State Safety Oversight Program Standard

August 2018

Public Transportation Division
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Section 1: Program Management

1.1 Purpose and Organization of State Safety Oversight Program

The Texas Department of Transportation (TxDOT) is designated as the State Safety Oversight Agency (SSOA) in Texas responsible for carrying out the functions of the federal State Safety Oversight Program. The purpose of the Program Standard is to describe TxDOT’s program for carrying out its primary responsibility for overseeing and enforcing the safety of the rail fixed guideway public transportation systems (RFGPTS) within Texas. The Standard will clarify roles and responsibilities of TxDOT and each RFGPTS for implementing Program requirements. Additional, supplemental information, forms, checklists, etc. are provided in Appendices referenced throughout the Standard. Appendix A includes definitions used throughout the Standard.

1.2 SSOA Authority

In 1997, the Texas Legislature, with enactment of Senate Bill (S.B.) 735 designated the Texas Department of Transportation (TxDOT) as the SSOA. TxDOT derives its authority through Texas Transportation Code, Chapter 455, General Powers and Duties of Department of Transportation Regarding Mass Transportation.

During the 85th Regular Legislative Session, S.B. 1523 was enacted on June 1, 2017. This statute provides TxDOT the authority to establish and enforce minimum standards for the safety of all RFGPTS within its oversight. These standards are consistent with the National Public Transportation Safety Plan, the interim Public Transportation Safety Certification Training Program, rules for Public Transportation Agency Safety Plans, and all other applicable federal and state laws. Appendix B provides a copy of SB 1523.

Chapter 7, Subchapter E. - Rail Fixed Guideway System State Safety Oversight Program, of the Texas Administrative Code (TAC) describes how TxDOT will carry out its SSO Program responsibilities consistent with both State and Federal requirements. It provides a legal framework, consistent with the Program Standard, for each RFGPTS in Texas to follow in order to create, implement, and administer a System Safety Program Plan for their respective agencies. In particular, it includes provisions for requiring immediate and milestone-based corrective action plans to resolve identified deficiencies in the RFGPTS’s implementation of the Agency System Safety Program Plan (SSPP), and to address identified hazards and safety concerns that require mitigation. Appendix C contains the relevant portions of the TAC, adopted by the Texas Transportation Commission (Commission) on March 29, 2018 (target adoption date).

The SSO program applies to each RFGPTS, operated for public transportation, located within the state of Texas that is not subject to the jurisdiction of the Federal Railroad Administration (FRA), or any such system in engineering or construction. RFGPTS public transportation systems include rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.
The RFGPTS in Texas qualifying for SSO include:

- Dallas Area Rapid Transit (DART)
- Dallas Streetcar
- McKinney Avenue Transit Authority
- Houston METRO
- City of Galveston – Galveston Trolley
- City of El Paso – El Paso Streetcar

The TxDOT SSO program:

- Is financially and legally independent from any RFGPTS overseen;
- Does not directly provide public transportation services in an area with a RFGPTS;
- Does not employ any individual who is also responsible for administering a RFGPTS;
- Has authority to audit, review, approve, oversee, and enforce the public transportation agency safety plan for a RFGPTS;
- Has investigative and enforcement authority with respect to the safety of all RFGPTS within the State of Texas.

More specifically, TxDOT has the enforcement and investigative authority to:

- Enforce federal and state laws on all RFGPTS in the state of Texas;
- Review, revise, approve, oversee, and enforce the required public transportation agency safety plan;
- Oversee the implementation of a RFGPTS safety system plan;
- Investigate and enforce the safety programs of the RFGPTS during announced and unannounced site visits or inspections by TxDOT employees and its contractors;
- Coordinate all enforcement responsibilities with other governmental entities as needed;
- Issue an emergency order to temporarily shut-down RFGPTS operations in response to an imminent threat to the safety of the general public;
- Issue an emergency order to a RFGPTS to remove persons, equipment, or facilities from service.
- Seek a temporary injunction to enforce an emergency order.

Resolution of identified RFGPTS deficiencies will rely on timely implementation of comprehensive agency corrective action plans agreed to by both the SSO and RFGPTS. In the event of non-responsiveness the escalation procedure described in Section 10 will be applied.

1.3 Allegations of Noncompliance From Sources Other Than Audits or Inspections

TxDOT has primary responsibility for the investigation of any allegation of noncompliance with a rail fixed guideway public transportation system (RFGPTS) System Safety Program Plan (SSPP). Any person may submit an allegation electronically through the TxDOT webpage or by telephone as follows:
Allegations submitted through the TxDOT webpage
Use the Contact Us link: www.txdot.gov/contact-us/form.html.

- This action will open a web form that can be completed to report an allegation of non-compliance.
- Individuals reporting are requested to select “Yes” when asked if this communication is a complaint.
- Select “Rail” as the reporting reason to ensure the allegation is forwarded to the appropriate TxDOT staff.

Allegations reported by telephone
Allegations may also be submitted by telephone by contacting the TxDOT Public Transportation Division office at (512) 486-5977.

- You will be connected with a State Safety Oversight Program Manager who will receive your information.
- Allegations of non-compliance must contain sufficient detail for TxDOT staff to determine whether TxDOT SSO has jurisdiction over the allegation and determine the pertinent facts of the allegation.
- Persons notifying TxDOT of allegations of non-compliance may do so anonymously, but are encouraged to provide contact information in case TxDOT needs additional information to investigate the allegation.

No later than 10 days after receipt of the allegation, the TxDOT State Safety Oversight will acknowledge receipt of the allegation, inform the reporting person if TxDOT has oversight authority of the allegation, and how the allegation will be investigated.

Allegations involving entities in which TxDOT has oversight authority may be investigated by TxDOT or referred to the affected agency for investigation. In either case, a thorough, impartial investigation will be completed and an investigation report drafted no later than 30 days after the acknowledgement of the allegation. RFGPTS’s that have been delegated responsibility for investigating an allegation of non-compliance must also submit the investigation report to TxDOT within the 30 days of TxDOT’s acknowledgement of the allegation.

The investigation report shall identify the individuals conducting the investigation, summarize the allegation, describe the process used to conduct the investigation, a determination of facts, whether allegations were substantiated, and any corrective actions that resulted from the investigation.

All parties involved will be formally notified of the disposition of the allegation no later than 15 days after the issuance of the investigation report.
1.4 SSOA Policies

Organization
TxDOT’s SSO Program responsibilities are assigned to the Public Transportation Division. The Public Transportation Director reports to the Deputy Executive Director of TxDOT. Appendix D includes an organizational chart showing the various reporting relationships under the Executive Director – the highest ranking State Transportation agency official in Texas.

Within the Public Transportation Division the function is organized under the Administration and Program Support Section, one of two sections within the Division. Appendix D defines the responsibilities of each section.

1.5 Internal Agency Policies

Conflict of Interest
No individual or entity may provide services to both the SSOA and the RFGPTS when there is a conflict of interest or an appearance of a conflict. A conflict of interest occurs when an individual or entity performing work for an SSOA or the RFGPTS is unable, or potentially unable, to render impartial assistance or advice on the development or implementation of the standards and provisions or to objectively perform such work without bias. A third party contractor to the FTA, SSOA or an RFGPTS may not have an unfair competitive advantage over other contractors. Each contractor is subject to full disclosure on all present and potential conflicts of interest in its activities or relationships prior to the award of a contract with FTA, TxDOT or an RFGPTS.

On-Site Visit Provisions
TxDOT employees and contractors will be accompanied by a safety certified RFGPTS employee during any on-site inspection. Upon completion of the RWP training the RFGPTS shall issue an agency identification badge or card to TxDOT employees and contractors. TxDOT employees and contractors will be required to display their identification badges or cards at all times when on while on RFGPTS controlled property.

SSOA and RFGPTS Safety Certification Training
TxDOT employees or contractors who conduct on-site inspections will complete RFGPTS specific safety and right of way (RWP) worker protection training prior to entering transit right of way (ROW) to ensure protection from trains and moving equipment.

FTA has developed interim provisions for the certification and training of federal, state, and other designated personnel who conduct rail safety audits and examinations and rail transit system personnel with direct safety oversight responsibility. FTA has adopted Safety Management Systems (SMS) as their safety regulatory framework. With a focus on organization wide safety policy, formal methods for identifying hazards, controlling their potential consequences, continually assessing safety risk, and promoting an effective employee safety reporting system, SMS provides a structure for addressing expectations specified in MAP-21. Specifically, FTA issued a notice of proposed
rulemaking, 49 CFR Part 672, Public Transportation Safety Certification Training Program, in December 2015, to support the implementation of SMS.

In 2015, TxDOT submitted verification documentation to demonstrate its compliance and achievement of the FTA interim certification requirements by SSOA employees administering the program. At a minimum, TxDOT employees, RFGPTS employees and contractors who conduct safety audits examinations with direct safety oversight responsibilities are required to achieve the Transit Safety and Security Program (TSSP) Certificate from the Transportation Safety Institute (TSI).

SSOA Confidentiality
Investigation reports; security documents and reports; audit reports; operational reports; and security plans and reports submitted by each RFGPTS to TxDOT are confidential and not subject to disclosure, inspection, or copying under Chapter 552, Texas Government Code. These documents may not be admitted in evidence or used for any purpose in any action or proceeding arising out of any matter referred to in an investigation except in an action or a proceeding instituted by the State of Texas.

1.6 SSOA Reporting Requirements

SSOA Annual Report to FTA
By March 15th of each calendar year TxDOT shall submit an Annual Report to FTA in compliance with 49 CFR 674.39 State Safety Oversight Agency Annual Reporting to FTA.

RFGPTS Agency Reporting Requirements:
Before December 1 of each year, the RFGPTS shall report internal safety review activities for the year. The RFGPTS reporting shall include safety plan, annual reports, ad hoc reports, safety data, accidents, audits, hazard analysis, corrective action plans, internal audit reports, audit schedules, and certifications by the RFGPTS Accountable Executive. Required reporting shall be made electronically through a reporting system specified by TxDOT.

- Before December 1 of each year, the RFGPTS shall report internal safety review activities;
- TxDOT will acknowledge the receipt of RFGPTS submission(s) within 48 hours;
- Depending on the depth and complexity of the submission(s), TxDOT will review the submission(s) for compliance with 49 CFR Part 674 and the TxDOT Program Standard within 30 days, unless a different schedule is otherwise agreed to, on submission, with the RFGPTS;
- Required revisions will be re-submitted to TxDOT within 14 days of agency notification of the needed revision(s) and trigger the same acknowledgement and review schedule above;
- Before January 10th, the RFGPTS shall submit report the internal safety review activities of the month of December for TxDOT review and inclusion in the annual report.
- Upon approval, TxDOT will issue a formal letter of acceptance or approval to the Accountable Executive or RFGPTS safety employees as specified in the Program Standard.
TxDOT will also 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 will summarize the activities of TxDOT’s State Safety Oversight (SSO) Program in addressing the enhanced state and federal safety regulations during the previous state Fiscal Year.

