



State Safety Oversight Program Standard

August 2019

Public Transportation Division

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Approved By:

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Eric L. Gleason
Director, Public Transportation Division

9/20/2019

Date

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 RTA rail transit agencies (RTA) within Texas. The Standard will clarify roles and responsibilities of TxDOT and each RTA for implementing Program requirements. Additional, supplemental information, forms, checklists, etc. are provided in Appendices referenced 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 RTA within its oversight. These standards are consistent with the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, rules for Public Transportation Agency Safety Plans, and all other applicable federal and state laws.

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 RTA 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 RTA's implementation of the Agency System Safety Program Plan (SSPP), and to address identified hazards and safety concerns that require mitigation.

SSO program oversight applies to each RTA, 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. RTA public transportation systems include rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

The RTA in Texas qualifying for SSO include:

Dallas Area Rapid Transit (DART)
City of Dallas - 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 RTA overseen;
- Does not directly provide public transportation services in an area with a RTA;
- Does not employ any individual who is also responsible for administering a RTA;
- Has authority to audit, review, approve, oversee, and enforce the public transportation agency safety plan for a RTA;
- Has investigative and enforcement authority with respect to the safety of all RTA within the State of Texas.

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

- Enforce federal and state laws on all RTA in the state of Texas;
- Review, revise, approve, oversee, and enforce the required public transportation agency safety plan;
- Oversee the implementation of a RTA safety system plan;
- Investigate and enforce the safety programs of the RTA 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 RTA operations in response to an imminent threat to the safety of the general public
- Issue an emergency order to a RTA to remove persons, equipment, or facilities from service.
- Seek a temporary injunction to enforce an emergency order.

Resolution of identified RTA deficiencies will rely on timely implementation of comprehensive agency corrective action plans agreed to by both the SSO and RTA. In the event of non-responsiveness the escalation procedure described in Section 11 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 an RTA 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. RTA'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 C 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 C 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 RTA 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 RTA 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 RTA 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 RTA.

On-Site Visit Provisions

TxDOT employees and contractors will be accompanied by a safety certified RTA employee during any on-site inspection. Upon completion of the RWP training the RTA 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 RTA controlled property.

SSOA and RTA Safety Certification Training

TxDOT employees or contractors who conduct on-site inspections will complete RTA 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 requirements 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. The training requirements are found within 49 CFR 672 Public Transportation Safety Certification Training Program. FTA has also 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.

At a minimum, TxDOT employees, RTA 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 RTA 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.

RTA Agency Reporting Requirements:

By February 1 of each year, the RTA shall report safety plan, annual reports, ad hoc reports, safety data, accidents, audits, hazard analysis, corrective action plans, internal safety review activities, audit schedules, and certifications by the RTA Accountable Executive. Required reporting shall be made electronically through email.

- By February 1 of each year, the RTA shall report internal safety review activities;
- TxDOT will acknowledge the receipt of RTA 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 RTA;
- 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;
- Upon approval, TxDOT will issue a formal letter of acceptance or approval to the Accountable Executive or RTA safety employees as specified in the Program Standard.

TxDOT will also provide an annual status report on the safety of the RTA 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 RTA 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 RTA, 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 RTA 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 RTA 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 RTA in Texas. These processes will provide reasonable opportunities for open and transparent communication with RTA's, with the expectation that each RTA 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 RTA'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 RTA, with opportunities provided for comment throughout development, including the RTA Accountable Executives, Chief Safety Officers, and Rail Safety employees. Key elements are incorporated into the Texas Administrative Code approved by the Texas Transportation Commission.

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 RTA 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.

DATE	TXDOT PROGRAM STANDARD REVISION
July 26, 1999	Original issue of TxDOT System Safety Program Standard
March 2001	Revised contact information
May 2006	Updated to comply with revised FTA State Safety and Security Oversight Final Rule issued April 29, 2005
August 2006	Update to comply with the FTA initial submission checklist review received by TxDOT on June 18, 2006.
August 2013	Update to incorporate FTA SSO January 2012 audit findings and TxDOT personnel changes.
February 2017	Revised Contact and RTA List
March 2018	Revised to meet 49 CFR Part 674
August 2019	Annual Update

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 RTA Accountable Executives, Chief Safety Officers, and designated safety employees. RTA 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 RTA 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 RTA implementation of the Agency SSPP. It was created in order to establish minimum standards, procedures, and technical assistance for the current RTA operating within Texas, and those in engineering and construction. As such, the Program Standard communicates expectations, roles and responsibilities of the Department and RTA in carrying out system safety requirements of 49 CFR 674.

