

## **Core Elements Required for the Public Transit Agency Safety Plan (PTASP)**

§ 673.11(a) – A transit agency must, within one calendar year after the effective date of the final rule, establish a Public Transportation Agency Safety Plan that meets the requirements of this part.

***By July 20, 2020, each transit operator that is subject to this rule must have a drafted and certified Safety Plan that meets the requirements of Part 673 for all modes of transit service not subject to safety regulation by another Federal entity. The Safety Plan must include all information, processes, and procedures outlined in Part 673.***

§ 673.11(a)(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.

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

§ 673.11(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.

§ 673.21 – 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;

- (a) **A transit agency must establish its organizational accountabilities and responsibilities and have a written statement of safety management policy that includes the agency’s safety objectives.**
- (b) **A transit agency must establish and implement a process that allows employees to report safety conditions to senior management, protections for employees who report safety conditions to senior management, and a description of employee behaviors that may result in disciplinary action.**
- (c) **The safety management policy must be communicated throughout the agency’s Organization** including board of directors or equivalent authority

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

- (a) **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: safety hazard identification, safety risk assessment, and safety risk mitigation.**

Under Part 673, a transit agency is required to develop and implement a SRM process applied to all elements of its system. Transit agencies must conduct safety hazard identification, safety risk assessment, and safety risk mitigation activities. FTA is providing a great deal of flexibility in this requirement to allow each transit agency to determine how these SRM activities are carried out and the safety hazards and safety risks the agency will prioritize and mitigate. Transit agencies should review their existing hazard identification and risk management processes and incorporate them into their plan if the processes are still effective, and use any new processes that provide a more effective

means of identifying and addressing hazards and safety risk.

## Safety Hazard Identification

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

**673.25(b)(2) A transit agency must consider, as a source for hazard identification, data and information provided by an oversight authority and the FTA.**

Each transit agency must establish a process for safety hazard identification, which includes specifying sources of information about hazards and their associated consequences. Safety hazard identification activities should reflect the size and scope of the transit agency's operations. FTA is not specifying the type of data and information that oversight authorities must share with transit agencies nor is the FTA specifying the types of safety data that transit agencies should collect.

### *Nexus to Transit Asset Management (TAM)*

**A transit agency should consider the results of its asset condition assessments when performing safety hazard identification activities through its SMS. The results of the condition assessments and SRM activities will inform a transit agency's determination as to whether an asset meets the state of good repair standards under 49 C.F.R. Part 625.**

## Safety Risk Assessment

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

**673.25(c)(2) A safety risk assessment includes an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations, and prioritization of the hazards based on the safety risk.**

Each transit agency must establish procedures for assessing the safety risk of the consequences of identified safety hazards and prioritizing the hazards based on this safety risk. Each transit agency must assess safety risk in terms of likelihood (the probability of a consequence occurring) and severity (the seriousness of a consequence, if it does occur). Transit agencies are not required to adopt any specific method or process for safety risk assessment. However, transit agencies may find it useful to review the U.S. Department of Defense's Military Standard 882E<sup>4</sup>, which outlines a commonly-used approach for conducting safety risk assessment.

## Safety Risk Mitigation

**673.25(d) – A transit agency must establish methods or processes to identify mitigations or strategies necessary as a result of the agency's safety risk assessment to reduce the likelihood and severity of the consequences.**

Each transit agency must establish an approach to determining when safety risk mitigation is necessary based on assessed safety risk. This may include setting criteria or thresholds for different levels of safety risk, and may involve assigning accountability to levels of management for the safety risk of operations under their control. A transit agency may color code different levels of safety risk ("red" as high, "yellow" as medium, and "green" as minor) and require different types of safety risk mitigations to correspond to those levels.

## Safety Assurance

**673.27(a) – 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 (b), (c), and (d) of this section. A small public transportation provider only must include in its safety assurance process the requirements in (b) of this section.**

Each transit agency must develop and implement a process for Safety Assurance (SA). Bus transit agencies that operate more than one hundred vehicles in peak revenue service must develop processes for (1) safety performance monitoring and measurement, (2) management of change, and (3) continuous improvement. Small public transportation providers need only develop a process for safety performance monitoring and measurement. Each transit agency's SA activities should be scaled to the size and complexity of its operations.

Safety Assurance activities serve as a check on the agency's SRM process. The procedures are designed to ensure that safety risk mitigations are effective, to collect safety performance data that will help a transit agency predict future safety events and mitigate or prevent them, and to analyze the safety risk of any new practices or procedures the transit agency adopts. If a transit agency identifies safety deficiencies through its safety performance assessments, then it must act to correct them. All of these efforts are intended to minimize the exposure of the public, personnel, and property to unsafe conditions.

## Management of Change

**673.27(c)(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.**

**673.27(c)(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.** Under Part 673, transit agencies, except small public transportation providers, must manage changes with potential safety impacts in their system. Transit agencies subject to this requirement must develop a process for identifying and assessing changes that may introduce new hazards or impact safety performance. If a transit agency determines that a change might impact safety, then the agency must evaluate the proposed change using the SRM process established under § 673.25.

FTA is providing each transit agency with latitude in developing these procedures and identifying the types of changes in its system that could impact safety performance. Relevant changes include changes to operations or maintenance procedures, changes to

procurement or safety management processes, changes to service, the design and construction of major capital projects (such as New Starts and Small Starts projects and associated certifications), and organizational changes.

## Continuous Improvement

**673.27(d)(1) – A transit agency must establish a process to assess its safety performance.**

**673.27(d)(2) – If a transit agency identifies any deficiencies as a part of its safety performance**

assessment, then the transit agency must develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.

Transit agencies, except small public transportation providers, must regularly assess their safety performance. If a transit agency identifies any deficiencies during a safety performance assessment, it must develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies. FTA expects each transit agency subject to this requirement to conduct a safety performance assessment at least annually. The safety performance assessment can be completed in conjunction with the annual review and update of the Safety Plan, as required under § 673.11(a)(5).

## Safety Promotion

### Competencies and Training

**673.29(a) – A transit agency must establish and implement a comprehensive safety training program for all agency employees and contractors directly responsible for safety in the agency’s public transportation system. The training program must include refresher training, as necessary.**

Each transit agency must establish a comprehensive safety training program. A transit agency must require employees and contractors, including the Chief Safety Officer or SMS Executive and the transit agency’s Board of Directors or equivalent authority, to **complete training to be able to fulfill their safety-related roles and responsibilities**. A transit agency also must require these individuals to complete refresher training, as necessary, to stay current with the agency’s safety practices and procedures. Given the diversity of transit systems, FTA is deferring to each transit agency to determine the level of training that is adequate for their employees and contractors

### Safety Communication

**673.29(b) – A transit agency must communicate safety and safety performance information throughout the agency’s organization that, at a minimum, conveys information on hazards and safety risks relevant to employees’ roles and responsibilities and informs employees of safety actions taken in response to reports submitted through an employee safety reporting program.**

Each transit agency must ensure that all personnel are aware of information relevant to their safety-related roles and responsibilities. At a minimum, a transit agency must share information about hazards and safety risks, and what actions are taken in response to reports submitted through the employee safety reporting program. Transit agencies also may provide explanations of changes to policies, activities, or procedures. FTA expects that each transit agency will establish the means and mechanisms for effective safety communication based on its organization, structure, and size of operations.