# **Public Transportation Agency Safety Plans**

# National Public Transportation Safety Plan

Office of Transit Safety and Oversight

2024



### **Agenda**

- 1. Overview
- 2. PTASP Highlights
- 3. National Safety Plan Highlights
- 4. Timeline & Compliance Timeframe
- 5. PTASP Final Rule and National Safety Plan Changes In-Depth
- 6. Additional Resources
- 7. Q&A



# **Major Safety Updates**

### Public Transportation Agency Safety Plans (PTASP)



Finalized first Final Rule under Bipartisan Infrastructure Law (BIL) making transit safer for both workers and passengers

Implements BIL safety requirements including:



- Setting performance targets for safety risk reduction programs
- Advancing systems to protect transit riders and workers
- Expanding de-escalation training
- Protecting transit workers from assault and people from collisions with transit vehicles

### National Public Transportation Safety Plan (NSP)



Publication of updated NSP, FTA's primary guidance document for improving safety performance of transit systems receiving FTA funding



# **Making Transit Safer**



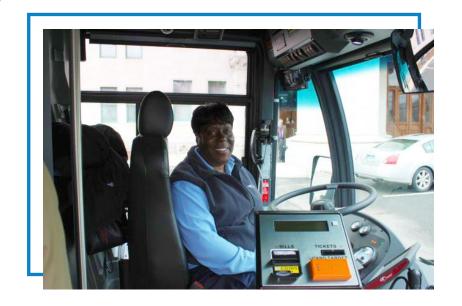
New PTASP rule and the revised National Safety Plan were published after months of work by Biden-Harris Administration leaders and in response to dozens of comments filed by stakeholders, including transit agencies



Updates make transit systems even safer for passengers and transit workers. They will also give workers more of a voice in advancing their safety where they work



Changes to PTASP apply to more than **700 transit agencies nationwide**, including requirements for transit agencies serving areas with a population of 200,000 or more



### **PTASP Highlights**



#### **Labor-Management Safety Committees**

Joint labor-management Safety Committees at transit agencies serving large urbanized areas provide frontline workers more input into safety decision-making:

- Safety Committees must have equal numbers of frontline transit workers and management representatives to address safety issues.
- PTASP Final Rule increases administrative recording of committee formation, meeting agendas and notices, participant compensation, decision-making criteria, and tie breaker procedures
- Accountable executives cannot be the tie breaker
- Per PTASP Final Rule, Safety Committee can recommend safety risk mitigations. If approved as part of Agency Safety Plan, transit agencies are required to implement the mitigations.



#### **Safety Performance Targets**

Agencies and Safety Committees are required to set performance targets under the new rule



#### **Frontline Workers**

De-escalation training must be provided by agencies to frontline transit workers, and agencies must minimize exposure to infectious diseases



# **National Safety Plan Highlights**

The National Safety Plan is FTA's primary guidance document for improving transit safety performance. It provides best practices, tools, technical assistance, voluntary standards and other resources, including incorporation of updated BIL requirements:



#### **Safety Performance Measures**

Updates incorporate Bipartisan Infrastructure Law requirements for PTASP safety performance measures and identify a performance-based approach to reduce injuries and fatalities on transit systems under FTA's safety jurisdiction.



#### Best Practices, Tools, Technical Assistance, Voluntary Standards

The updated National Safety Plan also includes best practices, tools, technical assistance and voluntary standards for transit agencies to improve their safety performance related to major events, collisions, and injuries.

 The updated National Safety Plan supports the Department's goal of making our transportation systems safer for all, which supports the vision outlined in the National Roadway Safety Strategy.