3.2 SSO Agency Objective for RTA Safety

Each RTA shall comply with all requirements of the Program Standard. At a minimum each RTA 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 Internal Safety Reviews

4.1 RTA System Safety Plan Review

Each RTA shall develop, adopt, and fully implement a System Safety Program Plan (SSPP) describing its safety policies, objectives, responsibilities, and procedures. In accordance with 49 CFR Part 673, the Public Transportation Agency Safety Plan (PTASP) will supersede the RTA SSPP no later than July 20, 2020. Additional information on PTASP requirements are provided in Section 5: Public Transportation Agency Safety Plans.

At a minimum, the SSPP shall:

- Be endorsed and approved by the RTA 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 RTA;
- Identify the internal safety review process to be performed by the RTA;
- 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
- Address all elements specified in 49 CFR Part 659, Part 674 and the TxDOT Program Standard.

4.2 RTA 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 RTA 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 RTA 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 E, 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 RTA 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 RTA 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 RTA 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 RTA 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 RTA 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 RTA's SSPP submission and just before entry into passenger operations. These pre-revenue reviews also assess the capabilities of the RTA 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 RTA Extensions and System Modifications

The RTA shall ensure safety concerns and impacts are addressed in modifications to existing systems, vehicles, equipment or system extensions. The RTA 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 RTA 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 RTA 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 RTA Internal Reviews

Each RTA 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 RTA reviews.

At a minimum, the RTA shall: Develop and annually submit to TxDOT, for approval, a review package which addresses the elements of the SSPP over a three-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 RTA 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;

RTA 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 RTA to request additional documentation or clarifications. Upon receipt of the requested documentation or clarifications the process begins anew;
- TxDOT acceptance of the RTA review package approval will be communicated via a formal letter to the Accountable Executive.

RTA Annual Internal Safety Review Report

By February 1st each year, each RTA 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 RTA 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 year;
- Identification of the departments and functions reviewed;
- An update of the RTA' three-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 RTA until closure or resolution. If the RTA 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: Public Transportation Agency Safety Plans

5.1 Transitioning to Public Transportation Agency Safety Plans (PTASP)

Each RTA must have a TxDOT approved PTASP no later than July 20, 2020. RTAs shall submit their draft PTASP to TxDOT by January 31st, 2020. TxDOT will review each PTASP using the PTASP review checklist provided in Appendix F. The PTASP review will be completed using the same process and timelines described in Section 4.2 RTA SSPP Review and Approval. SSPPs will remain in effect until the PTASP is approved by TxDOT. Upon PTASP approval, the PTASP will supersede the SSPP.

5.2 PTASP General Requirements

The PTASP must comply with 49 CFR 673.11 General Requirements; which include the following elements:

- (1) The Public Transportation Agency Safety Plan, and subsequent updates, must be signed by the Accountable Executive and approved by the agency's Board of Directors, or an Equivalent Authority.
- (2) The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation, as required under Subpart C of 49 CFR 673.
- (3) The Public Transportation Agency Safety Plan must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.
- (4) The Public Transportation Agency Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the public notice and comment process.
- (5) Each transit agency must establish a process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.
- (6) A rail transit agency must include or incorporate by reference in its Public Transportation Agency Safety Plan an emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and

responsibilities for emergency preparedness and response in the transit agency's service area.

5.3 Safety Management Systems

Each transit agency must establish and implement a Safety Management System as required by 49 CFR 673. A transit agency Safety Management System must be appropriately scaled to the size, scope and complexity of the transit agency and include the following elements:

- (a) Safety Management Policy as described in §673.23;
- (b) Safety Risk Management as described in §673.25;
- (c) Safety Assurance as described in §673.27; and
- (d) Safety Promotion as described in §673.29.

