agency Guide to Bicycle Integration and Equitable Mobility

*Recommendations for transit agencies and municipalities seeking to facilitate active first/last mile connections to transit, reduce congestion, and promote healthy communities, including context-driven strategies for integrating bicycles with transit.*

***Treatments***

Report 0111, FTA
Manual on Pedestrian and Bicycle Connections to Transit

*Best practices for improving pedestrian and bicycle safety and access to transit.*

TCRP Report 175, TCRP
Guidebook on Pedestrian Crossings of Public Transit Rail Services

*Engineering treatments designed to help improve pedestrian safety for light rail and streetcar.*

Proven Safety Countermeasures, FHWA

*Recommended countermeasures and strategies to reduce roadway fatalities and serious injuries.*

Safe Transportation for Every Pedestrian, FHWA

*Resources for recommended countermeasures to protect pedestrians.*

Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations, FHWA

*Recommendations for countermeasures at uncontrolled pedestrian crossing locations.*

***Suicide and Trespassing***

Report 0227, FTA
Mitigations for Trespasser and Suicide Fatalities and Injuries

*Mitigation strategies and countermeasures that may be used by rail transit agencies to reduce trespasser and suicide fatalities and injuries.*

## Category C: Rail Grade Crossing Safety (Rail Transit)

*(To reduce rail transit collisions at rail grade crossings resulting in fatalities and injuries)*

***Assessment***

Report 0216, FTA

FTA Standards Development Program: Rail Transit Roadway/Pedestrian Grade Crossing (Exploratory Report)

*Literature review, industry survey, development of general use cases for grade crossing, and case studies on four transit properties.*

Safety Bulletin 19-03, FTA

Safety Considerations Associated with Rail Transit Grade Crossings

*Voluntary considerations for rail transit grade crossing.*

APTA RT-RGC-RP-003-03, APTA

Rail Transit Grade Crossing Safety Assessment

*An organized, structured approach for assessing the safety of new and existing rail transit system highway rail grade crossings.*

***Design and Treatments***

Highway-Rail Crossing Handbook, FRA/FHWA

*Current practices and requirements for engineering treatments for rail grade crossings.*

APTA RT-RGC-S-004-03, APTA

Rail Transit Grade Crossing Warning System Design Criteria Installation and Operation

*Recommendations for selecting, installing, and operating highway rail transit grade crossing warning systems, warning devices, highway traffic signs, and other highway traffic-control appliances.*

***Public Education***

APTA RT-RGC-RP-002-02, APTA

Rail Transit Grade Crossing Public Education

*Recommended practices for developing public education for rail transit grade crossings.*

Operation Lifesaver

*Voluntary materials for improving grade crossing safety.*

## Category D: Bus Transit Safety (Bus Transit)

*(To reduce bus transit collisions resulting in fatalities and injuries)*

Synthesis 126, TCRP
Successful Practices and Training Initiatives to Reduce Accidents and Incidents at Transit Agencies

*Analysis of practices and training initiatives to reduce accidents and incidents.*

Synthesis 145, TCRP
Current Practices in the Use of Onboard Technologies to Avoid Transit Bus Incidents and Accidents

*Analysis of the use of on-board technology to avoid accidents and incidents.*

## Category E: Tunnel Ventilation and Fire Safety (Rail Transit)

*(To reduce the consequences of fire and smoke events in tunnels[13])*

Safety Advisory 15-1, FTA
Audit All Rail Fixed Guideway Public Transportation Systems (RFGPTS) with Subway Tunnel Environments

*Requirement for SSOAs to conduct an audit of all RFGPTS with subway tunnel environments (not currently active).*

Report 0231, FTA
Specifications and Guidelines for Rail Tunnel Design, Construction, Maintenance, and Rehabilitation

*Identifies existing specifications and guidelines for rail transit tunnel design, construction, maintenance, and rehabilitation.*

Report 0235, FTA
Specifications and Guidelines for Rail Tunnel Repair and Rehabilitation

*Research on specifications and guidelines for rail transit tunnel repair and rehabilitation.*

Report 0236, FTA
Specifications and Guidelines for Rail Tunnel Inspection and Maintenance

*Research on specifications and guidelines for rail transit tunnel maintenance and inspection.*

[13] Recommended practices and safety standards in this category also address safety concerns identified by the NTSB in R-16-001 and R-16-002.