### **Timeline**

PTASP Notice of Public Rulemaking (NPRM) published in the Federal Register - first proposed update to the PTASP Rule

April 26, 2023

PTASP NPRM comment period closed
53 total comment submissions

June 26, 2023

FTA published notice of availability and response to comments for the National Safety Plan in the Federal Register

April 10, 2024

PTASP Final Rule became effective (superseding previous PTASP Final Rule that became effective in 2019)

May 13, 2024

#### May 31, 2023

Notice of availability of proposed updates to National Safety Plan published in the Federal Register

#### July 31, 2023

National Safety Plan public comment period closed

32 unique comment submissions

### April 11, 2024

FTA published PTASP Final Rule in the Federal Register



# **Compliance Timeframe**



The PTASP Final Rule became effective May 13. When does our agency's ASP need to be updated to comply with requirements in the new PTASP Final Rule?

- ✓ FTA expects transit agencies to address the regulatory changes in the new PTASP Final Rule in their next Agency Safety Plan (ASP) annual update
- ✓ The PTASP regulation requires transit agencies to document a process in their ASP to review and update their ASP annually to address needed changes, including regulatory changes



### What is it?



#### **PTASP**

Requires applicable agencies to develop an Agency Safety Plan (ASP) that includes the processes and procedures to implement a Safety Management System (SMS)



### **National Safety Plan**

Serves as FTA's primary guidance document to improve transit safety performance

### **PTASP-National Safety Plan Connection**

Requires agencies and safety committees to set targets for the performance measures defined in the National Safety Plan

Defines the performance measures for which agencies and safety committees must set targets, per PTASP



# **Key to Applicability of Requirements**



### **All Applicable Transit Agencies**

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. Part 673 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.



### **Large UZA Provider**

Recipient or subrecipient of financial assistance under <u>49 U.S.C. 5307</u> that serves an urban area with a population of **200,000 or more** as determined by the most recent decennial Census.



### Non-Large UZA Provider

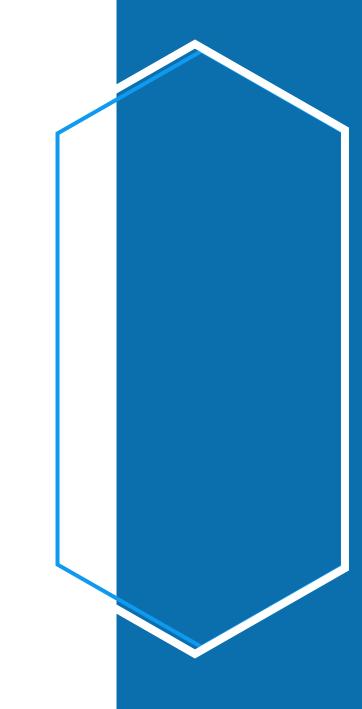
Recipient or subrecipient of financial assistance under <u>49 U.S.C. 5307</u> that serves an urban area with a population of **less than 200,000** as determined by the most recent decennial Census.



### **Rail Transit Agency**

Any entity that provides services on a rail fixed guideway public transportation system.

# **Frontline Transit Worker Involvement in Safety**





# **Frontline Worker Involvement in Safety**

Increased involvement gives workers more of a voice in advancing their safety where they work



All Applicable Transit Agencies

Comprehensive safety training including de-escalation training, safety concern identification, and reporting training and refresher training



Large UZA Providers

Safety Committee with equal number of frontline transit worker representatives and management representatives

Must include maintenance transit workers in safety training program



Non-Large UZA providers

Update ASP in Cooperation with Frontline Transit Worker Representatives



# **Safety Committee**

Large Urbanized Area (UZA) Providers

A transit agency that is a large urbanized area (UZA) provider must establish a Safety Committee

- A Safety Committee is a formal joint labor-management committee on issues related to safety
- A Safety Committee must have equal numbers of frontline transit workers and management representatives to address safety issues.
- A Safety Committee must be:
  - Convened by a joint labor-management process
  - Appropriately scaled to the size, scope, and complexity of the transit agency



# Frontline Transit Worker Representation in the Safety Committee

Large Urbanized Area (UZA) Providers

Represented by one or more labor organizations

The *labor organization* that represents the plurality of the frontline transit workers must select frontline transit worker representatives for the Safety Committee

Large UZA provider whose frontline transit workers are...