Section 6: Triennial SSO Agency Audits

6.1 SSOA Triennial Audit Schedule

At least once every three years, TxDOT shall conduct an on-site Triennial Audit of the RTA's 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.

6.2 SSOA Triennial Audit Activities

TxDOT, or its designated contractor, will prepare the audit checklists based on the RTA's SSPP/PTASP and supporting procedures, records, and plans. Verification of checklist items will occur through interviews, document reviews, data analysis, field observations, testing, measurements, spot checks, and demonstrations provided by the RTA 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 RTA safety and security points-of-contact, no less than 60 days before the audit is scheduled;
- Finalize the interview schedule in coordination with the RTA 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 RTA's SSPP/PTASP and supporting documents and procedures;
- Request and review RTA safety documents;
- Prepare audit checklists and templates based on the RTA's SSPP/PTASP 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 RTA Accountable Executive, Operations management; Chief Safety Officer, and Rail Safety employees;
- Conduct interviews with appropriate RTA employees and contractors;
- Evaluate documents and data maintained on-site;
- Observe on-site operations of the RTA;
- Take measurements and conduct spot checks as appropriate;
- Rate checklist items for compliance;

- Conduct a debriefing with RTA 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/PTASP and supporting procedures;
- Identify findings which shall be addressed by the RTA;
- Make recommendations to the RTA to update its SSPP/PTASP 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 RTA for comment;
- RTA 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 RTA to respond within 45 days to the final audit report and to prepare corrective actions to address findings;
- Review the RTA corrective action plan submission within 30 days of receipt;
- Upon approval of the corrective action plan notify the RTA points-of-contact;
- Require the RTA to submit corrective action reports every 30 days;
- Monitor the corrective action the RTA progress on closing the audit findings;
- Submit the final RTA 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.

6.3 SSO Agency Triennial Audit Findings

Findings will be issued for areas in which the RTA:

- Does not comply with its SSPP/PTASP;
- Has not fully implemented its SSPP/PTASP;
- The SSPP/PTASP does not comply with 49 CFR Part 659 and 674.27, the TxDOT SSO Program Standard, the National Public Transportation Safety Plan

6.4 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/PTASP, all supporting documentation and procedures, recommendations for improvements, and a corrective plan, if necessary or appropriate.

Section 7: Safety Event: Definition and Notification Requirements

7.1 Definitions

Accidents means an Event that involves any of the following:

- Loss of life;
- A report of a serious injury to a person;
- A collision involving a rail transit vehicle;
- A runaway train;
- Evacuation due to life safety reasons;
- Any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

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.

Rail agencies shall report incidents to 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 transport, damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency.

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

- An event without any personal injury
- damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a RTA.

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.

Appendix to 49 CFR Part 674, Notification and Reporting of Accidents, Incidents and Occurrences

Event / Threshold	Human Factors	Property Damage	Types of Events	Actions
<p>Accident: RTA to Notify SSOA and FTA within two hours</p>	<ul style="list-style-type: none"> - Fatality (occurring at the scene or within 30 days following the accident) - One or more persons suffering serious injury 	<ul style="list-style-type: none"> - Property damage resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle 	<ul style="list-style-type: none"> - 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 resulting in serious injury or fatality - A collision with an object resulting in serious injury or fatality - A runaway train - Evacuation due to life safety reasons <ul style="list-style-type: none"> - A derailment (mainline or yard) - Fires resulting in a serious injury or fatality 	<ul style="list-style-type: none"> - RTA to notify SSOA and FTA within 2 hours; investigation required - RTA to report to FTA within 30 days via the NTD - RTA to record for SMS Analysis
<p>Incident: RTA to Report to FTA (NTD) within 30 days</p>	<ul style="list-style-type: none"> - A personal injury that is not a serious injury - One or more injuries requiring medical transportation away from the event. 	<ul style="list-style-type: none"> - Non-collision related damage to equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency 	<ul style="list-style-type: none"> - Evacuation of a train into the right-of-way or onto adjacent track; or customer self-evacuation - Certain low-speed collisions involving a rail transit vehicle that result in a non-serious injury or property damage - Damage to catenary or third-rail equipment that disrupts transit operations - Fires that result in a non-serious injury or property damage - A train stopping due to an obstruction in the tracks "hard stops"- Most hazardous material spills 	<ul style="list-style-type: none"> - RTA to report to FTA (NTD) within 30 days - RTA to record for SMS Analysis
<p>Occurrence: RTA to record data and make available for SSO and/or FTA review</p>	<ul style="list-style-type: none"> - No personal injury 	<ul style="list-style-type: none"> - Non-collision related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a transit agency 	<ul style="list-style-type: none"> - 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 	<ul style="list-style-type: none"> - RTA will collect, track and analyze data on Occurrences to reduce the likelihood of recurrence and inform the practice of SMS

