

ATTACHMENT A

BILL: HOUSE RESOLUTION 6016

AUTHOR: REPRESENTATIVE GRACE NAPOLITANO

SUBJECT: BUS OPERATOR AND PEDESTRIAN PROTECTION ACT

STATUS: HOUSE – REFERRED TO THE TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

ACTION: SUPPORT WORK WITH AUTHOR

RECOMMENDATION

Staff recommends that the Board of Directors adopt a SUPPORT WORK WITH AUTHOR position on H.R. 6016 – the Bus Operator and Pedestrian Act authored by Representative Grace Napolitano of California.

ISSUE

As a result of Members of Congress hearing major news stories of an increase in nationwide bus operators assaults, a number of members of Congress have expressed their concerns for the safety of bus operators and passengers as these assaults often occur while the bus is moving.

Representative Grace Napolitano has introduced H.R. 6016, The Bus Operator and Pedestrian Protection Act, which gives transit agencies two years to develop Bus Operations Safety Risk Reduction Programs in partnership with their transit workforce, and with oversight from the U.S. Department of Transportation (USDOT). The bill authorizes \$25 million per year for 5 years to pay for the implementation of these safety improvements as part of their Bus Operations Safety Risk Reduction Programs:

- Assault mitigation infrastructure and technology, including barriers to prevent assaults on bus operators
- De-escalation training for bus operators
- Modified bus specifications and retrofits to reduce visibility impairments
- Driver assistance technology that reduces accidents
- Installation of enhanced bus driver seating to reduce ergonomic injuries

This legislation will also require transit agencies to report all assaults on bus drivers to the USDOT's National Transit Database (NTD).

DISCUSSION

Last year, Metro sponsored AB 468 (Santiago), signed by Governor Jerry Brown, which authorizes Metro to issue prohibition orders. This legislation was a direct result of Metro board actions as well as strategies with our Systems Safety, Security, Operations and Law enforcement staff to combat assaults on bus operators

Metro has undertaken steps to install barriers on all Metro buses including retrofitting older coaches with a reasonable useful life remaining and on all new buses. We have also installed closed circuit monitors above the operator's compartment and behind the operator. The placement of these monitors has provided a demonstrable deterrent to diminish assaults against bus operators. The first buses that were installed with monitors were placed on bus lines with high fare evasion rates.

In addition to measures taken by Metro to mitigate assaults on bus operators, we continue to work on the following safety-related items:

- Implemented de-escalation training for all bus operators both on an annual basis and intensively after an incident occurs;
- Currently conducting a demonstration pilot project at Divisions 10 and 13 to evaluate competing collision avoidance and mitigation technologies to prevent bus-pedestrian accidents, particularly when buses are making right or left hand turns. The technologies that will be tested are designed to emit an audible alert through external speakers on the buses to warn pedestrians waiting at the intersections that the bus is turning, and,
- We are also in the planning stages of performing a mandatory barrier usage pilot program at one bus division, when all of the buses have been fully retrofitted with barriers. This pilot program is intended to determine whether required usage of barriers materially reduces the incidence of assaults against bus operators.

While Metro strongly supports the goals of this legislation to protect bus operators, Metro would like to work with the Congresswoman to ensure the language in the bill provides a reasonable regulatory path.

H.R.6019 is supported by the Almagamated Transportation Union (ATU), International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART), Transport Workers Union of America (TWU), AFL-CIO Transportation Trades Department, and Teamsters.

For these reasons, staff recommends that the Board of Directors adopt a SUPPORT WORK WITH AUTHOR position on H.R. 6016.

DETERMINATION OF SAFETY IMPACT

Staff has reviewed this proposal and has determined that the legislation would assist in improving bus operator safety in Los Angeles County and nationwide.

FINANCIAL IMPACT

Staff has not determined the financial impact of the bill, but anticipates that some impacts will be minor, since Metro has already implemented seat improvements, de-escalation training and operator barriers. The capital cost of driver assistance technology and changes to bus specifications have not been determined.

ALTERNATIVES CONSIDERED

Staff has considered adopting either an oppose or neutral position on the bill. An oppose or neutral position would be inconsistent with Metro's Board approved 2018 Federal Legislative Program.

NEXT STEPS

Should the Board approve a SUPPORT WORK WITH AUTHOR position for H.R.6019, staff will prepare a position letter for the bill and work with Representative Grace Napolitano and other members of Congress as this bill continues to be considered by the appropriate congressional committees.