Not represented by labor organizations

The *transit agency* must adopt a mechanism for frontline transit workers to select frontline transit worker representatives for the Safety

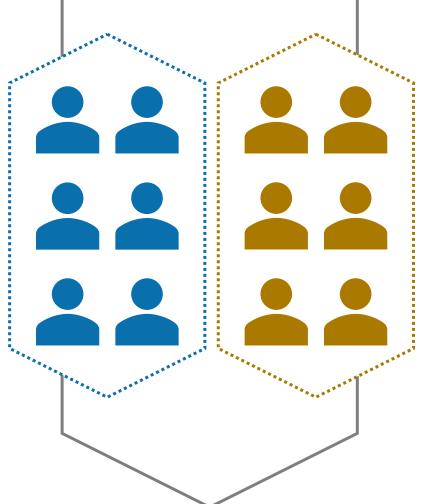
Committee



# **Safety Committee Membership**and Procedures

Large Urbanized Area (UZA) Providers

- Safety Committees must consist of an equal number of frontline transit worker representatives and management representatives.
- Safety Committees are intended to give labor and management equal voice.
- Safety Committees must agree to a dispute resolution process and then use that process to address disagreements.







# **Role of the Safety Committee**

Large Urbanized Area (UZA) Providers

PTASP establishes minimum Safety Committee roles related to:

Agency Safety Plans (ASP)

Safety Management System (SMS)

- Safety Risk Reduction Program
- Safety Risk Management (SRM)
- Safety Assurance (SA)



### **Safety Committee and ASP**

Large Urbanized Area (UZA) Providers

The Safety Committee must review and approve the transit agency's ASP and any updates.





# **Safety Committee and Safety Risk Reduction Program**

Large Urbanized Area (UZA) Providers

The ASP of each large UZA 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

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

The safety risk reduction program must include Safety Performance Targets (SPTs) set by the Safety Committee for the safety risk reduction program performance measures established in the National Safety Plan



# **Safety Committee and Safety Performance Targets**

Large Urbanized Area (UZA) Providers

The Safety Committee must set Safety Performance Targets (SPTs) for the safety risk reduction program:

- Based on a three-year rolling average of data submitted by the large UZA provider to the National Transit Database (NTD)
- For all modes of public transportation
- Based on the level of detail the provider is required to report to the NTD
  - The Safety Committee is not required to set a target for a performance measure until the provider has been required to report three years of data to the NTD corresponding to the performance measure



# **Safety Committee and SMS**

Large Urbanized Area (UZA) Providers

### The Safety Committee must support operation of the transit agency's SMS by:

- 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
- 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
- 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



# **Safety Committee and Safety Risk Mitigations for the Safety Risk Reduction Program**

Large Urbanized Area (UZA) Providers

When identifying safety risk mitigations for the safety risk reduction program related to vehicular and pedestrian safety events involving transit vehicles, each large UZA provider and its Safety Committee must consider mitigations to reduce visibility impairments for transit vehicle operators that contribute to accidents

 Includes retrofits to vehicles in revenue service and specifications for future procurements that reduce visibility impairments Includes safety risk mitigations to address a missed SPT set by the Safety Committee



# **Safety Committee and Safety Risk Mitigations for the Safety Risk Reduction Program**

Large Urbanized Area (UZA) Providers

When identifying safety risk mitigations for the safety risk reduction program related to assaults on transit workers, each large UZA provider and its Safety Committee must consider deployment of assault mitigation infrastructure and technology on transit vehicles and in transit facilities

 Includes barriers to restrict the unwanted entry of individuals and objects into the workstations of bus operators Includes safety risk mitigations to address a missed SPT set by the Safety Committee





# **Safety Committee and Safety Risk Mitigations for the Safety Risk Reduction Program**

Large Urbanized Area (UZA) Providers

Large UZA provider must include or incorporate by reference in its ASP the safety risk mitigations identified and recommended by the Safety Committee, based on a safety risk assessment conducted under § 673.25(c), as part of the safety risk reduction program.