1.7 SSOA and RGPTS Communications and Electronic Submissions

TxDOT will continue to engage in and encourage proactive two-way communication with current and future RFGPTS, and federal and state elected officials. The Public Transportation Division – SSO Program staff will serve as the focal point for those communications. Communication methods include, but are not limited to: United States Postal Service (USPS) mail, electronic mail, telephone calls, online meetings, conference calls, reporting applications (web and mobile) and weekly, monthly, and quarterly site visits. The RFGPTS is required to submit accident reports, audit reports, plans, and procedures electronically through a method specified by TxDOT. TxDOT will host annual or semi-annual Business Meetings with all RFGPTS to review program requirements, updates, and provide an opportunity for the exchange of information among all parties.
Section 2: Program Standard Development

The TxDOT SSO Program Standard is consistent with the National Public Transportation Safety Plan and 49 CFR Part 674. The standard includes an explanation of TxDOT’s processes for developing, reviewing, adopting, and revising minimum standards for safety, and distributing those standards to the RFGPTS in Texas. These processes will provide reasonable opportunities for open and transparent communication with RFGPTS’s, with the expectation that each RFGPTS shall fully implement the TxDOT Program Standard in order to be compliant with both federal and state law.

2.1 Program Standard Development

The focus of the Program Standard is to establish and clearly communicate to RFGPTS’s in Texas the minimum safety standards called for in 49 CFR Part 674. The Program Standard contained herein was reviewed and discussed with Texas RFGPTS, with opportunities provided for comment throughout development, including the RFGPTS Accountable Executives, Chief Safety Officers, and Rail Safety employees. Key elements are incorporated into the Texas Administrative Code approved by the Texas Transportation Commission (Appendix C).

2.2 Program Standard Review and Revision

By December 31st each year, the SSO Program Standard will be reviewed and updated, including changes to minimum safety standards, as necessary by the SSOA Program Manager, or designated contractor, to ensure it is current. All RFGPTS will have an opportunity to review and comment on those proposed changes as appropriate and necessary. The Director of the Public Transportation Division at TxDOT will approve all updates to the SSO Program Standard, on recommendation by the SSOA Program Manager. By March 15th each year TxDOT will report to FTA, in accordance with § 674.27, of changes made to the program standard during the preceding twelve months.

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<th>DATE</th>
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<tr>
<td>July 26, 1999</td>
<td>Original issue of TxDOT System Safety Program Standard</td>
</tr>
<tr>
<td>March 2001</td>
<td>Revised contact information</td>
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<tr>
<td>May 2006</td>
<td>Updated to comply with revised FTA State Safety and Security Oversight Final Rule issued April 29, 2005</td>
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<tr>
<td>August 2006</td>
<td>Update to comply with the FTA initial submission checklist review received by TxDOT on June 18, 2006.</td>
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<tr>
<td>August 2013</td>
<td>Update to incorporate FTA SSO January 2012 audit findings and TxDOT personnel changes.</td>
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<tr>
<td>February 2017</td>
<td>Revised Contact and RFGPTS List</td>
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<tr>
<td>March 2018</td>
<td>Revised to meet 49 CFR Part 674</td>
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2.3  Program Standard Distribution

The SSO Program Standard is available electronically for download from the TxDOT website (www.TxDOT.gov). The current version of the Standard will be available for downloading at all times, except when necessary to upload updated versions, or during routine website maintenance activities. Revisions to the TxDOT SSO Program Standard are communicated via email to the RFGPTS Accountable Executives, Chief Safety Officers, and designated safety employees. RFGPTS Accountable Executives and Chief Safety Officers will receive an electronic version of the Program Standard following each annual update.
Section 3: Program Policy and Objectives

3.1 SSO Agency Policy for RFGPTS Safety

The Mission of the Texas Department of Transportation is as follows: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods. Two over-arching goals of the Department related to the SSO responsibility are to Promote Safety and to Foster Stewardship.

The Public Transportation Division’s Mission is to: Work with others to create safe, reliable mobility options for people who use alternatives to driving alone. Additionally, the Division has the explicit goal to: Perform the FTA State Safety Oversight Function.

The Program Standard provides the commitment to actions that TxDOT is authorized and prepared to take to oversee and enforce RFGPTS implementation of the Agency SSPP. It was created in order to establish minimum standards, procedures, and technical assistance for the current RFGPTS operating within Texas, and those in engineering and construction. As such, the Program Standard communicates expectations, roles and responsibilities of the Department and RFGPTS in carrying out system safety requirements of CFR 49, Part 674.

3.2 SSO Agency Objective for RFGPTS Safety

Each RFGPTS shall comply with all requirements of the Program Standard. At a minimum each RFGPTS shall:

- Conduct accident investigations;
- Prepare accident investigation reports;
- Investigate unacceptable hazardous conditions;
- Prepare unacceptable hazardous condition reports;
- Implement a hazard management process;
- Prepare and submit corrective action plans;
- Coordinate hazard management program activities with state oversight;
- Maintain safety data; and
- Make submissions to TxDOT and FTA on an annual and as needed basis.
Section 4: Oversight of Agency Safety Plans and Rail Transit Agencies’ Internal Safety Reviews

4.1 RFGPTS System Safety Plan Review

Each RFGPTS shall develop, adopt, and fully implement a System Safety Program Plan (SSPP) describing its safety policies, objectives, responsibilities, and procedures. Upon FTA issuing a final rule for, 49 CFR Part 673, the Public Transportation Agency Safety Plan will supersede the RFGPTS SSPP.

At a minimum, the SSPP shall:

- Be endorsed and approved by the RFGPTS Accountable Executive;
- Be current at all times;
- Establish effective safety goals and objectives;
- Measure the achievement of safety goals and objectives and report those results to TxDOT via the annual Internal Safety Review report;
- Identify the safety roles and responsibilities of all departments and functions;
- Identify the hazard management process to be used by the RFGPTS;
- Identify the internal safety review process to be performed by the RFGPTS;
- Identify the accident/incident notification, investigation, and reporting procedures;
- Provide a timeframe and criteria for annually certifying to TxDOT the SSPP the revision of the SSPP; and

4.2 RFGPTS SSPP Review and Approval

TxDOT will review and evaluate each SSPP for compliance with, 49 CFR Part 659.19, and 49 CFR Part 674.27, the TxDOT Program Standard, and the National Public Transportation Safety Plan. At the time the SSPP is submitted for initial approval and for subsequent updates, the RFGPTS is required to submit referenced materials and supporting procedures to document each required element is addressed. Examples of referenced materials and supporting procedures include, but are not limited to: standard operating procedures; training plans; rule books and bulletins; hazard management plans; maintenance rules and procedures; emergency response plans and agreements; and compliance programs. On-site meetings and teleconferences will be conducted to address any issues identified during the review of the SSPP.

When a SSPP is submitted for initial approval the RFGPTS shall complete a TxDOT review template detailing the page number, section, and location of each required element. All subsequent updates shall be accompanied by the template with the aforementioned information identifying all the changes made to the plan since it was last approved by TxDOT (see Appendix F, SSPP Checklist).
The SSPP and supporting procedures shall be submitted electronically via a method specified by TxDOT.

**SSPP Review Sequence and Approval**

- TxDOT will acknowledge receipt of an SSPP submission within 2 days.
- If the submission is sufficient for review, TxDOT will acknowledge acceptance within 45 days.
- If the submission is not sufficient for review, TxDOT will notify the RFGPTS to request additional documentation or clarification. Upon receipt of the requested documentation or clarification the process will begin anew.
- If the SSPP does not comply with federal rules and the TxDOT SSO Program Standard, the RGPTS will be notified via a formal letter to the Accountable Executive. A completed checklist identifying the required changes and any required documentation will be included.
- Upon TxDOT final acceptance, approval will be communicated via a formal letter to the Accountable Executive.

By December 1st each year, a RFGPTS shall conduct an annual review of its SSPP to ensure it is current and in compliance with federal rules and the TxDOT SSO Program Standard. The RFGPTS shall submit a formal letter of certification to TxDOT, by December 1st, signed by the agency’s Accountable Executive, indicating that the SSPP is current and in compliance with the SSO Program Standard. If the Accountable Executive determines that the SSPP is not current, the letter shall detail the activities that will be taken to achieve compliance, and the internal deadline for submitting the SSPP and supporting materials to TxDOT for approval.

### 4.3 SSPP Initial Submittals for New Start Projects

Each new RFGPTS entering the SSO program shall make an initial written submission of their SSPP and all referenced materials and supporting procedures a minimum of 180 days prior to the target date of pre-revenue operations. TxDOT will assist the RFGPTS through the required SSO certification process. While conducting its review, TxDOT may request additional information, clarifications, or revisions to the SSPP and referenced materials and supporting procedures. TxDOT will conduct on-site pre-revenue reviews of New Start Projects. These reviews may be conducted prior to the RFGPTS’ SSPP submission and just before entry into passenger operations. These pre-revenue reviews also access the capabilities of the RFGPTS to implement its SSPP during passenger operations.

On-site meetings and teleconferences will be conducted to address any issues identified during the review of the SSPP. Upon approval of the initial SSPP submission TxDOT will issue a formal letter of approval to the Accountable Executive.

### 4.4 RFGPTS Extensions and System Modifications

The RFGPTS shall ensure safety concerns and impacts are addressed in modifications to existing systems, vehicles, equipment or system extensions. The RFGPTS shall submit the updated SSPP
and all referenced materials and supporting procedures a minimum of 180 days prior to the target date of pre-revenue operations or system modification. TxDOT will assist the RFGPTS through the required SSO certification process. While conducting its review, TxDOT may request additional information, clarifications, or revisions to the SSPP and referenced materials and supporting procedures. TxDOT may conduct on-site reviews prior to the RFGPTS submitting an updated SSPP and referenced materials and supporting procedures. Upon approval of the updated SSPP TxDOT will issue a formal letter of approval to the Accountable Executive.

4.5 RFGPTS Internal Reviews

Each RFGPTS shall develop and implement a process for the performance of on-going internal safety reviews (ISRs). This process ensures the implementation of the SSPP and evaluates the plan effectiveness on a continuous basis. The process is also an internal tool to ascertain if the plan or supporting documents or procedures should be updated. At the discretion of TxDOT, TxDOT employees, or contractors may observe the on-site portion of the RFGPTS reviews.

