Overview of MAP-21 Safety Requirements

Transit Rail Advisory Committee for Safety (TRACS) Meeting
September 20, 2012
Moving Ahead for Progress in the 21st Century

- Key Provisions
- MAP-21 Program Elements
- Safety Management System (SMS) Approach
- FTA Next Steps
Key Provisions
Overview

MAP-21 –

FTA authority to establish and enforce a new safety framework for public transportation in the U.S.

• The law authorizes FTA to, among other things, issue regulations to carry out transit safety provisions.

• The law also includes important new safety provisions for bus-only operators.
Oversight and Enforcement

**MAP-21 provides authority to:**

- inspect and audit all public transportation systems
- make reports and issue directives with respect to the safety of public transportation systems
- issue subpoenas and take depositions
- require the production of documents
- prescribe record-keeping and reporting requirements
- investigate public transportation accidents and incidents
- inspect equipment, rolling stock, operations and relevant records
Additional Safety Authorities

- **Project Management Oversight** - Major Capital Projects required to have Project Management Plan that includes safety management. DOT must approve these plans.

- **National Transit Database** – Improve data systems management to ensure that reported accident data is accurate and reliable. Work with industry to make sure the right data is being collected.

- **Alcohol and Controlled Substance Testing**
MAP-21 Program Elements
National Public Transportation Safety Plan (NPTSP)

- To improve the safety of all systems receiving Federal transit funding
  - Safety performance criteria for all modes of public transportation (rail, bus, streetcar, etc.).
  - Minimum safety performance standards for vehicles not regulated by other Federal agencies.
Public Transportation Agency Safety Plans (Agency Safety Plans)

- At a minimum, these plans must include:
  - Strategies for identifying risks and minimizing exposure to hazards
  - An adequately trained safety officer to report directly to the general manager or equivalent
  - Performance targets based on the safety performance criteria and State of Good Repair standards established in the NPTSP
  - Staff training program for operations personnel and personnel directly responsible for safety
Agency Safety Plans
State Role and Interim Plans

• State Role with Rural and Small Urban Agencies
  – For 5311 recipients, agency plans may be drafted and certified by the recipient or the state.
  – FTA must issue a rule designating 5307 recipients who are small public transportation providers that may have their safety plans drafted or certified by the state.
  – Interim Plans - Plans developed pursuant to Part 659 and in effect on October 1, 2012, remain in effect until the new Agency Safety Plan requirements are in place.
Safety Certification Training Program

• Requirement for:
  – Federal, State or other personnel who conduct safety audits and examinations of systems and transit agency personnel who are directly responsible for safety oversight.

• Establish Interim Certification Training Program

• Up to 0.5% of 5307/5311 funds may be used for up to 80% of the costs to train employees in this Program
State Safety Oversight (SSO) Program Requirements

• Each State with rail systems not regulated by the Federal Railroad Administration (FRA) will need to meet FTA’s requirements for the SSO program.

At a minimum, these States must:

– assume responsibility for oversight and enforcing Federal law of rail fixed guideway public transportation safety and

– establish a State Safety Oversight Agency (SSOA).
State Safety Oversight (SSO) Program 
Certification and Oversight

• Certification
  – SSO Program Certification disapproval requires correction and resubmittal

• Oversight
  – Rule issuance
  – Implementation oversight
  – Audits
  – Rulemakings
State Safety Oversight (SSO) Program Funding

• Grants shall be made to eligible States to develop or carry out SSO programs.
  – Funds may be used for program operational and administrative expenses, including employee training
  – Funds may reimburse up to 80% of eligible expenses
  – FTA will develop a formula that takes into account vehicle revenue miles\(^1\), route miles\(^1\), and passenger miles\(^1\).

\(^1\)Associated with fixed guideway not regulated by other Federal agencies.
Safety Management System (SMS) Approach
Safety Management System (SMS) Framework

- A formal, top-down business-like approach to managing safety risk
- Features:
  - Strong safety culture
  - Proactive hazard analysis
  - Performance measures and leading indicators
  - Formal data collection
  - Voluntary reporting
  - Continuous learning and communications
FTA’s Next Steps
## FTA Next Steps

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<tr>
<th>Immediate (now – 3 months)</th>
<th>Implementation Steps</th>
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<tr>
<td>Initiate development of the National Public Transportation Safety Plan [5329(b)]</td>
<td>▪ Define vision, mission, goals</td>
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<td>▪ Identify gaps between pre- and post- MAP-21 legal authority</td>
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<td>▪ Engage key stakeholders</td>
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<td>Develop performance measures and targets [5326(c)]</td>
<td>▪ Summarize lessons-learned from other modes, agencies</td>
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<td>▪ Develop leading indicators of safety</td>
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<td>Issue an interim provision for certification training [5329(c)(2)]</td>
<td>▪ Perform needs assessment and gap analysis</td>
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<td>▪ Develop certification elements, requirements, and evaluation criteria</td>
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<td>Establish SSO funding streams [5329(e)(3)]</td>
<td>▪ Communicate new safety rules and requirements</td>
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<td>▪ Funding contingent upon SSO program approved</td>
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<td>Issue rule designating small urban providers who may have agency plans drafted or certified by a State [5329(d)(3)(B)]</td>
<td>▪ Review current rulemaking process within FTA and determine needed changes</td>
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<td>▪ Develop and propose rule</td>
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## Longer Term Requirements

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<th>3 – 8 Months</th>
<th>1 – 3 Years</th>
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<tr>
<td>Review SSO safety programs [5329(e)(7)(A)]</td>
<td>Certify SSO safety programs within one year of enactment [5329(e)(7)(A)]</td>
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<td>First annual report to Congress on SSO program by July 1, 2013 [5329(e)(8)]</td>
<td>Annually by July 1, report to Congress on SSO program [5329(e)(8)]</td>
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<td>Initiate rulemaking to implement provisions [5329 (c,d,e,f,g)]</td>
<td>Continuously update methods, performance targets, and training [5329(1)(B,E,G)]</td>
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<td>Set up mishap investigation protocol program [5330(c)(2)(B)], [5329(c)(1)], [5329(d)(1)(B)]</td>
<td>Within 3 years, report to Congress on program effectiveness [5329(k)(1)]</td>
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<td>Develop minimum safety standards for vehicles, guideways, etc.[5329(e)(3)(B)]</td>
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<td>Within 180 days, conduct bus safety study [20021(b)]</td>
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