 Includes mitigations relating to vehicular and pedestrian safety events involving transit vehicles or assaults on transit workers



# Safety Committee, Accountable Executive, and Safety Risk Mitigations

Large Urbanized Area (UZA) Providers

# The Accountable Executive of a large UZA provider must:

- Implement safety risk mitigations for the safety risk reduction program that are included in the ASP under § 673.11(a)(7)(iv)
- Receive and consider all other safety risk mitigations recommended by the Safety Committee, consistent with §§ 673.19(d) and 673.25(d)(6)

#### **Accountable Executive:**

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





# Safety Committee, Accountable Executive, and Safety Risk Mitigations

Large Urbanized Area (UZA) Providers

If a large UZA 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
- Submit and present this explanation to the transit agency's Safety Committee and Board of Directors or equivalent entity



# **Cooperation with Frontline Transit Worker Representatives**

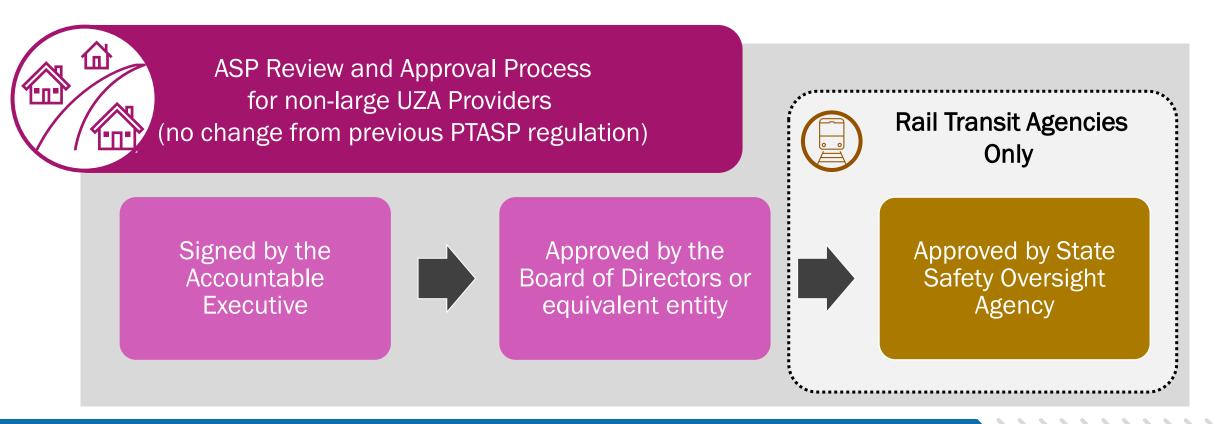
Non-Large Urbanized Area (UZA) Providers

### Each transit agency that is not a large UZA provider must:

- Develop its ASP, and subsequent updates, in cooperation with frontline transit worker representatives
- Include or incorporate by reference in its ASP a description of how frontline transit worker representatives cooperate in the development and update of the ASP

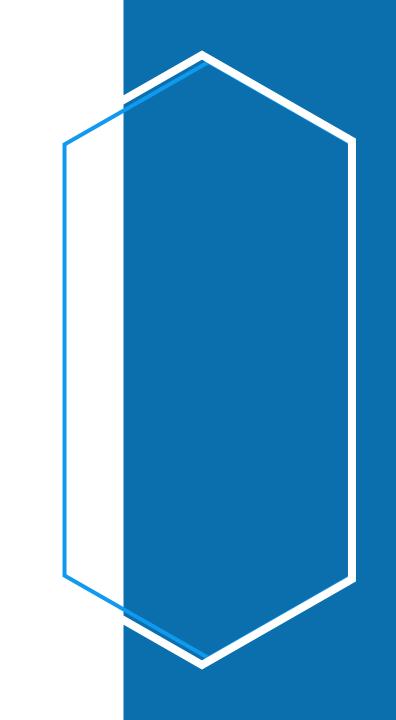
# **Non-Large UZA Providers and ASP**

For non-large UZA providers, although frontline transit worker representatives must cooperate in the development and update of the ASP, the PTASP regulation does not require their approval of the ASP



