



# Federal Transit Administration Role- CPUC Rail Transit State Safety Oversight of Fixed-Guideway Systems



**Presentation to the Commission**  
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# Overview

Changes in federal law and new regulations adopted by the Federal Transit Administration necessitating changes in the Commission General Orders and the Rail Transit Safety Branch Program Standard (procedures manual)





# Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21)

- Signed into law by President Obama on July 6, 2012, became effective October 1, 2012.
- Revised Federal Transit Administration's the Rail Transit and Fixed Guideway State Safety Oversight (SSO) Program.





# Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21)

- Provides formula grant funds to states to cover 80% SSO Program up to maximum allocation for each individual state.
- States are mandated to develop State Safety Oversight Agencies (SSOAs) to oversee rail transit safety
- Directed FTA to certify SSOAs and get more involved in Safety.





# FTA Involvement Prior to MAP-21 and Recent Rulemaking

- 49 CFR Part 659 had few specific requirements;
- Limited FTA involvement in safety oversight;





# **FTA Involvement Prior to MAP-21 and Recent Rulemaking**

- FTA (through its contractor) audited SSO programs every three years to requirements of 49 CFR Part 659
- No funding to support SSO development, staff training, or oversight activities.





## After MAP-21 **SSOA Certification Requirements**

- Must be financially and legally independent from any transportation agencies they oversee;
- Must have the authority to review, approve, oversee and enforce implementation of adopted safety plans the by rail transit agency or other fixed guideway system;





## After MAP-21 **SSOA Certification Requirements**

- Must have investigative and enforcement authority over rail fixed guideway systems;
- Must Conducts at a minimum triennial audits of the rail fixed guideway system implementation of agency safety plan;
- Ensure adequately qualified and trained/certified employees to staff the SSO program







# Pre-Certification by FTA

- FTA developed pre-certification requirements and States were required to submit documents by September 6, 2013.
- Only California and Massachusetts demonstrated the resources, staff qualifications, enforcement and investigative authority, and requisite financial and legal independence to obtain pre-certification.





# FTA SSOA Grant Program

- We completed and submitted grant application that was approved and CPUC became a qualified grantee of FTA on Oct 28, 2014.
- Since that date we have received a little over \$4.7 Million.





# FTA SSOA Grant Program

- Grant funds pay for up to 80% of costs of safety oversight of the FTA funded public transit systems:
  - BART, SF Muni, SCVTA, SacRT, LA Metro, San Diego Trolley, NCTD Sprinter, OC Streetcar





# FTA SSOA Grant Program

- The grant reimburses states for expenses AFTER state makes expenditures
- 20% match and safety oversight activities of other non-FTA funded fixed guideway systems from existing funding source - State Public Transportation Account.





# FTA Rulemaking Activities

- Over the past nearly 5 years FTA has undertaken a number of rulemakings to carry out congressional mandates to strengthen rail transit safety oversight.
- Adopted 49 CFR 674—the new SSOA certification and safety program rule to replace Part 659.





# FTA Rulemaking Activities

- Certification of state programs under the new Part 674 requirements is required by April 2019.
- Big Stick---Failure to do so would result in loss of all FTA grant funds throughout the state--- to all projects and all grantees.





## Impacts to CPUCs Transit Safety Oversight Program

- SED has begun activities to allow for an application for certification of the CPUC rail transit safety program later this year, well in advance of the final due date.
  - Requires revisions to GO-164-D;
  - Some revisions to CPUC RTSB Program Standard (procedures manual);
  - Development of an annual report structure and format;





# Impacts to CPUCs Transit Safety Oversight Program

- Participation in emerging SSOA Managers organization to collaboratively work with other state personnel to represent overall state interests to FTA.