7.2 FRA Notifications

In any instance in which an RTA 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.

7.3 Accident Notification Method

The RTA shall provide initial accident notification to FTA and TxDOT within 2 hours.

FTA shall be notified by contacting the U.S. Department of Transportation Crisis Management Center (CMC) by email (recommended method) or phone: CMC-01@dot.gov / 202-366-1863

Notifications to FTA should include a summary of the event and pertinent details such as:

- Number of fatalities
- Number of serious injuries (include type of injury if known)
- Primary and secondary event types (e.g. collision, derailment, fire, etc.)

TxDOT shall be notified using the SSO Tracker reporting system. Please refer to the SSO Tracker User Manual for detailed instructions on using the SSO Tracker system to submit an initial accident notification. The SSO Tracker User Manual is located on the TxDOT SSO Program webpage at: <https://www.txdot.gov/inside-txdot/division/public-transportation/state-safety-oversight.html>

Section 8: Accident Investigations

8.1 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 7, Safety Event Definitions and Notification Requirements. The FTA Administrator may conduct an independent investigation of any accident or a review of an SSOA's or an RTA' 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 RTA. If so, TxDOT will require the RTA to develop and carry out a corrective action plan. TxDOT has delegated investigative responsibility to each RTA 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 7.1, Accident Definitions.

TxDOT will notify the RTA 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 RTA 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 RTA 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 RTA 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 RTA 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 RTA. TxDOT will assist the NTSB by providing information requested about the RTA critical practices and other matters as appropriate. TxDOT is authorized to participate in any discussions and reviews with the RTA and NTSB. TxDOT will evaluate whether the findings or recommendations by the NTSB require a corrective action plan by the RTA. If so, TxDOT will require the RTA to develop and carry out a corrective action plan.

8.2 Accident Investigation Procedures

TxDOT has authorized each RTA 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 RTA shall use accident investigation procedures that have been previously approved by TxDOT. 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 RTA 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.

8.3 Accident Investigation Report

Each RTA accident investigation conducted by the RTA on behalf of TxDOT must be documented in a final investigation 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 SSO Tracker system, within 30 days of the occurrence of the accident. Please refer to the SSO Tracker User Manual for detailed instructions on using the SSO Tracker to submit an accident investigation report. The SSO Tracker User Manual is located on the TxDOT SSO Program webpage at: <https://www.txdot.gov/inside-txdot/division/public-transportation/state-safety-oversight.html>

At any time during an investigation, the RTA 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.

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 an agreement cannot be reached on these issues, TxDOT will issue its own accident investigation report, which may consist of the original RTA report and the documentation of TxDOT's dissent. TxDOT shall approve the any corrective action plans identified in the final RTA accident investigation report. In the event that TxDOT does not concur with the proposed corrective action plan, TxDOT and the RTA will work together until an agreement is reached.

Section 9: Hazard Management

9.1 RTA Hazard Management Process

Each RTA shall develop, document in the SSPP/PTASP, and implement a hazard management process to identify and resolve hazards 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. 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.

9.2 RTA Hazard Identification, Assessment, and Resolution

A 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.

Each RTA, in its SSPP/PTASP, is required to specify its approach to identifying and assessing hazards. The SSPP/PTASP 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.

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 assess 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 reviews or 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/PTASP, 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.