# Safety Performance Targets Safety Risk Reduction Program





# **Safety Performance Measures**



### **All Applicable Transit Agencies**

All agencies subject to the PTASP regulation must set Safety
Performance Targets (SPTs) for 14 general safety performance measures in the National Safety Plan



### **Large UZA Providers**

Safety Committees for large UZA providers must set SPTs for 8 safety performance measures in the National Safety Plan for the safety risk reduction program



### **Safety Performance Measures**

#### **All Applicable Transit Agencies**

All agencies subject to the PTASP regulation must set Safety Performance Targets (SPTs) for these 14 general safety performance measures in the National Safety Plan

- Agencies must set individual SPTs for each modal group they operate
- FTA does not require a specific target-setting methodology for these measures

General Safety Performance Measures	
1a: Major Events	2.1: Transit Worker Fatality Rate (NEW)
1b: Major Event Rate	3a: Injuries
1.1: Collision Rate (NEW)	3b: Injury Rate
1.1.1: Pedestrian Collision Rate (NEW)	3.1: Transit Worker Injury Rate (NEW)
1.1.1: Vehicular Collision Rate (NEW)	4a: Assaults on Transit Workers (NEW)
2a: Fatalities	4b: Rate of Assaults on Transit Workers (NEW)
2b: Fatality Rate	5: System Reliability



# Safety Performance Measures for the Safety Risk Reduction Program

Large Urbanized Area (UZA) Providers

Safety Committees for large UZA providers must set 8 SPTs for the safety risk reduction program for the following safety performance measures

Safety Performance Measures for the Safety Risk Reduction Program	
1. Major Events	5. Injuries
2. Major Event Rate	6. Injury Rate
3. Collisions	7. Assaults on Transit Workers
4. Collision Rate	8. Rate of Assaults on Transit Workers



# **Setting Safety Performance Targets**

All Applicable Transit Agencies

# The ASP must include annual SPTs based on the safety performance measures established under the National Safety Plan



#### Large Urbanized Area (UZA) Providers

- Large UZA providers must set SPTs for the 14 general safety performance measures and their Safety Committee must set SPTs for the eight safety performance measures for the safety risk reduction program
- Where the same measure is required for the general measures and for the safety risk reduction program measures, a large UZA provider will set SPTs for the general measures and the Safety Committee will set SPTs for the safety risk reduction program measures
- Where general and safety risk reduction program safety performance measures are the same, an agency may opt to use the same SPT set by the Safety Committee for the safety risk reduction program to satisfy the general SPT requirement
- SPTs for the safety risk reduction program are not required until a transit agency has been required to report three years of data corresponding to safety performance measures



# Large UZA Provider Responsibilities for Safety Risk Reduction Program SPTs

Large Urbanized Area (UZA) Providers

As part of the continuous improvement component of SMS, Large UZA providers must monitor safety performance against annual SPTs set by the Safety Committee for the safety risk reduction program

If an agency does not meet one of these SPTs, it must:

- Assess associated safety risk
- Mitigate associated safety risk based on the results of a safety risk assessment
  - Include these mitigations in a plan to address deficiencies and in the ASP
- Allocate its safety set-aside in the following fiscal year to safetyrelated projects eligible under Section 5307 that are reasonably likely to assist the agency in meeting the SPT in the future

Safety set-aside: the allocation of not less than 0.75 percent of assistance received by a large UZA provider under Section 5307 to safety-related projects eligible under Section 5307





# **Safety Risk Reduction Program**

Large Urbanized Area (UZA) Providers

The ASP of each large UZA 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
- Assaults on transit workers