NFPA 130, National Fire Protection Association (NFPA)
Standard for Fixed Guideway Transit and Passenger Systems

*Fire protection requirements for transit systems.*

## Category F: Signal System Safety (Rail Transit)

*(To improve the performance and reliability of signal systems to control train movement and reduce collisions[14])*

***General***

Safety Advisory 22-2, FTA
Signal System Safety and Train Control

*Recommends that State Safety Oversight Agencies (SSOAs) direct rail transit agencies in their jurisdictions to consider signal system safety and train control as part of their Safety Risk Management processes. Recommends that SSOAs incorporate SA 22-2 into their oversight activities.*

APTA RT-SC-009-03, APTA
Standard for Audio Frequency Track Circuit Inspection and Maintenance

*Recommendations for assuring the safety and reliability of audio frequency track circuit systems.*

***Communications Based Train Control***

Report 0225, FTA
Needs Assessment for Transit Rail Transmission-Based Train Control (TBTC)

*Identifies standards, systems and products that have the potential to provide risk reduction benefits.*

IEEE 1474.1, Institute of Electrical and Electronics Engineers (IEEE)
Standard for Communications-Based Train Control Performance and Functional Requirements

*Guidance for enhancing performance, availability, operations, and train protection using a communications-based train control system.*

[14] Recommended practices and safety standards in this category also address safety concerns identified by the NTSB in R-15-022.

IEEE 1474.2, IEEE

Standard for User Interface Requirements in Communications-Based Train Control Systems

*Guidance on communications-based train control systems user interface and how to present this information to the user.*

IEEE 1474.3, IEEE

Recommended Practice for Communications-Based Train Control System Design and Functional Allocations

*A preferred system design and functional allocation for communications-based train control systems.*

IEEE 1474.4, IEEE

Recommended Practice for Functional Testing of a Communications-Based Train Control System

*A preferred approach for functional testing of a communications-based train control system based on the system design and functional allocations defined in IEEE Std 1474.3.*

***Locking Tests***

APTA RT-SC-S-004-02, APTA

Standard for Approach Locking Testing

*Recommendations on how to verify that rail transit approach locking systems are operating safely and as designed.*

APTA RT-SC-S-005-02, APTA

Standard for Route Locking Tests

*Recommendations on how to verify that rail transit route locking systems are operating safely and as designed.*

APTA RT-SC-S-006-02, APTA

Standard for Time Locking Tests

*Recommendations on how to verify that rail transit time locking systems are operating safely and as designed.*

APTA RT-SC-S-010-02, APTA

Standard for Traffic Locking Tests

*Recommendations on how to verify that rail transit traffic locking will prevent traffic from changing direction on a section of track in between interlockings while that section is occupied or while a signal displays an aspect to proceed into that section.*

***Signal System Components***

APTA RT-SC-S-011-03, APTA
Standard for Cable Plant Inspection and Testing

*Recommendations on how to verify that rail transit cable plants are operating safely and as designed.*

APTA RT-SC-S-027-03, APTA
Standard for Switch Inspection and Obstruction Testing

*Recommendations on how to verify that rail transit switch machines and associated indication circuitry are operating safely and as designed.*

APTA RT-SC-S-028-03, APTA
Standard for Vital Relay Testing

*Recommendations on how to verify that rail transit vital relays are operating safely and as designed.*

APTA RT-SC-RP-033-03, APTA
Recommended Practice for Visual Inspection of Wayside Signal Equipment

*Recommendations to aid in identifying visual defects or other potentially hazardous conditions related to wayside signal equipment.*

APTA RT-SC-S-035-03, APTA
Standard for Vital Processor-Based System Inspection, Testing and Configuration Control

*Recommendations on how to verify that vital processor-based systems are operating safely and as designed.*

APTA RT-SC-RP-008-03, APTA
Recommended Practice for Train-to-Wayside Communication System Inspection and Testing

*Guidance on how to verify that train-to-wayside communication systems and equipment are operating safely and as designed.*

APTA RT-SC-RP-001-02, APTA
Recommended Practice for Wayside Signal AC Power System Inspection and Testing

*Recommendations on how to verify that wayside signal AC power systems and equipment are operating safely and as designed.*

APTA RT-SC-RP-002-02, APTA
Recommended Practice for Wayside Signal DC Power System Inspection and Testing

*Recommendations on how to verify that wayside DC signal power systems and equipment are operating safely and as designed.*