9.3 RTA Hazard Coordination with TxDOT

RTA's must coordinate with TxDOT on the management of the hazards that meet or exceed the reporting threshold stated within each RTA's safety plan. The SSO Tracker system is the required method for RTA's to report hazards, document hazard related corrective actions, and to keep TxDOT informed on the status of open hazards.

An overview of TxDOT and RTA coordination on reportable hazards includes the RTA: 1) submitting to TxDOT an initial hazard notification and assessment, 2) addressing the hazard with a corrective action plan, 3) completing a final hazard report including a final hazard assessment, and 4) tracking the status of open hazards.

Please refer to the SSO Tracker User Manual for detailed instructions on using the SSO Tracker system to submit an initial hazard notification and final hazard report. The SSO Tracker User Manual is located on the TxDOT SSO Program webpage at: <https://www.txdot.gov/inside-txdot/division/public-transportation/state-safety-oversight.html>]

9.4 Initial Hazard Notification and Assessment

The RTA shall define and document within the SSPP/PTASP minimum hazard thresholds which require notification to TxDOT. Within 24 hours of occurrence or discovery of a hazard meeting the reportable threshold criteria specified in the SSPP/PTASP, RTAs must notify TxDOT of the hazard using the SSO Tracker system. The notification shall include summarized details of the hazard and an initial assessment of probability and severity.

After hazard notification, the RTA must ensure an effective corrective action is developed and submitted to TxDOT for review and approval.

9.5 Hazard Corrective Action Plan

All hazards reported to TxDOT will be addressed with a Corrective Action Plan. For information on the CAP process, including preparation, submission, and TxDOT approval requirements, please refer to Section 10: Corrective Action Plans. After implementation of the CAP, the RTA must complete a final hazard report and assessment.

9.6 Final Hazard Report and Assessment

After the implementation of a corrective action plan, the RTA must re-assess the hazard probability and severity to determine if the hazard has been addressed effectively. Effective hazard mitigation through the implementation of an appropriate corrective action plan should result in less frequent and less severe hazard consequences.

9.7 Monitoring of Open Hazards

The SSO Tracker system allows TxDOT to monitor and track the status of open hazards in real time. RTAs must ensure all hazard information within the system is kept up to date. Should TxDOT develop concerns regarding the RTA's management of open hazards then these concerns will be addressed through communication with the RTA's staff responsible for hazard management.

Section 10: Corrective Actions

RTA's will coordinate with TxDOT on the management of the RTA's Corrective Action Plans. The SSO Tracker system is the required method for RTA's to submit CAPs for TxDOT review and approval, to request CAP closure, and to keep TxDOT informed on the status of open CAPs.

Please refer to the SSO Tracker User Manual for detailed instructions on using the SSO Tracker system to submit corrective action plans. The SSO Tracker User Manual is located on the TxDOT SSO Program webpage at: <https://www.txdot.gov/inside-txdot/division/public-transportation/state-safety-oversight.html>

10.1 CAP Development

RTA 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 RTA 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 RTA to develop and carry out a CAP.

Each RTA shall develop CAPs for the following:

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

10.2 CAP Submission

RTA's will submit CAPs through the SSO Tracker system within 30 days of discovering an issue requiring corrective action. Depending on the complexity of the issue, and at TxDOT's discretion, additional time may be granted to prepare the CAP. TxDOT must review and approve all proposed corrective actions before the RTA implements the CAP. An exception is made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that TxDOT is notified within 48 hours of implementation.

TxDOT will review and approve both regular and emergency/immediate CAPs in accordance with the following section.

10.3 TxDOT Review and Approval of Proposed Corrective Action Plans

TxDOT will notify the RTA 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 RTA shall submit a revised CAP to TxDOT no later than 10 business days following the rejection. TxDOT will work with the RTA 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 RTA 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 RTA 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.

10.4 CAP Implementation and Closure

RTAs may implement the corrective action plan once TxDOT approval is received. During CAP implementation, any significant changes to the approved CAP must receive TxDOT approval before changes are made. Significant changes may include changes to the identified actions, person or departments responsible for implementation or completion date.

