2019 State Safety Oversight Program Annual Status Report

Public Transportation Division
Purpose

Pursuant to state and federal law (Tex. Transp. Code § 455.057 and U.S.C.A. § 5329), the Texas Department of Transportation (TxDOT), as the designated State Safety Oversight Agency (SSOA) for the State of Texas, is required to “…provide an annual status report on the safety of the rail fixed guideway public transportation systems the SSOA oversees to the governor, the lieutenant governor, the speaker of the Texas House of Representatives, the Federal Transit Administration (FTA), and the governing body of each rail fixed guideway public transportation system under the oversight of the department.”

This report summarizes the activities of TxDOT’s State Safety Oversight (SSO) Program in addressing the enhanced state and federal safety regulations during Calendar Year 2019, and includes data from the Annual Report required by and submitted to the Federal Transit Administration.

Rail Fixed Guideway Public Transportation Systems in Texas

Currently, there are six Rail Transit Agencies (RTAs) in Texas under the scope of the FTA’s State Safety Oversight Program administered by TxDOT. They are:

- Dallas Area Rapid Transit (DART)
- Dallas Streetcar (City of Dallas)
- El Paso Streetcar (City of El Paso)
- Galveston Island Trolley (City of Galveston)
- McKinney Avenue Transit Authority (MATA)
- Metropolitan Transit Authority of Harris County (Metro)

Each of these systems is required to comply with federal planning and reporting requirements for their rail public transportation operations. The Galveston Island Trolley is in the re-development stages of its rail trolley system and anticipates beginning passenger operations by September 2020.

TxDOT State Safety Oversight Program Standard

The Department issued a revised SSO Program Standard in September 2019. TxDOT initiated a Program Standard update in May 2019. As part of the revision process, the RTAs were provided an opportunity to review and comment on proposed changes in June 2019. The RTA comments were factored in. TxDOT’s Program Standard is posted on the Department’s website at: http://ftp.dot.state.tx.us/pub/txdot-info/ptn/sso-program-standard-august-2019.pdf.

Public Transportation Agency Safety Plan (PTASP)

Per federal regulation 49 CFR Part 673, all RTAs that receive FTA funding are required to have a Public Transportation Agency Safety Plan (PTASP) approved by their SSOA by July 20, 2020. TxDOT and its contractors have provided technical assistance and guidance to assist the RTAs in the development of their PTASPs. At the time of the
submission of this report, all five operating RTAs are nearing completion of compliant safety plans and expected to be approved by TxDOT no later than July 20 this year.

**Update Texas Administrative Code for the State Safety Oversight Program**

The Department updated the Texas Administrative Code (TAC) that implements the rail SSO Program, effective on February 19, 2020. TxDOT began an update to the Texas Administrative Code (TAC), Title 43 Transportation, Part 1 Texas Department of Transportation, Chapter 7 Rail Facilities, Subchapter E - Rail Fixed Guideway System State Safety Oversight Program in June 2019. This chapter of the TAC describes how TxDOT will carry out its SSO Program responsibilities consistent with both State and Federal requirements. The TAC update was necessary to reflect changes created by the transition from 49 CFR Part 659 to Part 674; which focuses on oversight of rail agencies as they draft agency safety plans and implement safety management system principles mandated by the FTA.

**Summary of CY 2019 Rail Transit Agency Annual Safety Report**

FTA requires TxDOT to submit an annual report by March 15 that covers the previous calendar year’s safety performance, and other information, for each RTA overseen by TxDOT. That report is a detailed electronic submission complete with attachments as prescribed by FTA and required of all SSOAs. Additionally, TxDOT is required to certify that it has complied with all federal SSO Program requirements. TxDOT submitted its 2019 Annual Report to FTA on March 12, 2020.

TxDOT will review year-to-year safety performance trends next year in its CY 2020 Annual Report. Over the past few years, the FTA has changed safety performance definitions and reporting requirements due to the transition from 49 CFR 659 to 674. The following two tables briefly summarize the significant safety information and activities provided in the FTA report.

**Table 1: System Safety Program Plans**

<table>
<thead>
<tr>
<th>Rail Fixed Guideway Public Transportation Systems</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dallas Area Rapid Transit</td>
<td>March 3, 2020</td>
</tr>
<tr>
<td>Dallas Streetcar</td>
<td>March 13, 2020</td>
</tr>
<tr>
<td>El Paso Streetcar</td>
<td>February 6, 2020</td>
</tr>
<tr>
<td>Galveston Island Trolley</td>
<td>In development; must be approved before start of passenger operations, estimated Sep. 2020</td>
</tr>
<tr>
<td>McKinney Avenue Transit Authority</td>
<td>January 10, 2020</td>
</tr>
<tr>
<td>Metropolitan Transit Authority of Harris County</td>
<td>March 5, 2020</td>
</tr>
</tbody>
</table>

1 A System Safety Program Plan (SSPP) describes a rail agency’s safety policies, objectives, responsibilities, and procedures.
Table 2: Safety Activities for January 1 through December 31, 2018

<table>
<thead>
<tr>
<th>Safety Activities</th>
<th>Statewide Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accidents(^1)</td>
<td>64</td>
</tr>
<tr>
<td>Reported Hazards(^2)</td>
<td>4</td>
</tr>
<tr>
<td>Corrective Action Plans (CAPs)(^3)</td>
<td>93</td>
</tr>
</tbody>
</table>

\(^1\) In accordance with TxDOT SSO Program Standard and 49 CFR 674.33, accidents must be reported that meet the following thresholds.

- a) Fatality (occurring at the scene or within 30 days following the accident);
- b) One or more persons suffering serious injury
- c) Property damage resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle;
- d) A collision between a rail transit vehicle and another rail transit vehicle;
- e) A collision at a grade crossing resulting in serious injury or fatality;
- f) A collision with a person or object resulting in serious injury or fatality;
- g) A runaway train;
- h) Evacuation due to life safety reasons;
- i) Fires resulting in a serious injury or fatality.

\(^2\) Reported Hazards are real or potential conditions that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a rail fixed guideway public transportation system; or damage to the environment; and that meet the RTA’s thresholds in their safety plans for reporting to the TxDOT SSO Program.

\(^3\) Corrective action plans (CAPs) are plans developed by a Rail Transit Agency that describe the actions a Rail Transit Agency will take to minimize, control, correct, or eliminate risks and hazards, and the schedule for taking those actions.