APTA RT-SC-S-036-03, APTA
Standard for Wayside Signal Inspection and Testing

*Recommendations on how to verify that wayside signal systems are operating safely and as designed.*

APTA RT-SC-S-040-03, APTA
Standard for AC Track Circuit Inspection and Maintenance

*Recommendations on how to verify that AC track circuits and equipment are operating safely and as designed.*

APTA RT-SC-S-043-03, APTA
Standard for Impedance Bond Inspection and Maintenance

*Recommendations on how to verify that rail transit audio frequency and power impedance bonds are operating safely and as designed.*

***Public Education***

APTA RT-RGC-RP-002-02, APTA
Recommended Practice for Rail Transit Grade Crossing Public Education

*Recommendations for developing rail transit grade crossing public safety and trespass prevention education programs.*

## Category G: Vehicle Safety (Bus and Rail Transit)

*(To improve the design and performance of transit vehicles to protect occupants, to communicate safety information, and to support emergency access and egress[15])*

***Subcategory G.1: Vehicle Crashworthiness and Brake Testing (Bus and Rail Transit)***

***Vehicle Crashworthiness***

Report 0141, FTA

FTA Standards Development Program: Crashworthiness/Crash Energy Management Follow-up for Less than 30 Ft Bus

*Results of a study on the needs and gaps for voluntary standards or recommended practices for crashworthiness and crash energy management for less that 30-ft. paratransit body-on-chassis buses (cutaways).*

Report 0179, FTA

FTA Standards Development Program: Crashworthiness/Crash Energy Management for Transit Bus

*Results of an examination of the existing standards, guidelines, and recommendations associated with crashworthiness and crash energy management for transit buses, including articulated buses, bus rapid transit buses, and paratransit body-on-chassis buses.*

Report 0233, FTA

FTA Standards Development Program: Crash Energy Management for Heavy Rail Vehicles, Light Rail Vehicles, and Streetcars

*Report includes a summary of transportation modes that lack crashworthiness and crash energy management standards, existing standards implemented into industries related to crashworthiness, and crash energy management used for newly-procured equipment and industry survey results of the use of the standards implemented.*

ASME RT-2, American Society of Mechanical Engineers (ASME)

Safety Standard for Structural Requirements for Heavy Rail Transit Vehicles

*Guidance on incorporating passive safety design concepts related to heavy rail transit carbody performance during collisions.*

ASME RT-1, ASME

Safety Standard for Structural Requirements for Light Rail Vehicles and Streetcars

*Guidance on incorporating passive safety design concepts related to light-rail vehicle carbody performance during collisions.*

[15] Recommended practices and safety standards in this sub-category also address safety concerns identified by the NTSB in R-06-006 and R-17-004.

APTA RT-VIM-RP-025-15, APTA
Recommended Practice for Operator Protection Features for Rail Transit Vehicles

*Recommendations on vehicle features to consider improving operator protection when procuring new rail transit vehicles.*

***Vehicle Brake Performance and Inspection***

Safety Advisory 14-2, FTA
Verification of Rail Vehicle Safe Stopping Distances in Terminal Stations

*Requirement for rail transit agencies to review terminal station configurations to verify that designed braking distances address the actual operating conditions in stations, including authorized train speeds, train length and length of platform, the position of signals and trip stops, and the bumping post installation.*

APTA RT-VIM-S-007-02, APTA
Standard for Friction Brake Equipment Periodic Inspection and Maintenance

*Recommendations on the basic procedures to apply when performing periodic inspections and maintenance of brake cylinders, tread brake units, disc brake units, brake discs, tread brake shoes, and disc brake pads for rail transit vehicles.*

***Subcategory G.2: Vehicle End-of-Railcar Door Messaging (Rail Transit)***[16]

Safety Bulletin 20-01, FTA
End-of-Railcar Door Signage and Messaging

*Safety considerations associated with end-of-railcar door signage and messaging in rail transit vehicles.*

APTA PR-PS-S-002-98, Rev. 3, APTA
Standard for Emergency Signage for Egress/Access of Passenger Rail Equipment

*Recommendations on designing and selecting the physical characteristics, informational content, and placement of all interior emergency exit and exterior rescue access signs/markings and instructions.*

[16] Recommended practices and safety standards in this sub-category also address safety concerns identified by the NTSB in R-19-039 and R-19-040.