At a minimum, the RFGPTS shall: Develop and annually submit to TxDOT, for approval, a review package which addresses the elements of the SSPP over a three-year calendar year cycle. This review package shall be submitted in time to receive TxDOT approval not less than 60 days prior to conducting the ISR. The review package shall include the following information:

- Identify the departments, employees, and contractors responsible for scheduling, managing, and conducting the annual review;
- Identify the departments and functions subject to review;
- At a minimum the annual approval request shall identify the RFGPTS personnel participating in the review, include contact information, interview schedules, and a listing of the on-site audit locations;
- Develop templates, checklists, and procedures for conducting the ISR. These materials shall include sufficient criteria to determine if all audited elements are implemented as intended;

**RFGPTS Internal Review Package Approval Sequence**

- If the submission package is sufficient for review, TxDOT will acknowledge acceptance within 14 days;
- If the submission is not sufficient for review TxDOT will notify the RFGPTS to request additional documentation or clarifications. Upon receipt of the requested documentation or clarifications the process begins anew;
- TxDOT acceptance of the RFGPTS view package approval will be communicated via a formal letter to the Accountable Executive.

**RFGPTS Annual Internal Safety Review Report**
By December 1st each year, each RFGPTS shall submit to TxDOT an annual report that documents the internal review conducted for the current calendar year. The report shall include the status of all current findings, recommendations, and CAPs. The annual report shall be submitted under the signature of the RFGPTS Accountable Executive electronically through a reporting system specified by TxDOT.

At a minimum TxDOT requires the following information be included in the annual review report:

- A listing of the safety elements conducted during the calendar;
- Identification of the departments and functions reviewed;
- An update of the RFGPTS’ 3 year schedule ISR schedule;
- The status of all findings, recommendations, and corrective actions resulting from the current review;
- The status of all open findings, recommendations, and corrective actions from previous years reviews;
- Completed review templates, checklists, and final review schedule.

All open findings shall be tracked by the RFGPTS until closure or resolution. If the RFGPTS determines that the agency is not in compliance with its SSPP, or in compliance with federal rules and or TxDOT Program Standard agency shall submit a formal letter, signed by the agency’s Accountable Executive to TxDOT. The letter shall detail the activities that will be taken to achieve compliance and the internal deadline for submitting the SSPP and supporting materials to TxDOT for approval.
Section 5: Triennial SSO Agency Audits

5.1 SSOA Triennial Audit Schedule

At least once every three years, TxDOT shall conduct an on-site Triennial Audit of the RFGPTS' implementation of its SSPP. It will be at TxDOT’s discretion whether the Triennial Audit will be conducted as a single on-site assessment or in an on-going manner over the three-year cycle.

5.2 SSOA Triennial Audit Activities

TxDOT, or its designated contractor, will prepare the audit checklists based on the RFGPTS’ SSPP and supporting procedures, records, and plans. Verification of checklist items will occur through interviews, document reviews, data analysis, field observations, testing, measurements, spots checks, and demonstrations provided by the RFGPTS employees and contractors. To assess compliance with the agency’s system safety program the audit team will sample accident reports, internal review reports, the hazard management program, corrective action plans in relation to 49 CFR Part 674 and the TxDOT SSO Program Standard. The audit team may also use Drug and Alcohol Audits, Triennial Reviews, and Safety and Security Readiness Reviews to support its assessment of compliance in areas previously investigated and audited by FTA.

Whether TxDOT conducts the Triennial Audit as a single on-site assessment or in an on-going manner over the three-year cycle, the following steps will be employed by TxDOT and its contractors before, during, and after the audit:

- Develop the audit schedule in coordination with the RFGPTS safety and security points-of-contact, no less than 60 days before the audit is scheduled;
- Finalize the interview schedule in coordination with the RFGPTS points-of-contact, no less than 30 days prior to the audit;
- Designate a TxDOT audit team leader and team members;
- Prepare an audit plan that includes all elements identified in the RFGPTS’ SSPP and supporting documents and procedures;
- Request and review RFGPTS safety documents;
- Prepare audit checklists and templates based on the RFGPTS SSPP and supporting documents prior to the on-site audit;
- Identify methods of verification appropriate to each checklist item.

Conducting the Triennial Audit

- Conduct an entrance meeting with the RFGPTS Accountable Executive, Operations management; Chief Safety Officer, and Rail Safety employees;
- Conduct interviews with appropriate RFGPTS employees and contractors;
- Evaluate documents and data maintained on-site;
- Observe on-site operations of the RFGPTS;
- Take measurements and conduct spot checks as appropriate;
- Rate checklist items for compliance;
- Conduct a debriefing with RFGPTS management at the conclusion of the audit to provide an overview of initial findings and observations.

**Triennial Audit Report and Findings**
- Cite authority and purpose of the audit;
- State principal findings and observations;
- Evaluate the implementation of the SSPP and supporting procedures;
- Identify findings which shall be addressed by the RFGPTS;
- Make recommendations to the RFGPTS to update its SSPP and supporting procedures.
- Prepare the final audit report.

**Final Report Submission and Audit Closeout**
- Issue a draft audit report within 60 days of the completion of the on-site audit and submit to the RFGPTS for comment;
- RFGPTS shall submit comments within 30 days. Comments may be factored into the final audit report;
- Issue a cover letter along with the final audit report and submit to the Accountable Executive;
- Require the RFGPTS to respond within 45 days to the final audit report and to prepare corrective actions to address findings;
- Review the RFGPTS corrective action plan submission within 30 days of acceptance;
- Upon approval of the corrective action plan notify the RFGPTS points-of-contact;
- Require the RFGPTS to submit corrective action reports every 30 days;
- Monitor the corrective action the RFGPTS progress on closing the audit findings;
- Submit the final RFGPTS Triennial Audit report as part of the annual TxDOT submission to FTA;
- Upon closure of all open findings, TxDOT will issue a formal letter to the Accountable Executive.

**5.3 SSO Agency Triennial Audit Findings**

Findings will be issued for areas in which the RFGPTS:
- Does not comply with its SSPP;
- Has not fully implemented it’s SSPP;
- The SSPP does not comply with 49 CFR Part 659 and 674.27, the TxDOT SSO Program Standard, the National Public Transportation Safety Plan, or industry standards.

**5.4 SSO Agency Triennial Audit Report**

At the conclusion of the Triennial audit cycle, TxDOT shall issue a report with findings and recommendations arising from the audit, which shall include, at minimum, an analysis of the effectiveness of the SSPP all supporting documentation and procedures, and recommendations for improvements, and a corrective plan, if necessary or appropriate.
Section 6: Safety Event: Definition and Notification Requirements

6.1 Definitions

Accidents shall be reported to TxDOT and FTA within two hours. Accidents are defined as events with the following characteristics:

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

Serious injury means any injury which:

- Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
- Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- Causes severe hemorrhages, nerve, muscle, or tendon damage;
- Involves any internal organ; or
- Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

Incidents shall be reported to TxDOT and FTA via the National Transit Database (NTD) within 30 days. Incidents are defined as:

- A personal injury that is not a serious injury;
- One or more injuries requiring medical transportation away from the event;
- Non-collision-related damage to equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Occurrences shall be tracked by the RFGPTS and made available to TxDOT and to FTA for review, as requested. Occurrences are defined as:

- An event without personal injury
- Non-collision-related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a RFGPTS.

Close calls, near misses, safety rule violations, violations of safety policies, damage to catenary equipment that does not disrupt operations, vandalism, and theft are examples of occurrences.
<table>
<thead>
<tr>
<th>Event / Threshold</th>
<th>Human Factors</th>
<th>Property Damage</th>
<th>Types of Events</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accident</strong>: RTA to Notify SSOA and</td>
<td>- Fatality (occurring at the scene or within 30 days following the accident)</td>
<td>- Property damage resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle</td>
<td>- A collision between a rail transit vehicle and another rail transit vehicle</td>
<td>- RTA to notify SSOA and FTA within 2 hours; investigation required</td>
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<td>FTA within two hours</td>
<td>- One or more persons suffering serious injury</td>
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<td>- A collision at a grade crossing resulting in serious injury or fatality</td>
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<td>- A collision with a person resulting in serious injury or fatality</td>
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<td>- A collision with an object resulting in serious injury or fatality</td>
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<td>- A runaway train</td>
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<td>- Evacuation due to life safety reasons</td>
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<td>- A derailment (mainline or yard)</td>
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<td>- Fires resulting in a serious injury or fatality</td>
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<td></td>
<td><strong>Incident</strong>: RTA to Report to SSOA and FTA (NTD) within 30 days</td>
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<tr>
<td></td>
<td>- A personal injury that is not a serious injury</td>
<td>- Non-collision related damage to equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency</td>
<td>- Evacuation of a train into the right-of-way or onto adjacent track; or customer self-evacuation</td>
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<td></td>
<td>- One or more injuries requiring medical transportation away from the event.</td>
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<td>- Certain low-speed collisions involving a rail transit vehicle that result in a non-serious injury or property damage</td>
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<td>- Damage to catenary or third-rail equipment that disrupts transit operations</td>
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<td>- Fires that result in a non-serious injury or property damage</td>
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<td>- A train stopping due to an obstruction in the tracks &quot;hard stops&quot; - Most hazardous material spills</td>
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<tr>
<td><strong>Occurrence</strong>: RTA to record data</td>
<td>- No personal injury</td>
<td>- Non-collision related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a transit agency</td>
<td>- Close Calls/Near Misses</td>
<td>- RTA to report to SSOA and FTA (NTD) within 30 days</td>
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<tr>
<td>and make available for SSO and/or FTA</td>
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<td></td>
<td>- Safety rule violations</td>
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<td>review</td>
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<td>- Violations of safety policies</td>
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<td>- Damage to catenary or third-rail equipment that do not disrupt operations</td>
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<td>- Vandalism or theft</td>
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<td>- RTA will collect, track and analyze data on Occurrences to reduce the likelihood of recurrence and inform the practice of SMS</td>
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</table>
6.2 FRA Notifications

In any instance in which an RFGPTS shall notify the FRA of an accident as defined by 49 CFR Part 225.5 (i.e., shared use of the general railroad system track or corridors), the agency shall also notify TxDOT and FTA of the accident within the same time frame as required by the FRA.

The SSO Program Manager will notify the PTN Division Director of all fatalities immediately by email upon receipt of all fatality accident reports.

6.3 Accident Notification Method

Initial Accident Notification

The RFGPTS shall provide initial notification, to TxDOT within in 2 hours by email to SSO_Reporting@txdot.gov.