# Minimum Requirements for the Safety Risk Reduction Program

Large Urbanized Area (UZA) Providers

#### The safety risk reduction program must, at a minimum:

- Include SPTs set by the Safety Committee pursuant to § 673.19(d)(2) for the safety risk reduction program performance measures established in the National Safety Plan
- 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)
- Address the reduction and mitigation of assaults on transit workers that includes safety risk mitigations consistent with § 673.25(d)(4)
- Include or incorporate by reference the safety risk mitigations identified and recommended by the Safety Committee as described in § 673.25(d)(5)



# **Safety Risk Reduction Program and SMS**

Large Urbanized Area (UZA) Providers

The requirement to address the reduction and mitigation of vehicular and pedestrian safety events involving transit vehicles and of assaults on transit workers draws on the agency's established Safety Risk Management and Safety Assurance functions.

#### Related SMS Elements

#### Safety Risk Management

- Hazard identification
- Safety risk assessment
- Safety risk mitigation

#### Safety Assurance

- Safety performance monitoring and measurement
- Continuous improvement



# **Safety Risk Reduction Program and SMS**

Large Urbanized Area (UZA) Providers

Include SPTs set by the Safety Committee pursuant to § 673.19(d)(2) for the safety risk reduction program

#### **Related SMS Elements**

Safety Assurance

- Safety performance monitoring and measurement
- Continuous improvement

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

### Safety Risk Management

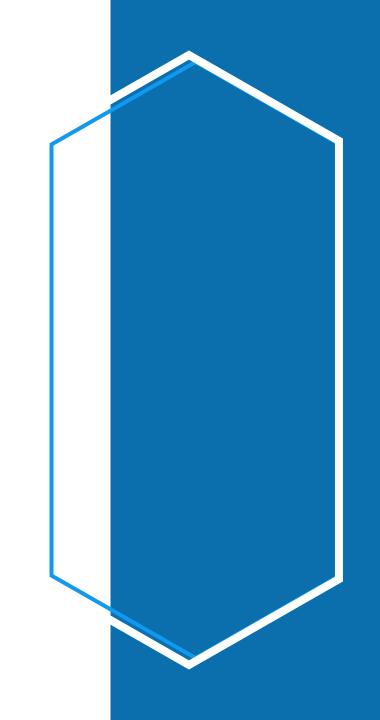
- Safety risk assessment
- Safety risk mitigation

### **Related SMS Elements**



# **Safety Assurance**<br/> **Safety Promotion**





# **Expanded Requirements for Continuous Improvement**

All PTASP-applicable transit agencies must establish a process to assess their safety performance annually



All Applicable Transit Agencies

Must include the identification of deficiencies in the agency's SMS and deficiencies in the agency's performance against SPTs required in § 673.11(a)(3)



**Large UZA Providers** 

Must also address role of the Safety Committee, and include the identification of deficiencies in the agency's performance against annual SPTs set by the Safety Committee for the safety risk reduction program



Rail Transit Agencies

Must also address any specific internal safety review requirements established by their State Safety Oversight Agency

# **New Elements of the Comprehensive Safety Training Program**



### **All Applicable Transit Agencies**

The comprehensive safety training program must include de-escalation training, safety concern identification, and reporting training and refresher training



### **Large UZA Providers**

Must include maintenance transit workers in the safety training program

# **New Safety Communication Requirements**



### **Non-Large UZA providers**

Communicate the results of cooperation with frontline transit worker representatives as described at § 673.17(b)