APTA RT-VIM-S-021-10, APTA
Standard for Emergency Signage for Rail Transit Vehicles

*Recommendations on minimum design and performance criteria for rail transit car emergency signage that functions under normal conditions and also operates when normal and/or emergency lighting systems are unavailable.*

ISO 3864-1:2011, International Standards Organization (ISO) Graphical Symbols — Safety Colours and Safety Signs
Part 1: Design Principles for Safety Signs and Safety Markings

*Guidance on safety identification colors and design principles for workplace and public area safety signs and safety markings for the purpose of accident prevention, fire protection, health and hazard information, and emergency evacuation.*

ISO 7010:2019, ISO
Graphical symbols — Safety Colours and Safety Signs — Registered Safety Signs

*Guidance on safety signs for the purposes of accident prevention, fire protection, health hazard information, and emergency evacuation.*

***Subcategory G.3: Vehicle Emergency Systems and Fire Safety (Rail Transit)***

***Emergency Systems***

Report 0199, FTA
Emergency Lighting and Signage for Rail Transit Passenger Vehicles (Report 0199)

*Results of research on existing reports, standards, and regulations related to emergency lighting and signage and their use on all rail modes.*

APTA RT-VIM-S-026-12, APTA
Standard for Rail Transit Vehicle Passenger Emergency Systems

*Information on various passenger emergency systems for rail transit agencies to consider when purchasing new vehicles.*

APTA RT-VIM-S-020-10, APTA
Standard for Emergency Lighting System Design for Rail Transit Vehicles

*Recommendations on emergency lighting system designs that provide lighting when power loss disrupts normal lighting.*

APTA RT-VIM-S-022-10, APTA
Standard for Low-Location Exit Path Marking

*Recommendations on the design and use of passive-type markings due to the lower cost and maintenance requirements compared with active marking system designs.*

***Fire Safety***

NFPA 130, NFPA
Standard for Fixed Guideway Transit and Passenger Systems

*Guidance on essential items for fire protection and life safety for underground, surface, and elevated fixed guideway transit and passenger rail systems.*

Safety Advisory 15-1, FTA
Audit All Rail Fixed Guideway Public Transportation Systems (RFGPTS) with Subway Tunnel Environments

*Identifies specific areas of concern identified by the National Transportation Safety Board that State Safety Oversight Agencies will audit.*

***Subcategory G.4: Vehicle Safety Standards and Practices (Bus Transit)***

***Remanufacturing or Rebuilding Brake and Chassis Components***

APTA BTS-BC-RP-009-20, APTA
Recommended Practice for Remanufacturing or Rebuilding of Transit Bus Brake and Chassis Components

*A high-level overview of key considerations when preparing specifications to remanufacture or rebuild bus brake and chassis components.*

***Fire Safety***

APTA BTS-BS-RP-001-05, APTA
Recommended Practice for Transit Bus Fire Safety Shutdown

*Recommendations on the notifications and systems and circuits to shut off after a fire is detected.*

APTA BTS-BS-RP-002-07, APTA
Recommended Practice for Transit Bus Electrical System Requirements Related to Fire Safety

*Recommendations for transit bus electrical control system configuration for electrical circuits related to fire safety.*

APTA BTS-BS-RP-003-08, APTA
Recommended Practice for Installation of Transit Vehicle Fire Protection Systems

*Recommended minimum performance specifications for detection of and suppression of thermal events on transit vehicles.*

## Category H: Electronic Recording Devices and Cameras (Rail Transit)

*(To support monitoring of transit operations and investigation of safety events[17])*

***Event Data Recorders***

IEEE 1482.1-2013, IEEE
Standard for Rail Transit Vehicle Event Recorders

*Guidelines for on-board devices/systems with crashworthy memory that record data to support accident/incident analysis.*

***Inward- and Outward-Facing Cameras***

Safety Bulletin 20-02, FTA
Inward- and Outward-Facing Image and Audio Recorders

*Information for State Safety Oversight Agencies and rail transit agencies on installing inward- and outward-facing image and audio recorders in the controlling cabs and cab car operating compartments to support safety risk management and safety assurance activities.*

Report 0200, FTA
Inward- and Outward-facing Audio and Video Recordings for Transit Rail Vehicles

*Report documents the research necessary to assist APTA in developing a recommended practice for the industry to install inward- and outward-facing cameras and audio recorders, consistent with the National Transportation Safety Board's recommendation to FTA, R-17-13.*

APTA RT-OP-RP-024-19, APTA
Recommended Practice for Crash and Fire Protected Inward-and-Outward-Facing Audio and Image Recorders in Rail Transit Operating Compartments

*Recommendations on the specifications for and the installation and maintenance of audio and image recording devices in rail transit vehicle operating compartments.*

[17] Recommended practices and safety standards in this category also address safety concerns identified by the NTSB in R-15-023 and R-17-013.