The following information shall be provided by the RFGPTS in the initial accident notification report. Additional information may be requested by TxDOT. If the information is not pertinent to the event, the item should be identified on the Initial Notification as “non-applicable” (N/A).

- Rail Transit Agency Reporting
- Name and Job Title of person submitting the report
- Date and Time of Event:
- Location of Accident
- Name and Contact Telephone # for Immediate Follow-up Information
- Fatalities and Injuries
- Property damage estimate
- Rail transit vehicle(s) involved (type, number)
- Other vehicle(s) involved (type, number)
- National Transportation Safety Board (NTSB) reportable (Include Report Number)
- FRA reportable (Include Report Number)
- RFGPTS personnel conducting the on-scene investigation (name, title, phone and email address)
- Brief description of the accident
Section 7: Accident Investigations

7.1 Accident Investigation Process

TxDOT must investigate, or cause to be investigated, at a minimum, any accident meeting the notification thresholds identified in the Program Standard Section 6, Accident Notification. The Administrator may conduct an independent investigation of any accident or a review of an SSOA’s or an RFGPTS’ findings of causation of an accident. TxDOT will support the Administrator’s independent accident investigation or findings and recommendations resulting from an independent investigation. TxDOT will evaluate whether the findings or recommendations by the FTA require a corrective action plan by the RFGPTS. If so, TxDOT will require the RFGPTS to develop and carry out a corrective action plan. TxDOT has delegated investigative responsibility to each RFGPTS but reserves the right to conduct independent investigations at its discretion. TxDOT will support external investigations conducted by the National Transportation Safety Board or the Federal Transit Administration.

Independent TxDOT Investigations

TxDOT at its discretion may choose to conduct an independent investigation of any event meeting the thresholds specified in Program Standard Section 6, Accident Notification.

TxDOT will notify the RFGPTS as to the personnel who will be conducting the independent investigation, and provide a preliminary schedule as to the investigation process. TxDOT personnel and contractors, certified in the interim Public Transportation Safety Certification Program, are granted authority under the SSO program to conduct an investigation and evaluate records, materials, data, analysis, and other information that is pertinent to the investigation. The TxDOT investigation team will incorporate the American Public Transportation Association (APTA) Standard for Rail Transit Accident/Incident Investigation (APTA RT-OP-S-002-02 Rev 2 -March 31, 2012 -APTA Rail Transit Standards Operating Practices Committee) operating practice as applicable. The RFGPTS will provide to the TxDOT investigation team the resources and information necessary to conduct the investigation in an effective and efficient fashion. The TxDOT investigation report will be submitted to the RFGPTS within 45 days of the completion of the investigation.

National Transportation Safety Board Investigations

The NTSB is an independent Federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in the other modes of transportation including railroad, highway, marine, and pipeline and issuing safety recommendations aimed at preventing future accidents.

The NTSB may choose to investigate a passenger rail accident meeting the following criteria:
- A passenger or employee fatality or serious injury to two or more crewmembers or passengers requiring admission to a hospital;
- The evacuation of a passenger train;
- A fatality at a grade crossing;
- Selected transportation accidents that involve problems of a recurring nature.

The NTSB is responsible for the investigation; the determination of facts; the cause or probable cause; and recommendations to reduce the likelihood of recurrence. TxDOT will support the NTSB as a member of its Party System. The RFGPTS shall be responsible for timely briefing of TxDOT on all activities including meetings, interviews, requests for data, functional testing, examination of equipment, and the results of drug and alcohol tests. The RFGPTS shall provide TxDOT with a copy of all written correspondence to the NTSB and shall provide a copy of all NTSB reports and any recommendations concerning the event or its investigation, upon receipt by the RFGPTS. TxDOT will assist the NTSB by providing information requested about the RFGPTS critical practices and other matters as appropriate. TxDOT is authorized to participate in any discussions and reviews with the RFGPTS and NTSB. TxDOT will evaluate whether the findings or recommendations by the NTSB require a corrective action plan by the RFGPTS. If so, TxDOT will require the RFGPTS to develop and carry out a corrective action plan.

7.2 Accident Investigation Procedures

TxDOT has authorized each RFGPTS to conduct the on-site investigation on its behalf, and reserves the option to participate in the investigation process. All personnel and contractors that conduct investigations on behalf of TxDOT shall be trained to perform their functions in accordance with the interim Public Transportation Safety Certification Training Program. The RFGPTS shall use accident investigation procedures that have been previously approved by TxDOT (Appendix K, RFGPTS Accident Investigation Checklist). The accident investigation procedures shall adequately address the necessary activities to discern root cause and contributing factors and be procedurally oriented so as to not allow supposition or conjecture during the investigation. The procedures shall succinctly describe the roles and responsibilities of each RFGPTS department; such as safety, operations, and transportation, during the on-scene investigation as well as define the process for completing and issuing the final report to TxDOT for review and adoption. Subsequent updates and revisions to these accident investigation procedures shall be submitted to TxDOT for approval.

- TxDOT will acknowledge the receipt of accident investigation procedures submission within 2 days;
- If the submission is complete, TxDOT will acknowledge acceptance within 14 days. If the submission is not accepted TxDOT will request additional information or revisions to the procedures.
- Upon approval, TxDOT will issue a formal letter to the Accountable Executive.
7.3 Accident Investigation Report

Each RFGPTS investigation conducted on behalf of TxDOT shall be documented in a final report that includes a description of investigation activities, findings, identified causal factors, and a corrective action plan if necessary. The final investigation report shall be submitted to TxDOT, through an electronic reporting system specified by TxDOT, within 30 days of the occurrence of the reportable accident (Appendix I, SSO Event Notification Table). At any time during an investigation the RFGPTS shall be prepared to provide a written briefing on the known circumstances of the event and status of their investigation activities. The final investigative report should include supporting investigation documentation. This includes, but is not limited to, digital pictures, police reports, accident scene diagrams, and internal testing reports.

At a minimum, the following information shall be provided by the RFGPTS in the final report:

- Description of occurrence
- Fatalities and Injuries
- Total Property Damage
- Cause
- Street and track characteristics
- Speed and signal restrictions
- Environmental conditions
- Circumstances
- Contributing factors
- Drug and alcohol testing results
- RFGPTS Actions taken
- Recommendations
- Determination if a Corrective action plan is/was required

In the event that TxDOT does not concur with the description of the investigation, the identification of primary and contributing causes, or the findings, TxDOT shall communicate in writing to the safety-point-of-contact the area(s) of disagreement or concern. In the event that and agreement cannot be reached on these issues, TxDOT will issue its own accident investigation report, which may consist of the original RFGPTS report and the documentation of TxDOT’s dissent. TxDOT shall approve the any corrective action plans identified in the final RFGPTS accident investigation report. In the event that TxDOT does not concur with the proposed corrective action plan, TxDOT and the RFGPTS will work together an agreement is reached.
Section 8: Hazards Management

8.1 Hazard Management Process

Each RTA shall develop, document in the SSPP, and implement a hazard management process to identify and resolve hazards during operation, including any hazards resulting from subsequent system extensions or modifications, operational changes, or other changes within the rail transit environment, or hazards discovered during audits, inspections, or investigations. This process shall be formally approved by TxDOT. In addition, TxDOT may choose to participate in this process to oversee the identification, assessment, resolution, and tracking of hazards identified by the RTA or TxDOT.

The hazard management process shall, at a minimum:

- Define the RTA’s approach to hazard management and the implementation of an integrated system-wide hazard resolution process;
- Specify the sources of, and the mechanisms to support, the on-going identification of hazards;
- Define the process by which identified hazards will be evaluated and prioritized for elimination or control;
- Identify the mechanism used to track through resolution the identified hazard(s);
- Define minimum thresholds for the notification and reporting of hazard(s) to oversight agencies including TxDOT; and
- Specify the process by which the RTA will provide on-going reporting of hazard identification and hazard resolution activities to TxDOT.

8.2 Hazard Identification, Assessment, and Resolution

Hazard analysis lies at the core of each successful system safety program. A hazard is defined as an implied threat or danger, of possible harm or a potential condition waiting to become a loss; or a condition that can cause injury, death, damage, loss to equipment or property, or environmental harm.

Each RTA, in its SSPP, is required to specify its approach to identifying and assessing hazards. The SSPP shall include a description of the process used by the RTA to implement its hazard management program, including the following activities:

- Hazard identification;
- Hazard investigation, evaluation, and analysis;
- Hazard control and elimination;
- Hazard tracking; and
- Requirements for on-going reporting to TxDOT to hazard management activities and status.
<table>
<thead>
<tr>
<th>HAZARD RESOLUTION PROCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Define the System</td>
</tr>
</tbody>
</table>
| Identify Hazards          | - Identify hazards and undesired events  
                             - Determine the causes of hazards |
| Access Hazards            | - Determine severity  
                             - Determine probability  
                             - Decide to accept risk or eliminate/control |
| Resolve Hazards           | - Assume risk or  
                             - Implement corrective action  
                             o Eliminate  
                             o Control |
| Follow-Up                 | - Monitor for effectiveness  
                             - Monitor for unexpected hazards |

In the hazard management process an RTA may use a variety of informal and formal methods to identify, analyse, and resolve hazards. Formal hazard analysis processes may be best employed prior to the initiation of passenger operations for New Starts projects where there is no historical data available to analyse. Examples of formal hazard analysis include but are not limited to the following: trend analysis, hazard classification and resolution using the Military Standard (Mil-Std) 882 process, hazard analyses using inductive processes (Preliminary Hazard Analysis, Failure Modes and Effects Analysis, Job Hazard Analysis, etc.) and hazard analysis using deductive processes (Fault Tree Analysis). Informal hazard analysis processes may be used to access current operations or for major projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and equipment. Informal processes may include reports from operations and maintenance personnel, results from rules compliance checks and employee evaluations, the mining of maintenance data, results from facilities and vehicles inspections, findings from internal safety and security audits, and daily review of the RTA’s unusual occurrences log.

Whichever approach is selected by the RTA there shall be clear documented set of criteria applied for assessing identified hazards. Assessment enables the RTA to evaluate the seriousness of the hazard and to prioritize its resolution. These criteria may be the hazard probability and severity rankings used in Mil-Std 882, or a qualitative or quantitative ranking scheme devised by the RTA. However the RTA chooses to define its assessment process, in its SSPP, it shall indicate which criteria shall be met to trigger notification to TxDOT. FTA and TxDOT encourage each RTA to reflect its genuine practices, however informal or subjective they may be, rather than idealized techniques that may not actually be used in the event of a serious hazardous condition.