### **Large UZA Providers**

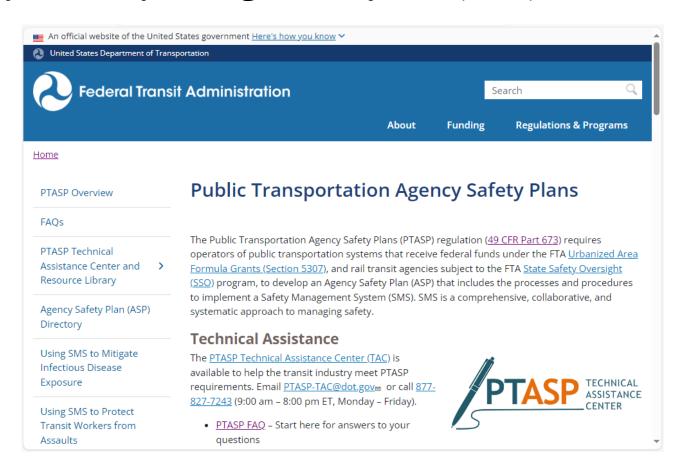
Communicate the results of the Safety Committee activities described in § 673.19



# **Public Transportation Agency Safety Plans**

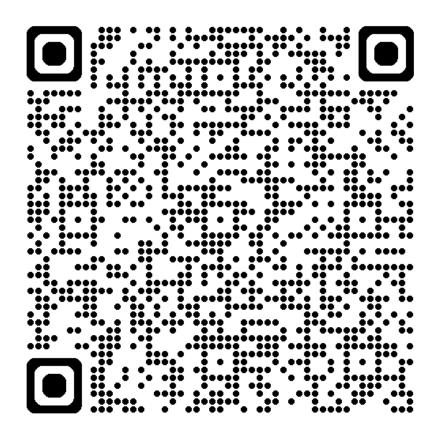
Technical Assistance Center includes resources to support meeting PTASP requirements and implementing your Safety Management System (SMS).

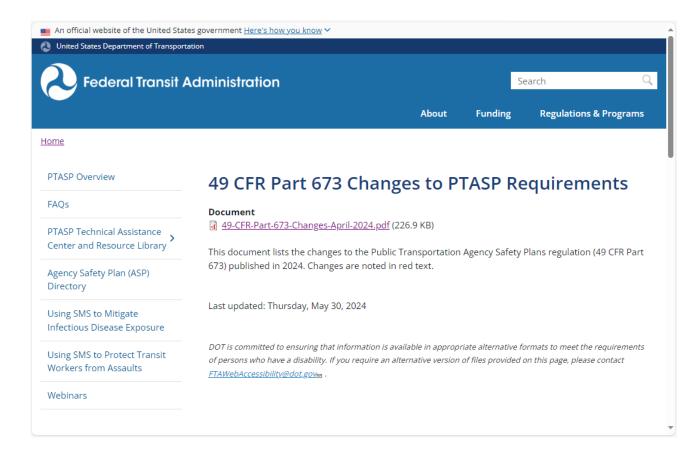




### **PTASP Markup**

This document lists the changes to the PTASP regulation (49 CFR Part 673) published in 2024. Changes are noted in red text.

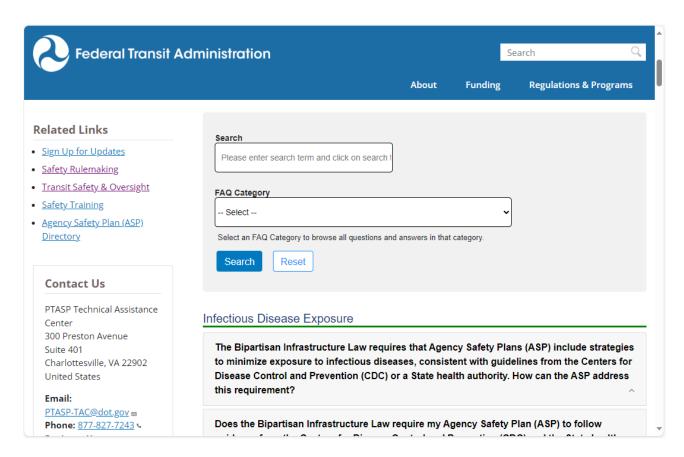




### **PTASP Frequently Asked Questions**

FAQ covers a broad range of topics, including new PTASP requirements as a result of the Bipartisan Infrastructure Law and the PTASP Final Rule.





# Questions

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