The RTA must request TxDOT to close the CAP once identified actions have been fully implemented. TxDOT will verify that the CAP has been implemented in compliance with the approved plan, all required fields within the SSO Tracker are completed, and that evidence of CAP implementation is provided either as a description of actions taken, an attached document, or uploaded pictures. TxDOT will close the CAP upon verifying its implementation. TxDOT may also use site visits, RTA interviews, and documentation review to verify CAP implementation. Documentation may include the following: 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 SSO Program Manager will close the CAP.

10.5 Monitoring of Open Corrective Action Plans

The SSO Tracker system allows TxDOT to monitor and track the status of open CAPs in real time. RTAs must ensure all CAP information within the system is kept up to date. Should TxDOT develop concerns regarding the RTA's management of open CAPs then these concerns will be addressed through communication with the RTA's staff responsible for CAP management.

Section 11: Escalation of Enforcement Action

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

11.1 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 provided to the RTA. The notification will specify violations, administrative actions to be taken by TXDOT, compliance action needed to address the violation, and information concerning administrative review of TXDOT's determination should the RTA disagree with the notification.

The RTA 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 RTA 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.

Section 12: Annual Reporting to FTA

12.1 RTA 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/PTASP, 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 RTA progress in carrying out CAPs arising from the audits;
- Evidence that TxDOT has reviewed and approved any changes to the SSPPs/PTASPs 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:

Deadline	Action
February 1	RTA submits requested report information to TxDOT.
March 15	TxDOT submits Annual Report to FTA.

Required report information:

1. SSPP/PTASP as updated and signed by the RTA 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 RTA 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 that results from an event and that occurs within 30 days after the date of the event.

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.

Pre-revenue Operations—Operation of the rail fixed guideway public transportation system prior to revenue service that includes identification and performance of tests, drills, exercises, and audits designed to verify the functional capability and readiness of the 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 (RTA) 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 fixed guideway public transportation system is also a Rail Transit Agency (RTA).

Rail Transit Agency (RTA) means any entity that provides services on a rail fixed guideway public transportation system.

Revenue Service—Operation of the rail fixed guideway public transportation system to carry passengers that pay fares, provide payment through a contractual arrangement, or have the fares subsidized by public policy. Vehicles operated in fare free service are considered in revenue service.

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.