### 8.3 Initial Hazard Notification

The RTA shall define minimum thresholds for the notification of hazards and provide initial notification to TxDOT in electronic copy via email or via telephone (Appendix J) within 24 hours of occurrence or discovery of a hazard meeting the criteria specified in the SSPP.
The following information shall be provided by the RTA in the initial notification of the hazard. If the information is not pertinent to the event, the item should be identified on the Initial Notification as “non-applicable” (N/A).

- Rail Transit Agency
- Name and Job Title of person reporting the hazard to TxDOT
- Date and Time of Hazard Discovery or Occurrence:
- Location on System:
- Name and Contact Telephone Number for Follow-up Information
- Fatalities
- Injuries
- Property damage estimate
- Rail transit vehicle(s) involved (type, number)
- Other vehicle(s) involved (type, number)
- NTSB reportable
- FRA reportable
- RTA person conducting the investigation (name, title, telephone number and email address)
- Description of the Hazard:
- Description of the implemented and/or planned corrective action(s)

8.4 Hazard Tracking Log and Reporting

To ensure TxDOT’s role in the oversight of the RTA’s hazard management process the RTA will utilize a hazard tracking log that reflects the consolidation of information in the hazard management process. The hazard-tracking log shall contain all hazards identified through the various formal and informal analysis processes applied by the RTA.

The Hazard Tracking Log may be organized by the hazard number assigned by the RTA, or by the type of hazard, the source from which it was identified, or the element of the RTA’s operation affected by the hazard (i.e., facilities, vehicles, track and signal, communications, tunnel ventilation, personnel training and procedures, etc.). A sample log appears in Appendix L.

The hazard tracking log for each month will be submitted by the 15th of the following month to TxDOT. TxDOT will forward any questions or requests for information to the RTA.

Part 674 does not require TxDOT approval of “ongoing communication and coordination” with the RTA regarding its implementation of the hazard management program. Rather, the objective is to ensure that the RTA has established procedures to keep TxDOT informed regarding the types of hazards being reported, assessed and/or resolved by the RTA and the status of the results. This will enable TxDOT to observe the implementation of this process. Should TxDOT develop concerns regarding the RTA’s implementation the hazard management program requirements, then these concerns will be addressed through hazard investigations, the TxDOT three-year safety review process, or in the TxDOT’s annual review and approval of the RTA’s updated SSPP.
8.5 Final Reports

Upon completing the investigation of the each hazard reported to TxDOT (as per the RTA SSPP), the RTA shall prepare and submit for review a final report. The RTA shall transmit an electronic copy of the final investigation report to TxDOT via email. At a minimum, the following information shall be provided to TxDOT in a follow up to the hazard notification.

- A summarization of the results of the RTA’s investigation, including circumstances, events and probable cause(s);
- A description of additional corrective actions that were or will be completed to reduce the unsafe condition probability and/or severity, including responsibility and schedule; and
- A copy of the final risk assessment for the hazard, using the criteria included in the Hazard Management Process section of the SSPP, after the proposed corrective action/resolution is in place.
Section 9: Corrective Actions

9.1 CAP Development

RFGPTS shall develop and implement corrective action plans (CAPs) to address risk and hazards identified through investigations: the hazard management process, audit findings, internal safety review findings, or recommendations specified internally. A CAP shall describe the actions the RFGPTS will take to minimize, control, correct, or eliminate identified risks and hazards, the schedule for taking those actions, and the individual(s) and or department(s) responsible for taking those actions.

In any instance in which a safety event on the rail system is the subject of an investigation by the NTSB or FTA, TxDOT will evaluate whether the findings or recommendations require a CAP. If warranted, TxDOT shall order the RFGPTS to develop and carry out a CAP.

Each RFGPTS shall develop CAPs for the following:

- Results from safety event investigation in which identified causal and contributing factors are determined by the RFGPTS or TxDOT as requiring corrective actions;
- Findings or deficiencies identified through RFGPTS safety reviews or audits;
- Unacceptable hazards identified through the RFGPTS hazard management process;
- Findings from the Triennial Audits and targeted safety audits performed by TxDOT;
- RFGPTS risk assessments.

The RFGPTS CAP notification shall contain the following:

- Source of the CAP;
- Unique RFGPTS tracking number;
- Identified action(s) to minimize, control, correct, or eliminate the risks and hazards;
- Date hazard was identified internally;
- Anticipated implementation date;
- Actual implementation date;
- Individual(s) and/or department(s) responsible for implementation;
- CAP status – open or closed.
- Date the CAP was generated
- Description
- Hazard Rating
- Budget
- Interim mitigation in place

9.2 CAP Approval

A CAP shall be submitted for review and approval, electronically through a reporting system specified by TxDOT within 30 days after the need for the plan has been identified by either the RFGPTS or
TxDOT. Depending on the complexity of the issue, and at TxDOT’s discretion, additional time may be granted to prepare the CAP. In any instance in which a CAP shall be developed and implemented TxDOT shall review and approve before the RTA carries out the plan. However, an exception may be made for immediate or emergency corrective actions that shall be taken to ensure immediate safety, provided that that TxDOT has been notified within 48 hours of implementation. TxDOT will provide subsequent review and approval in accordance with this section.

TxDOT will notify the RFGPTS of its approval or rejection of a CAP within 30 days of receipt. In the event TxDOT rejects a CAP, TxDOT will state its reasons in writing and recommend revisions. The RFGPTS shall submit a revised CAP to TxDOT no later than 10 business days following the rejection. TxDOT will work with the RFGPTS to resolve any disputes relating either to the development or execution of the CAP or the findings of an investigation. In the event of a dispute concerning TxDOT’s decision related to a CAP, no later than 30 days after receipt of the written decision, the RFGPTS may request an on-site meeting or conference call with the TxDOT SSO Program Manager and Public Transportation Division leadership to discuss the proposed CAP. The goal of these discussions is to reach mutual agreement on the CAP in dispute. The RFGPTS may request an Administrative Review as specified in 43 TAC 7.92 to appeal the rejection or approval of a CAP. The Administrative Review will be decided by the TxDOT Executive Director or Deputy Executive Director and will be the final decision regarding the CAP.

Corrective Action Plan Submission and Review Chart

9.3 CAP Tracking

The RFGPTS shall report to TxDOT monthly on its progress, in carrying out all CAPs not completely implemented, through a reporting system specified by TxDOT. TxDOT will track and monitor the progress in carrying out the CAP until it is implemented by the RFGPTS. Any significant changes by
the RFGPTS to the approved CAP such as the identified action, person or departments responsible for implementation or completion date cannot be changed without approval from TxDOT.

9.4 CAP Verification and Closeout

TxDOT will verify the RFGPTS CAP has been fully implemented as previously approved through a variety of methods.

- Unannounced site visits
- Announced site visits;
- RFGPTS personnel and contractor interviews;
- Written and photographic documentation;
  - Examples include, but are not limited to: construction records, safety committee reports, standard operating procedures; training plans; training records, rule books, and bulletins; hazard management plan; maintenance procedures; emergency response plans and agreements; rules compliance programs; or independent assessment.

Upon verification and acceptance by TxDOT, the CAP will be deemed closed.
Section 10: Escalation of Enforcement Action

The escalation of enforcement action may be used if a RFGPTS fails to comply with a corrective action plan, administrative action notification, or an emergency order.

10.1 Escalation of Enforcement Action

In instances of violation of federal or state regulation, TXDOT may initiate an administrative action; beginning with a written notification of violation provide to the RFGPTS. The notification will specify violations, administrative actions to be taken by the TXDOT, compliance action needed to address the violation, and information concerning administrative review of TXDOT’s determination should the RFGPTS disagree with the notification.

The RFGPTS shall submit documentation to TXDOT to demonstrate compliance with the requested actions needed to address the violation or request administrative review to appeal TXDOT’s determination. TXDOT will make a final determination of the appeal within 60 days of receipt of the appeal.

Failure to act as required will lead to escalation of enforcement action; which may include TXDOT rescinding approval of the RFGPTS system safety program plan, issuance of an emergency order to address imminent public safety, and seeking a temporary injunction to enforce emergency orders.

Complete information on the Administrative Actions, Administrative Review, and Escalation of Enforcement Action may be found in the Texas Administrative Code, Chapter 7, Subchapter E. - Rail Fixed Guideway System State Safety Oversight Program located in Appendix C.
Section 11: Annual Reporting to FTA

11.1 RFGPTS Annual Report Requirements

On or before March 15 of each year, TxDOT shall submit the following material to FTA:

- The SSO program standard adopted in accordance with 49 CFR Part 674.27, with an indication of any changes to the program standard during the preceding twelve months;
- Evidence that TxDOT employees and contractors have completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;
- A publicly available report that summarizes its oversight activities for the preceding twelve months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to SSPP, and the level of effort by TxDOT in carrying out its oversight activities;
- A summary of the Triennial Audits completed during the preceding twelve months, and the RFGPTS progress in carrying out CAPs arising from the audits;
- Evidence that TxDOT has reviewed and approved any changes to the SSPPs during the preceding twelve months; and
- Certification that the SSOA is in compliance with the requirements of this part.

These materials will be submitted through a reporting system specified by FTA.

**Reporting Timeline:**

<table>
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<tr>
<th>Deadline</th>
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<tr>
<td>December 1</td>
<td>RFGPTS submits January through November report to TxDOT.</td>
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<tr>
<td>February 1</td>
<td>RFGPTS submits December report to TxDOT.</td>
</tr>
<tr>
<td>March 15</td>
<td>TxDOT submits Annual Report to FTA.</td>
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</table>

Required report information:

1. SSPP as updated and signed by the RFGPTS accountable executive. Include clear description of changes made to the plan.

2. Comprehensive list of accidents reported to TxDOT SSO over the past year. Include a summary of causal factors and findings identified through accident investigations.

3. Summary of internal safety reviews:
   a. Schedule of reviews completed in the past year and for reviews upcoming in the next year.
   b. Summary of findings and status.

4. Statuses
   a. Responses to SSO agency triennial audit findings, reviews, inspections, audits, etc.
   b. CAPs.
c. Outstanding accident reports.
d. Responses to external review recommendations, findings, advisories, etc.

5. Publicly available safety report as distributed to the Governor of Texas and the RFGPTS Board. Include documentation of submission to the Governor and Board.
Appendix A: State Safety Oversight Definitions

Definitions

*Accident* means an event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision involving a rail transit vehicle; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

*Accountable Executive* means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency’s Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency’s Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency’s Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

*Administrator* means the Federal Transit Administrator or the Administrator’s designee.