## Category I: Operations Procedures, Compliance, and Training (Bus and Rail Transit)

*(To support compliance with and sufficiency of operations procedures and the training, supervision, and qualification of operations personnel)*

***Operations Control Center***

APTA RT-OP-S-005-03, APTA
Standards for Operations Control Centers

*Addresses the primary elements of the general design/function and overall authority essential in an OCC facility and the functional elements of OCC personnel and their applicable roles.*

APTA RT-OP-S-006-03, APTA
Standard for Rail Transit Signals Operating Rules and Procedures

*Recommendations on applying and using train control signal technology to enhance safe, efficient train operation through the application of operating rules and procedures.*

APTA RT-OP-RP-030-21, APTA
Recommended Practice for Defensive Rail Operations

*Recommendations on creating programs that encourage and promote operating trains and other rail transit vehicles in a defensive manner.*

***Competencies and Training***

APTA RT-OP-S-013-03, APTA
Standard for Training of Rail Operating Employees

*An outline of the basic elements of a comprehensive rail operating employee training and retraining program.*

APTA RT-OP-RP-029-21, APTA
Recommended Practice for Rail Operations Employee Development Practices

*A framework for the types of employee development practices that rail transit agencies may enact to assist their employees in gaining the requisite skills to advance within rail operations and supervision.*

***Compliance with and Sufficiency of Operations Rules and Procedures***

APTA RT-OP-S-011-10, APTA
Standard for Rule-Compliance Program Requirements

*Recommendations on developing a formal program that promotes comprehension of rail transit system rules and how to measure and enforce employee adherence to the established rules.*

APTA RT-OP-S-001-02, APTA
Standard for Rulebook Development and Review

*Recommendations on developing and revising a transit operating system rulebook, and suggestions for rulebook issuance and authority.*

APTA RT-OP-S-019-14, APTA
Standard for Rail Transit Operations Supervisor Program Requirements

*Baseline recommendations for rail operations supervisor job duties to improve supervisor effectiveness, and guidance on monitoring and managing supervisor performance.*

TCRP Report 149, TRB
Improving Safety-Related Rules Compliance in the Public Transportation Industry

*Potential best practices for all of the elements of a comprehensive approach to safety-related rules compliance.*

## Category J: Maintenance Procedures, Compliance, and Training (Bus and Rail Transit)

*(To support compliance with and sufficiency of maintenance procedures and the training, supervision, and qualification of maintenance personnel)*

***Fixed Structures***

APTA RT-FS-S-001-02, APTA
Standard for Rail Transit Fixed Structures Inspection and Maintenance

*Recommendations on the minimum means, methods, and frequency of period safety inspections and maintenance activities of rail transit structure safety-critical components and the qualifications that employees or contractors must have to perform these procedures.*

***Track***

Report 0215, FTA
Research Report and Findings: Review of Standards for Track Inspection and Maintenance

*Research on the state of inspection and maintenance practices for rail transit agencies in the U.S.*

APTA RT-FS-S-002-02, APTA
Standard for Rail Transit Track Inspection and Maintenance

*Recommendations for rail transit track inspection and maintenance.*

***Stations, Shops, and Yards***

APTA RT-FS-S-003-02, APTA
Recommended Practice for Rail Transit Station, Shop and Yard Inspection and Maintenance

*Recommendations for rail transit station, shop, and yard inspection and maintenance.*

***Traction Power Electrification Systems***

APTA RT-FS-S-004-03, APTA
Standard for Traction Electrification Substation Inspection, Maintenance, and Testing

*Recommendations for testing traction electrification activities.*

APTA RT-FS-S-005-03, APTA
Standard for Traction Electrification Stray Current/Corrosion Control Equipment Inspection and Maintenance

*Recommendations for the control of stray current and corrosion control.*

APTA RT-FS-S-006-03, APTA
Standard for Traction Electrification Distribution System Inspection, Maintenance, and Testing