Vehicle means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

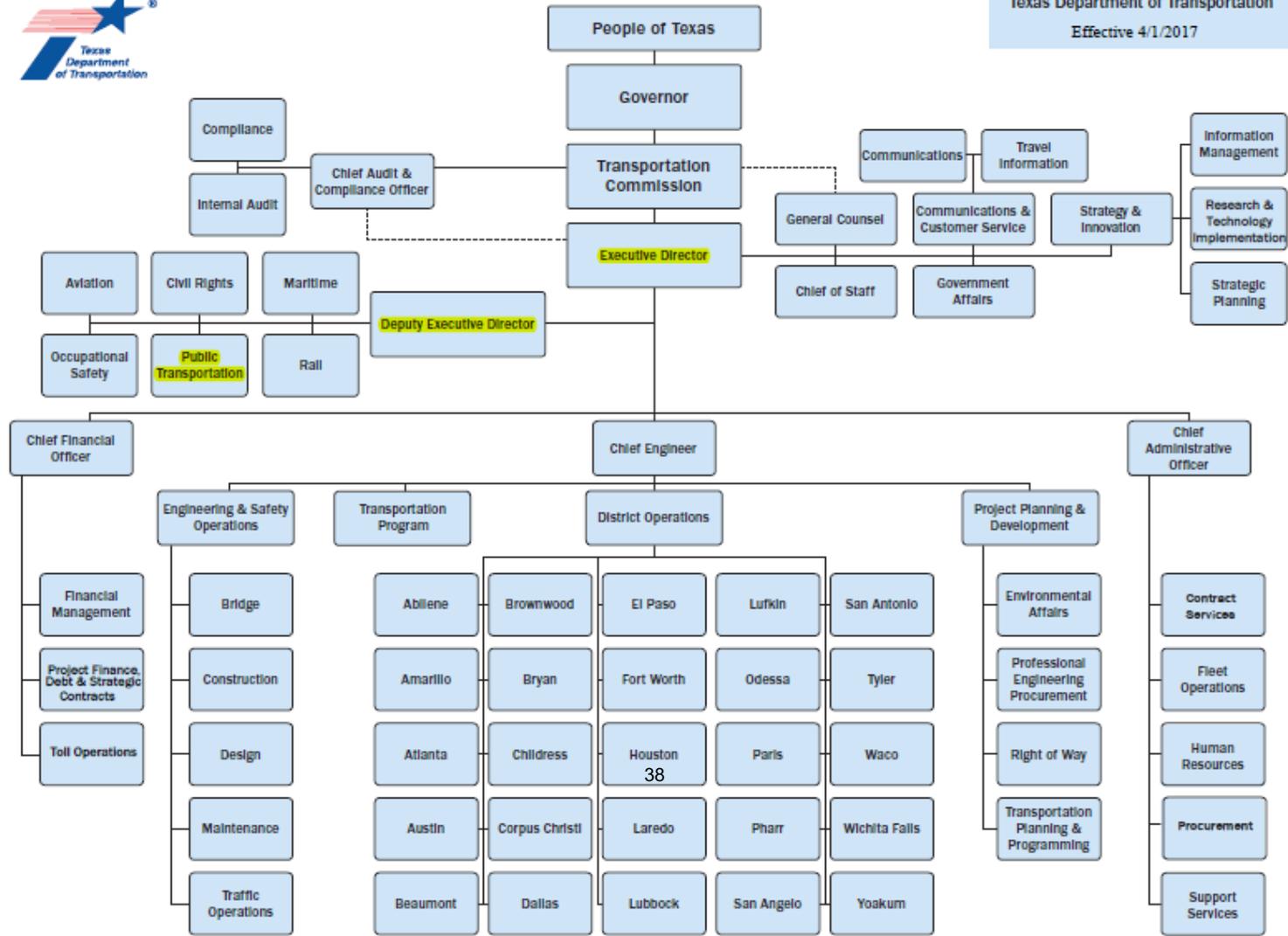
Appendix B: Abbreviations

APTA	American Public Transportation Association
CAP	Corrective Action Plan
CFR	Code of Federal Regulations
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
ISR	Internal Safety Review
LRV	Light Rail Vehicle
MAP-21	Moving Ahead for Progress in the 21st Century
Mil-Std	Military Standard
N/A	Non Applicable
NTD	National Transit Database
NTSB	National Transportation Safety Board
POV	Privately Operated Vehicle
PTN	Public Transportation Division
PTASP	Public Transportation Agency Safety Plan
PTSCTP	Public Transportation Safety Certification Training Program
RFGPTS	Rail Fixed Guideway Public Transportation System
ROW	Right-Of-Way
RTA	Rail Transit Agency
RWP	Right-of-way Worker Protection
SB	Senate Bill
SMS	Safety Management System
SSO	State Safety Oversight
SSOA	SSOA State Safety Oversight Agency
SSP	System Safety Plan
SSPP	System Safety Program Plan
TAC	Texas Administrative Code
TSI	Transportation Safety Institute
TSSP	Transit Safety and Security Program
TTP	Technical Training Plan
TxDOT	Texas Department of Transportation
U.S.C.	United States Code
USPS	United States Postal Service

TxDOT Organization Chart



Texas Department of Transportation
Effective 4/1/2017



Functional Separation of Responsibilities

Administrative and Program Support (11 FTE's)