*Commission* means the Texas Transportation Commission.

*Contractor* means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or a Rail Transit Agency, through contract or other agreement.

*Corrective Action Plan* means a plan developed by a Rail Transit Agency that describes the actions the Rail Transit Agency will take to minimize, control, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require a Rail Transit Agency to develop and carry out a corrective action plan.

*Department* means the Texas Department of Transportation.

*Event* means an Accident, Incident or Occurrence.

*Fatality* means a death occurring at the scene or within 30 days of the accident.

*FRA* means the Federal Railroad Administration, an agency within the United States Department of Transportation.

*FTA* means the Federal Transit Administration, an agency within the United States Department of Transportation.
**Hazard** means any real or potential condition 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.

**Incident** means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency. An incident shall be reported to FTA’s National Transit Database in accordance with the thresholds established by NTD. If a rail transit agency or State Safety Oversight Agency later determines that an Incident meets the definition of Accident, that event shall be reported to the SSOA.

**Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

**National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

**NTSB** means the National Transportation Safety Board, an independent Federal agency.

**Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a rail transit agency.

**Person** means a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a rail fixed guideway public transportation system.

**Public Transportation Agency Safety Plan (PTASP)** means the comprehensive agency safety plan for a transit agency, including a Rail Transit Agency, that is required by 49 U.S.C. 5329(d) and based on a Safety Management System. Until one year after the effective date of FTA’s PTASP final rule, a System Safety Program Plan (SSPP) developed pursuant to 49 CFR part 659 will serve as the rail transit agency’s safety plan.

**Public Transportation Safety Certification Training Program** means either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with 49 U.S.C. 5329(c)(2), or the program authorized by 49 U.S.C. 5329(c)(1).

**Rail fixed guideway public transportation system (RFGPTS)** means any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration, or any such system in engineering or construction. Rail fixed guideway public transportation systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.
**Rail Transit Agency (RTA)** means any entity that provides services on a rail fixed guideway public transportation system.

*Risk* means the composite of predicted severity and likelihood of the potential effect of a hazard.

*Risk mitigation* means a method or methods to eliminate or reduce the effects of hazards.

**Safety** means freedom from harm resulting from unintentional acts or circumstances.

**Safety risk management** means a process within a Rail Transit Agency’s Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

**Security** means freedom from harm resulting from intentional acts or circumstances.

**Serious injury** means any injury which:
1. Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
2. Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
3. Causes severe hemorrhages, nerve, muscle, or tendon damage;
4. Involves any internal organ; or
5. Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

**State** means a state of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

**State Safety Oversight Agency (SSOA)** means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in this part.

**System Safety Program Plan (SSPP)** a document developed and adopted by a Rail Transit Agency describing its safety policies, objectives, responsibilities, and procedures. Upon FTA issuing a final rule the Public Transportation Agency Safety Plan will supersede the SSPP.

**Vehicle** means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.
Appendix B: TXDOT Organizational Charts
Functional Separation of Responsibilities

Administrative and Program Support (11 FTE’s)

- State Safety Oversight Program
- Finance / Budget
- Division Strategic Plan
- Division Procurements/IAC’s
- Policy/Performance Analysis
- Legislative Coordination / Requirements
- STIP/TIP/LRTP/UTP
- Reporting Requirements
- Public Transportation Advisory Committee (PTAC)
- Open Records Requests
- Communications
- Training/Technical Assistance
- eGrants Management

Program Services (38 FTE’s)

- FTA Program SME / Recommended Program Awards
- State Management Plan/State Management Review
- Sub-recipient Grant Project Management
- Sub-recipient Monitoring/Compliance/Financial Reviews
- Asset Inventory and Management
- Partnerships/Coordination Planning
- Standard Operating Procedures
- Outreach/Stakeholder Engagement
- TxDOT Bicycle/Pedestrian Program Coordination
  - Bicycle Advisory Committee (BAC)
  - FHWA Transportation Alternatives Program (TAP) and Transportation Alternatives Set-Aside

(Please note that all functions may not be explicitly identified above)
<table>
<thead>
<tr>
<th>Appendix C: SSPP Required Contents</th>
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<tbody>
<tr>
<td><strong>System Safety Program Plan: Required SSO Contents</strong></td>
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<tr>
<td><strong>1</strong> Policy Statement and Authority for SSPP</td>
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<td><strong>2</strong> Goals and Objectives</td>
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<td><strong>3</strong> Overview of Management Structure</td>
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<td><strong>4</strong> Control and Update Procedure</td>
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<td><strong>5</strong> Implementation Activities and Responsibilities</td>
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<td><strong>6</strong> Hazard Management Process</td>
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| **11** | **Emergency Management Program** | A description of the process used by the rail transit agency to develop an approved, coordinated schedule for all emergency management program activities, which include:  
(1) Meetings with external agencies;  
(2) Emergency planning responsibilities and requirements;  
(3) Process used to evaluate emergency preparedness, such as annual emergency field exercises;  
(4) After action reports and implementation of findings;  
(5) Revision and distribution of emergency response procedures;  
(6) Familiarization training for public safety organizations; and  
(7) Employee training. |
| **12** | **Internal Safety Audits** | A description of the process used by the rail transit agency to ensure that planned and scheduled internal safety reviews are performed to evaluate compliance with the system safety program plan, including:  
(1) Identification of departments and functions subject to review;  
(2) Responsibility for scheduling reviews;  
(3) Process for conducting reviews, including the development of checklists and procedures and the issuing of findings;  
(4) Review of reporting requirements;  
(5) Tracking the status of implemented recommendations; and  
(6) Coordination with the oversight agency. |
| **13** | **Rules Compliance** | A description of the process used by the rail transit agency to develop, maintain, and ensure compliance with rules and procedures having a safety impact, including:  
(1) Identification of operating and maintenance rules and procedures subject to review;  
(2) Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing;  
(3) Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules; and  
(4) Process for documenting results and incorporating them into the hazard management program. |
|   | Facilities and Equipment Inspections | A description of the process used for facilities and equipment safety inspections, including:
(1) Identification of the facilities and equipment subject to regular safety-related inspection and testing;
(2) Techniques used to conduct inspections and testing;
(3) Inspection schedules and procedures; and
(4) Description of how results are entered into the hazard management process. |
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<td>15</td>
<td>Maintenance Audits and Inspections</td>
<td>A description of the maintenance audits and inspections program, including identification of the affected facilities and equipment, maintenance cycles, documentation required, and the process for integrating identified problems into the hazard management process.</td>
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</table>
| 16 | Training and Certification Program for Employees and Contractors | A description of the training and certification program for employees and contractors, including:
(1) Categories of safety-related work requiring training and certification;
(2) A description of the training and certification program for employees and contractors in safety-related positions;
(3) Process used to maintain and access employee and contractor training records; and
(4) Process used to assess compliance with training and certification requirements. |
| 17 | Configuration Management and Control | A description of the configuration management control process, including:
(1) The authority to make configuration changes;
(2) Process for making changes; and
(3) Assurances necessary for formally notifying all involved departments. |
| 18 | Local, State, and Federal Requirements | A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements, including:
(1) Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency property; and
(2) Processes for ensuring the employees and contractors know and follow the requirements. |
| 19 | Hazardous Materials Program | A description of the hazardous materials program, including the process used to ensure knowledge of and compliance with program requirements. |
| 20 | Drug and Alcohol Program | A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with program requirements. |
| 21 | Procurement Process       | A description of the measures, controls, and assurances in place to ensure that safety principles, requirements and representatives are included in the rail transit agency's procurement process. |
# Appendix D: SSPP Review Checklist

