



Board Report

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Agenda Number: 31.

OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE NOVEMBER 17, 2022

SUBJECT: PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

APPROVE the updated PTASP (version 1.2), which documents Metro's processes and activities related to Safety Management System (SMS) implementation in compliance with Federal and State regulations (Attachment A).

ISSUE

Metro's PTASP was developed in accordance with Federal and State mandates that require Metro to establish and implement such a plan. In November 2021, the Bipartisan Infrastructure Law was enacted, requiring revisions to the PTASP. The regulations require the PTASP to be approved by the Board of Directors.

BACKGROUND

The Federal Transit Administration (FTA) published the PTASP Regulation, 49 C.F.R. Part 673, on July 19, 2018. The regulation implements a risk-based SMS approach and requires Metro to have a PTASP, approved by the Board, in place no later than July 20, 2020.

Metro complied with this regulation by completing the development of its PTASP in April 2020. The Board approved the initial version of the plan at its April 2020 Board meeting. The minutes of the April 2020 Board meeting, approving the PTASP, (Agenda Item No. 25) are included as Appendix M in the PTASP. The PTASP, which applies to both the bus and rail mode, is a document describing the various safety programs and processes the agency has in place to manage hazards and safety risks. The PTASP was developed to be a top-down, data driven plan that incorporates the following four critical elements of an SMS-based approach - Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion. For each of the four key components, the plan describes or references Metro's processes and procedures in place at the agency that complies with the particular requirements. The plan also includes the authorities, accountabilities, and responsibilities of all staff who play a key role in managing safety, as well as performance measures and targets to support the data-driven approach.

The new requirements of the Bipartisan Infrastructure Law have been incorporated into the updated version of Metro's PTASP for Board approval. The PTASP is one element of FTA's comprehensive Public Transportation Safety Program. Our State Safety Oversight Agency, the California Public Utilities Commission (CPUC), adopted the requirements of FTA's regulation in its General Order 164-E and is charged under regulations with the review and approval of agency PTASPs.

DISCUSSION

This version of the plan incorporates new requirements in the Bipartisan Infrastructure Law, such as developing strategies to minimize exposure to Infectious Diseases, establishing a Joint Labor-Management Safety Committee (JLMSC), establishing measures to reduce transit worker assaults, bus accidents, visibility impairments, and developing de-escalation training programs.

The JLMSC, which was established in July 2022, is comprised of an equal number of representatives from management and a representative from each of the five labor unions at Metro - SMART, ATU, TCU, AFSCME, and Teamsters. The Committee, which is alternately chaired by a management or labor representative of the Committee for a one-year term, meets at least quarterly to review risk-based mitigations or strategies to reduce the likelihood and severity of consequences of accidents, to identify mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and to identify safety deficiencies for purposes of continuous improvement.

Once the revised plan, which has been approved by the JLMSC as required by the new legislation, is in effect, staff will audit the plan to verify the processes and programs are being followed and based on trends, implement strategies for continuous safety improvement. In addition to internal audits, the PTASP will also be audited by the FTA and the CPUC at least triennially.

DETERMINATION OF SAFETY IMPACT

Approval of this recommendation will positively impact the safety of Metro's patrons and employees.

FINANCIAL IMPACT

Since all the programs and processes described in the PTASP are currently in place, there is no financial impact as a result of approving this plan.

EQUITY PLATFORM

The adoption of this plan will disproportionately serve Metro's transit riders, who are overwhelmingly very low-income, people of color, and without access to a car. Further, the plan applies to the safety of transit operators, who are majority people of color and, by definition, frontline essential workers. Additionally, approval of the plan would complement other Metro efforts to improve safety for operators and riders, thus positively impacting all who use or work on our transit system.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal # 1 "Provide high-quality mobility options that

enable people to spend less time traveling,” and goal # 5 “Provide responsive, accountable, and trustworthy governance within the Metro organization.” Programs and processes described in the PTASP support the specific actions and initiatives described to advance goal 1 and goal 5 in the strategic plan.

ALTERNATIVES CONSIDERED

The Board may elect not to approve the PTASP. However, this action is not recommended because such action will subject Metro to regulatory enforcement action by the FTA, which could include withholding federal funds for non-compliance with the FTA’s Public Transportation Safety Program.

NEXT STEPS

Upon Board approval, staff will certify to the FTA on an annual basis that Metro has established and implemented its PTASP as required by their regulations.

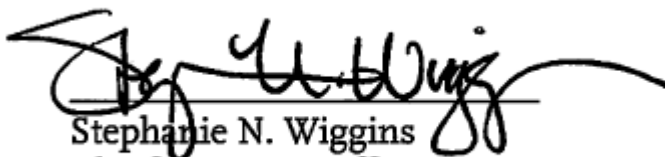
ATTACHMENTS

Attachment A - PTASP, Updated Version 1.2

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