*Recommendations for inspection, maintenance, and testing of traction electrification distribution systems.*

***Rail Grade Crossings***

APTA RT-RGC-S-001-02, APTA
Standard for Rail Transit Grade Crossing Warning Device Inspection, Testing, and Maintenance

*Recommendations for inspection, maintenance, and testing of grade crossing warning devices.*

***Rail Maintenance Training***

APTA RT-RMT-RP-001-10, APTA
Recommended Practice for Rail Vehicles Maintenance Training Standards

*Recommendations for rail vehicle maintenance training.*

APTA RT-VIM-RP-011-03, APTA
Recommended Practice for Rail Transit Vehicle Inspection and Maintenance Training and Qualifications

*Recommended practices for rail vehicle inspection and maintenance training and qualifications.*

APTA RT-RMT-RP-002-10, APTA
Recommended Practice for Rail Signals Maintenance Training Content and Standards

*Recommendations for rail signal maintenance training.*

APTA RT-SC-RP-031-03, APTA
Recommended Practice for Signal Maintenance Personnel Hiring Qualifications, Training, and Competencies

*Recommendations for signal maintenance personnel qualification and training.*

APTA RT-RMT-RP-003-10, APTA
Recommended Practice for Elevator and Escalator Maintenance Training Guidelines Standards

*Recommendations for training for elevator and escalator maintenance.*

APTA RT-RMT-RP-004-10, APTA
Recommended Practice for Traction Power Maintenance Training Standards

*Recommendations for traction power maintenance training.*

***Electric Buses***

Report 0252, FTA
Safety and Security Certification of Electric Bus Fleets – Industry Best Practices

*Minimum safety and security certification program practices and protocols for transit agencies to verify that battery electric buses and their associated facilities, systems, and equipment are safe for revenue operations.*

Report 0253, FTA
Procuring and Maintaining Battery Electric Buses and Charging Systems – Best Practices

*Best practices for procuring and maintaining battery electric buses and charging systems.*

## Category K: Precautionary and Reactive Actions during an Emergency

*(To ensure public and worker health and safety during emergencies)*

***Coordination with U.S. Department of Health and Human Services (HHS)***

Administration for Strategic Preparedness and Response, HHS

*HHS emergency preparedness and response main page.*

Ventilation in Buildings, CDC

*Ventilation mitigation strategies for buildings.*

***Emergency Response and Recovery***

COVID-19 Resource Tool for Public Transportation, FTA

*Federal COVID-19 guidance and recommendations.*

Using Your Safety Management System (SMS) to Mitigate Infectious Disease and Respiratory Hazard Exposure, FTA

*Sources of hazard identification data and potential mitigations to inform the Safety Risk Management process.*

Response and Recovery from Declared Emergencies and Disasters, FTA

*Transit response and recovery actions and funding in response to declared emergencies and disasters, including major accidents, terrorist actions, and natural disasters.*

APTA SS-SEM-S-014-20, APTA

Standard for Transit Agency Emergency Management Program

*Recommendations for transit emergency response programs.*

APTA RT-OP-S-007-04, APTA

Standard for Rail Transit Agency System Emergency Management Requirements

*Recommendations for rail transit emergency management.*

APTA SS-SEM-S-005-09, APTA

Standard for Developing a Transit Agency Response Plan to a Public Health Emergency

*Recommendations for creation and implementation of a basic response plan to a public health emergency.*

APTA SS-SEM-WP-016-20, APTA
Recommended Practice for Developing a Pandemic Virus Service Restoration Checklist
*Recommendations for service restoration after pandemic event.*

APTA SS-SEM-RP-002-08, APTA
Recommended Practice for First Responder Familiarization of Transit Systems
*Recommended practices for ensuring first responder system familiarization.*

APTA SS-SEM-S-004-09, APTA
Standard for Transit Exercises
*Recommendations for transit drills and exercises.*

APTA SS-SEM-RP-009-09, APTA
Recommended Practice for Emergency Communication Strategies for Transit Agencies
*Recommendations for effective communications during emergencies.*

APTA SS-SEM-RP-011-09, APTA
Recommended Practice for Regional Emergency Planning and Participation in Mutual Aid
*Recommendations for regional emergency planning and mutual aid.*

APTA SS-SEM-RP-015-19, APTA
Recommended Practice for Suspension of Service of a Public Transportation System and Recovery
*Strategies for managing service suspension and recovery.*