## TxDOT CHECKLIST FOR REVIEW OF SYSTEM SAFETY PROGRAM PLANS (SSP)

**RAIL FIXED GUIDEWAY SYSTEM:**

**SAFETY PLAN TITLE:**

**PLAN DATE:**

**REVISION NO:**

**REVIEWER:**

**REVIEW DATE:**

<table>
<thead>
<tr>
<th>NO.</th>
<th>CHECKLIST ITEM</th>
<th>SSPP REQUIREMENTS</th>
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<td></td>
<td></td>
<td>1. A policy statement is developed for the System Safety Program Plan (SSPP).</td>
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<td>2. The policy statement describes the authority that establishes the SSPP.</td>
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<td>3. The policy statement is signed and endorsed by the rail transit agency’s chief executive.</td>
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<td>1.0</td>
<td>Policy Statement</td>
<td>4. The purpose of the SSPP is defined.</td>
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<td>5. Goals are identified to ensure that the SSPP fulfills its purpose.</td>
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<td>6. Objectives are identified to monitor and assess the achievement of goals.</td>
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<td>7. Stated management responsibilities are identified for the safety program to ensure that the goals and objectives are achieved.</td>
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<td>3.0</td>
<td>Management Structure</td>
<td>8. An overview of the management structure of the rail transit agency is provided including an organization chart.</td>
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<td>9. Organizational structure is clearly defined and includes:</td>
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<td>a. History and scope of service;</td>
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<td>b. Physical characteristics; and</td>
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<td>c. Operations and Maintenance.</td>
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<td>10. A description of how the safety function is integrated into the rest of the rail transit organization is provided.</td>
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<td>11. Clear identification of the lines of authority used by the rail transit agency to manage safety issues is provided.</td>
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<td>4.0</td>
<td>Plan Review and Modification</td>
<td>12. An annual assessment of whether the SSPP should be updated is specified.</td>
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<td>13. The process used to control changes to the SSPP is described.</td>
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<td>14. Specific departments and persons responsible for initiating, developing, approving, and issuing changes to the SSPP are identified.</td>
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<td>15. Required coordination with the oversight agency regarding plan modification, including timeframes for submission, revision, and approval, is addressed.</td>
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<td>5.0</td>
<td>Plan Implementation</td>
<td>16. A description of the specific activities required to implement the SSPP is included.</td>
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<td>17. Tasks to be performed by the rail transit safety function, by position and management accountability, are identified and described.</td>
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<td>18. A description of the methodologies used by the system safety function to achieve their safety responsibilities should be provided.</td>
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<td>19. Safety-related tasks to be performed by other rail transit departments, by position and management accountability, are identified and described.</td>
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<td>20. A task matrix (or an equivalent narrative description) showing: all identified safety responsibilities, interfaces among all rail transit units responsible for each task, and the key reports or actions required, should be provided</td>
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<td>6.0</td>
<td>Hazard Management Process</td>
<td>21. The process used by the rail transit agency to implement its hazard management program, including the role of the oversight agency in providing ongoing communication is described.</td>
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<td>22. The hazard management process includes activities for: hazard identification, hazard investigation, evaluation, and analysis, hazard control and elimination, hazard tracking.</td>
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<td>23. Requirements for on-going monthly reporting to the oversight agency relating to hazard management activities and status are specified.</td>
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<td>7.0</td>
<td>Safety Certification Process</td>
<td>24. A description of the safety certification process required by the rail transit agency to ensure that safety concerns and hazards are adequately addressed prior to the initiation passenger operations for New Starts and subsequent major projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and equipment.</td>
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<td>8.0</td>
<td>Safety Modifications</td>
<td>25. The process used by the rail transit agency to ensure that safety concerns are addressed in modifications to existing systems, vehicles, and equipment, which do not require formal safety certification, but which may have safety impacts, is described.</td>
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<td>9.0</td>
<td>Safety Data Acquisition</td>
<td>26. The process used to collect, maintain, analyze, and distribute safety data is clearly defined.</td>
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<td>27. The management process for ensuring that the safety function within the rail transit organization receives the necessary information to support implementation of the system safety program is clarified.</td>
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| 10.0| Accident-Incident Notification, Investigation, and Reporting | 28. A description is provided regarding the process used by the rail transit agency to perform accident notification, investigation, and reporting.  
29. Criteria for determining what accidents/incidents require investigation, and who is responsible to conduct specific investigations are developed.  
30. A description of the procedures for performing investigations, including proper documentation and reporting of findings, conclusions reached, use of hazard resolution process to develop corrective action recommendations, and follow-up to verify corrective action implementation is provided.  
31. Notification thresholds for internal departments -functions are defined.  
32. Criteria are specified for notifying external agencies (NTSB, state oversight agency) of accidents and incidents.  
33. Procedures are established for documenting and reporting on accident investigations.  
34. Process used to develop, implement, and track corrective actions that address investigation findings is specified.  
35. Coordination with the oversight agency is specified. | YES - NO | | |
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<td>11.0</td>
<td>Emergency Management Program</td>
<td>36. The agency’s emergency planning responsibilities and requirements are identified.</td>
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<td>37. A description of the process used by the rail transit agency to develop an approved, coordinated schedule for emergency management program activities is provided.</td>
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<td>38. Required meetings with external agencies regarding the emergency management program are specified.</td>
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<td>39. The process used to evaluate emergency preparedness, such as annual emergency field exercises, is documented.</td>
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<td>40. After action reports and implementation of findings are required.</td>
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<td>41. The process is explained to be used by the rail transit agency for the revision and distribution of emergency response procedures.</td>
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<td>42. The agency’s responsibilities for providing employee training are identified.</td>
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<td>43. The agency’s responsibilities for providing familiarization training to local public safety organizations are identified.</td>
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<td>12.0</td>
<td>Internal Safety Audit Program</td>
<td>44. A description of the process used by the rail transit agency to ensure that planned and scheduled internal safety audits are performed to evaluate compliance with the SSPP is included.</td>
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<td>45. Identification of departments and functions subject to audit is performed.</td>
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<td>46. Auditors must be independent from the first line of supervision responsible for the activity being audited.</td>
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<td></td>
<td></td>
<td>47. A three-year audit schedule must be developed, reviewed, maintained, and updated to ensure that all 21 SSPP elements are reviewed during the audit cycle.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>48. The process for conducting audits, including the development of checklists, and procedures for conducting audits and issuing of findings is described.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>49. The SSPP must describe the requirement of an annual audit report that summarizes the results of individual audits performed during the previous year and includes the status of required corrective action items. This report must be submitted to the state oversight agency for review and approval.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>50. The process for resolving problems and disagreements, report distribution, and follow-up on corrective action procedures is described.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>51. The ISAP process and reporting must be coordinated with the state oversight agency.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>52. The ISAP process should be comprehensive.</td>
</tr>
<tr>
<td>NO.</td>
<td>CHECKLIST ITEM</td>
<td>SSPP REQUIREMENTS</td>
</tr>
<tr>
<td>-----</td>
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<td>-------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>53. Operating and maintenance rules and procedures that affect safety are identified.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>54. Operating and maintenance rules and procedures that affect safety are reviewed for their effectiveness and determinations are made regarding their need to be updated.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>55. Description of process for developing, maintaining, and ensuring compliance with operating and maintenance rules and procedures.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>56. Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing/compliance checks.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>57. Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>58. Process for documenting results and incorporating them into the hazard management program.</td>
</tr>
<tr>
<td>13.0</td>
<td>Rules Compliance</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>59. Identification of the facilities and equipment that are subject to regular safety related inspection and testing is provided.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>60. A description of how safety-related equipment and facilities are included in a regular inspection and testing program is provided.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>61. Use of a written checklist for conducting facility inspections.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>62. Descriptions of how identified hazardous conditions are entered into the Hazard Resolution Process.</td>
</tr>
<tr>
<td>14.0</td>
<td>Facilities and Equipment Inspections</td>
<td></td>
</tr>
<tr>
<td>NO.</td>
<td>CHECKLIST ITEM</td>
<td>SSPP REQUIREMENTS</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 15.0| Maintenance Audit and Inspection Program | 63. A list of systems and facilities subject to a maintenance program, along with established maintenance cycle and required documentation of maintenance performed for each item, is provided.  
64. A description of the process for tracking and resolving problems identified during inspections is provided.  
65. Use of a written checklist for conducting maintenance audits is required. |
| 16.0| Training and Certification Program    | 66. A description of the training and certification program for employees and contractors is provided.                                                                                                             
67. Categories of safety-related work requiring training and certification are identified.  
68. Description of the training and certification program for employees and contractors in safety-related positions is provided.  
69. Description of the training and certification program for contractors is provided.  
70. The process used to maintain and access employee and contractor training records is described.  
71. The process used to assess compliance with training and certification requirements is described. |
| 17.0| Configuration Management Process      | 72. A description of the configuration management control process is provided and appropriate references are made to other rail transit agency documents governing this process.  
73. Process for making changes is described.  
74. Authority to make configuration changes is described and assurances are provided for formal notification of all involved departments. |
<table>
<thead>
<tr>
<th>NO.</th>
<th>CHECKLIST ITEM</th>
<th>SSPP REQUIREMENTS</th>
<th>INCLUDED YES - NO</th>
<th>PAGE NO.</th>
<th>COMMENTS</th>
</tr>
</thead>
</table>
| 18.0| Compliance with Local, State, and Federal Safety Requirements | 75. A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements is provided.  
76. Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency controlled property are identified.  
77. Processes for ensuring the employees and contractors know and follow the requirements are described. |                   |          |          |

19.0 Hazardous Materials Program

<table>
<thead>
<tr>
<th>NO.</th>
<th>CHECKLIST ITEM</th>
<th>SSPP REQUIREMENTS</th>
<th>INCLUDED YES - NO</th>
<th>PAGE NO.</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.0</td>
<td>Hazardous Materials Program</td>
<td>78. A description of the hazardous materials program, including the process used to ensure knowledge of and compliance with program requirements is provided.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

20.0 Drug and Alcohol Program

<table>
<thead>
<tr>
<th>NO.</th>
<th>CHECKLIST ITEM</th>
<th>SSPP REQUIREMENTS</th>
<th>INCLUDED YES - NO</th>
<th>PAGE NO.</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.0</td>
<td>Drug and Alcohol Program</td>
<td>79. A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with program requirements is provided.</td>
<td></td>
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</tr>
</tbody>
</table>

21.0 Procurement

<table>
<thead>
<tr>
<th>NO.</th>
<th>CHECKLIST ITEM</th>
<th>SSPP REQUIREMENTS</th>
<th>INCLUDED YES - NO</th>
<th>PAGE NO.</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.0</td>
<td>Procurement</td>
<td>80. A description of the measures, controls, and assurances in place to ensure that safety principles, requirements, and representatives are included in the rail transit agency procurement process.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

ADDITIONAL REVIEWER COMMENTS:
## Sample Three-Year Safety and Security Review Supplemental Form

<table>
<thead>
<tr>
<th>Item No.</th>
<th>SSPP/System Security Plan Section</th>
<th>SOA Reviewers</th>
<th>RTA Participants</th>
<th>Supplemental Form</th>
</tr>
</thead>
</table>

### Acceptance Criteria:

### Requirement:

### Finding:

### Recommendation:

Prepared by: ________________________ Date: ________________________
## TxDOT 3-YEAR RAIL SAFETY AUDIT

<table>
<thead>
<tr>
<th>ITEM</th>
<th>ITEM DESCRIPTION</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>System Safety Program Plan distributed and implemented</td>
<td></td>
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<tr>
<td></td>
<td>Surface Operations Division</td>
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<td></td>
<td>Subway/Elevated Division</td>
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<td></td>
<td>Railroad Division</td>
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<tr>
<td></td>
<td>Engineering and Construction Division</td>
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<tr>
<td></td>
<td>Facilities Engineering and Construction Division</td>
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<tr>
<td></td>
<td>Risk Management Department</td>
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<tr>
<td></td>
<td>System Safety Department</td>
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<td></td>
<td>Internal Audit Department</td>
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<td></td>
<td>Police Department</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Organizational Development and Training Department</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Operations Safety and Training Department</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Appendix G: SSO Required Notification Table

<table>
<thead>
<tr>
<th>Event / Threshold</th>
<th>Human Factors</th>
<th>Property Damage</th>
<th>Types of Event</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accident:</strong></td>
<td>• Fatality (occurring at the scene or within 30 days following the accident.</td>
<td>• Property damage resulting from a collision involving a rail transit vehicle; or</td>
<td>• A collision between a rail transit vehicle and another rail transit vehicle.</td>
<td>• RFGPTS to notify SSOA and FTA within 2 hours; investigation required.</td>
</tr>
<tr>
<td><strong>RFGPTS to notify SSOA and FTA within two hours.</strong></td>
<td>• One or more persons suffering serious injury.</td>
<td>any derailment of a rail transit vehicle.</td>
<td>• A collision at a grade crossing resulting in serious injury or fatality.</td>
<td>• RFGPTS to report to FTA within 30 days via the NTD.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A collision with a person resulting in serious injury or fatality.</td>
<td>• A collision with an object resulting in serious injury or fatality.</td>
<td>• RFGPTS to record for SMS analysis.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A runaway train.</td>
<td>• A derailment (mainline or yard).</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Evacuation due to life safety reasons.</td>
<td>• Fires resulting in a serious injury or fatality.</td>
<td></td>
</tr>
<tr>
<td><strong>Incident:</strong></td>
<td>• A personal injury that is not a serious injury.</td>
<td>• Non-collision related damage to equipment rolling stock, or infrastructure that</td>
<td>• Evacuation of a train into the right-of-way or onto adjacent track; or customer self-evacuation.</td>
<td>• RFGPTS to report to FTA and SSOA within 30 days via the NTD.</td>
</tr>
<tr>
<td><strong>RFGPTS to report to SSOA and FTA (NTD) within 30 days.</strong></td>
<td>• One or more injuries requiring medical transportation away from the event.</td>
<td>disrupts the operations of a transit agency.</td>
<td>• Certain low-speed collisions involving a rail transit vehicle that result in a non-serious injury or property damage.</td>
<td>• RFGPTS to record for SMS analysis.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Damage to catenary or third-rail equipment that disrupts transit operations.</td>
<td>• Fires that result in a non-serious injury or property damage.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A train stopping due to an obstruction in the tracks/“hard stops.”</td>
<td>• A train stopping due to an obstruction in the tracks/“hard stops.”</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Most hazardous material spills.</td>
<td>• Most hazardous material spills.</td>
<td></td>
</tr>
</tbody>
</table>

Note: RFGPTS = Rail Fast-Growing Planting and Safety Team; SSOA = Safety and Security Operations Authority; FTA = Federal Transit Administration; NTD = National Transportation Database.
| **Occurrence:** RFGPTS to record data and make available for SSOA and/or FTA review. | • No personal injury. | • Non-collision related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a transit agency. | • Close calls/near misses. | • Safety rule violations. | • Violations of safety policies. | • Damage to catenary or third-rail equipment that do not disrupt operations. | • Vandalism or theft. | • RFGPTS will collect, track and analyze data on occurrences to reduce the likelihood of recurrence and inform the practice of SMS. |
## TxDOT Notification of a Reportable Accident, Incident, or Hazardous Condition

### Accident – Check all that apply
- [ ] A fatality at the scene; or where an individual is confirmed dead within thirty (30) days of a rail transit-related incident;
- [ ] Injuries requiring immediate medical attention away from the scene for two or more individuals;
- [ ] Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities, and non-transit property that equals or exceeds $25,000;
- [ ] An evacuation due to life safety reason;
- [ ] A collision at a grade crossing;
- [ ] A main-line derailment;
- [ ] A collision with an individual on the rail right-of-way;
- [ ] A collision between a rail transit vehicle and a second rail transit vehicle, or a rail transit non-revenue vehicle.

### Security Incident
- [ ]

### Hazardous Condition
- [ ]

---

**Rail Transit Agency:**

**Name and Job Title of Person Reporting Incident:**

**Date and Time of Event:**

**Location:**

**Name and Contact Telephone # for Follow-up Information:**

**Fatalities:**

**Injuries:**

**Property Damage Estimate:**

**Rail transit vehicle(s) involved (type, number):**

**Other vehicle(s) involved (type, number):**

- NTSB reportable [ ] YES [ ] NO
- FRA reportable [ ] YES [ ] NO

**RTA person conducting the investigation (name, title, phone numbers, email address):**

**Description of the Event OR Hazardous Condition:**

**Was a Corrective Action implemented?**

[ ] YES [ ] NO

**Will a Corrective Action be implemented?**

[ ] YES [ ] NO
If a corrective action was not warranted an explanation is required:

<table>
<thead>
<tr>
<th>Description of the implemented and/or planned corrective actions:</th>
<th></th>
</tr>
</thead>
</table>
# Appendix I: RFGPTS Accident Investigation Procedures Checklist

## CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY ACCIDENT INVESTIGATION PROCEDURES

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearly defined policies and criteria for conducting investigations (reportable, major, and minor)</td>
<td></td>
</tr>
<tr>
<td>Identity of person(s) and departments responsible for investigations</td>
<td></td>
</tr>
<tr>
<td>Description of investigative techniques utilized (e.g., one-person, standing team, ad hoc team)</td>
<td></td>
</tr>
<tr>
<td>Notification procedures:</td>
<td></td>
</tr>
<tr>
<td>• Internal</td>
<td></td>
</tr>
<tr>
<td>• External</td>
<td></td>
</tr>
<tr>
<td>Description of investigative procedures utilized while performing on-site investigation:</td>
<td></td>
</tr>
<tr>
<td>• Conducting interviews</td>
<td></td>
</tr>
<tr>
<td>• Creating diagrams, taking photos</td>
<td></td>
</tr>
<tr>
<td>• Collecting, preserving and analyzing data</td>
<td></td>
</tr>
<tr>
<td>• Coordinating with law enforcement and other emergency responders</td>
<td></td>
</tr>
<tr>
<td>Description of investigation procedures utilized when performing off-site investigation:</td>
<td></td>
</tr>
<tr>
<td>• Records reviews</td>
<td></td>
</tr>
<tr>
<td>• Event recorders</td>
<td></td>
</tr>
<tr>
<td>• Interviews</td>
<td></td>
</tr>
<tr>
<td>• Testing and special studies</td>
<td></td>
</tr>
<tr>
<td>• Data analysis</td>
<td></td>
</tr>
<tr>
<td>Accident/Incident Investigation Reports:</td>
<td></td>
</tr>
<tr>
<td>• Summary</td>
<td></td>
</tr>
<tr>
<td>• Methodology</td>
<td></td>
</tr>
<tr>
<td>• Discussion of events</td>
<td></td>
</tr>
<tr>
<td>• Conclusions/findings</td>
<td></td>
</tr>
<tr>
<td>• Recommendations</td>
<td></td>
</tr>
<tr>
<td>• Corrective actions</td>
<td></td>
</tr>
<tr>
<td>• Status reports</td>
<td></td>
</tr>
</tbody>
</table>

Are Investigation Procedures for Hazard Conditions included in this Procedure?
If not, have separate Hazard Investigation Procedures been provided?

<table>
<thead>
<tr>
<th>Hazard Conditions Investigations:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Summary</td>
<td>--</td>
</tr>
<tr>
<td>• Methodology</td>
<td>--</td>
</tr>
<tr>
<td>• Discussion of events</td>
<td>--</td>
</tr>
<tr>
<td>• Conclusions/findings</td>
<td>--</td>
</tr>
<tr>
<td>• Recommendations</td>
<td>--</td>
</tr>
<tr>
<td>• Corrective actions</td>
<td>--</td>
</tr>
<tr>
<td>• Status reports</td>
<td>--</td>
</tr>
</tbody>
</table>

This Investigation Procedure is:

- [ ] Approved
- [x] Not Approved

Comments:

<table>
<thead>
<tr>
<th>Date:</th>
<th>Reviewed By:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Date:</th>
<th>Approved By:</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
Appendix J: Sample Final Accident Report

This report is prepared based on the information available to the Safety Department at the time of the report. The findings, conclusions, and opinions expressed herein are subject to change based upon further investigation and analysis.

SUMMARY OF FACTS RELATED TO A TRAIN AND PRIVATELY OPERATED VEHICLE (POV) AT THE INTERSECTION OF MAIN AND ELM STREET ON TUESDAY, JUNE 25, 2005.

DESCRIPTION OF OCCURRENCE
On Tuesday, June 25, 2005, at approximately 1745 hours, Train 18 (LRV 162) was traveling southbound on Main Street. A POV traveling northbound on Main Street made a left turn at the intersection of Main and Elm Street and was struck by the train.

INJURIES
The Train Operator was transported to St. Joe Hospital by City Fire Department Ambulance #RA-12 with soft tissue injuries. The Train Operator was treated and released from the hospital the same day. A passenger in the POV was transported to St. Joe Hospital by City Fire Department Ambulance #09 with soft tissue injuries. The POV passenger was been treated and released from the hospital the same day.

Two injuries, both were taken from the scene for treatment.

FATALITIES
N/A

PROPERTY DAMAGE
Train 18 (LRV 162) sustained major contact damage to the coupler cover and to the major contact and induced damage to Door #7 of the LRV. The POV sustained minor damage to the right rear passenger side quarter panel. Total damage was $13,750.

STREET CHARACTERISTICS
Main Street runs north and south with one lane of vehicular traffic in either direction with no parking on either side of the street. Elm St. runs east with four lanes for vehicular traffic, with no parking on either side of the street. The intersection of Main and Elm is controlled by traffic signals, with “No Turns” and “No Left-Turn” signs posted for vehicular traffic traveling on Main Street both north and south.

TRACK CHARACTERISTICS
The tracks at this location are level, tangent and located at grade and embedded in concrete, with two tracks that run North / South parallel to each other.

**SPEED AND SIGNAL RESTRICTIONS**
The incident occurred in line-of-sight territory. The maximum authorized speed in the area is 30 mph. Train movement through the intersection is governed by Bar Signal Indicators.

**ENVIRONMENTAL CONDITIONS**
The temperature was approximately 92 degrees Fahrenheit, and the weather was clear.

**CIRCUMSTANCES**
A Post Accident Interview was conducted with the Train Operator operating Train 18. Operator stated while proceeding southbound from Bell Station on a vertical precede signal, proceeding past the intersections of Leeland and Jefferson, the train operated normal. As the train entered the intersection the POV make a left turn in front of the train at Elm St. The truck was struck on the right rear passenger side quarter panel, and the POV spun around and struck Door #7 on the LRV knocking the door off track and shattering the glass in the door.

**CAUSE**
This incident was caused by the driver of the POV an illegal left turn in front of Train 10, and being struck by the southbound train.

**CONTRIBUTING FACTORS**
None

**DRUG AND ALCOHOL TESTING**
The Train Operator of Train 18 (LRV 162) was removed from service and given a FTA Drug and Alcohol Substance Test. The drug and alcohol tests results were negative.

**ACTION TAKEN**
Train 18 was removed from service and was inspected by System Safety and Rail Vehicle Maintenance, and no defects were found to the train that could have contributed to this incident.

The driver of the truck was issued a traffic citation by Metro Police for “Disregarding an Official Traffic Control Device – No Left Turn Sign”.

**RECOMMENDATIONS**
The train-auto incident was ruled non-preventable by the System Safety Division. The Train Operator did everything possible to avoid the collision.
CORRECTIVE ACTION PLAN
(If a corrective action was not warranted an explanation is required)
RAPIDRAIL has contracted with the City Public Works Department to install a Yield to Train Traffic sign at the intersection of Main and Elm Streets. The sign will be installed by August 1, 2005. Upon completion the CAP (#231) will be closed out by the Safety Department of RAPIDRAIL. The CAP was not in response to a hazardous condition, and as such, the CAP was not submitted to the State Oversight Agency for approval.

(Digital pictures, operator statements, system performance investigation/testing, first responder/police/supervisor reports, and accident scene diagrams, etc. should also be submitted as part of the final report.)