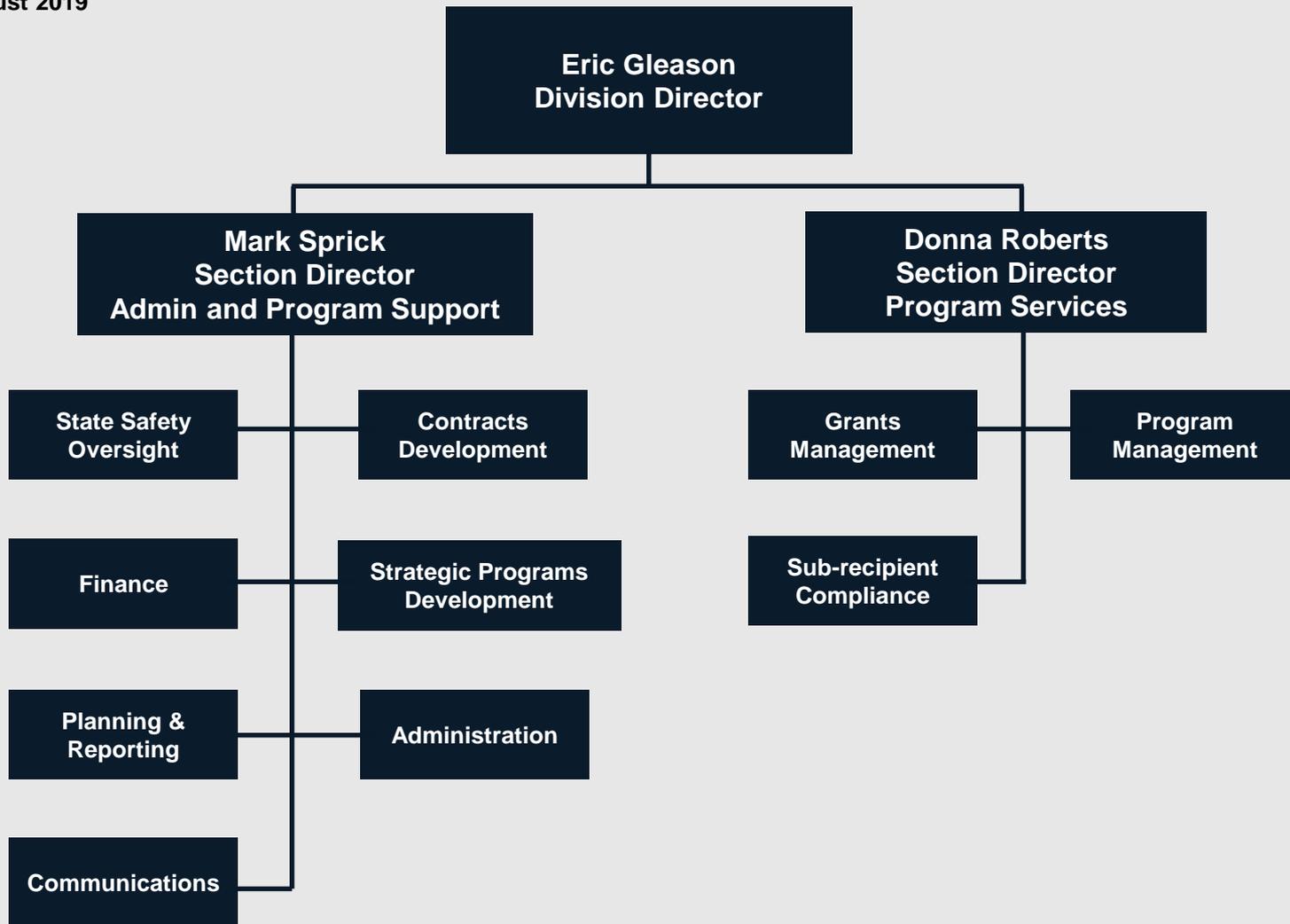
- State Safety Oversight Program
- Finance / Budget
- Division Strategic Plan
- Division Contracts / Agreements
- Policy/Performance Analysis
- Legislative Coordination / Requirements
- Planning & Programming
- Reporting Requirements
- Public Transportation Advisory Committee (PTAC)
- Open Records Requests
- Communications
- Training/Technical Assistance
- eGrants Management
- Division Strategic Programs Development
- Administration

Program Services (36 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

TxDOT Public Transportation Division Organization Chart

Effective August 2019



Appendix D: SSPP Required Contents

System Safety Program Plan: Required SSO Contents		
1	Policy Statement and Authority for SSPP	A policy statement signed by the agency's chief executive that endorses the safety program and describes the authority that establishes the system safety program plan.
2	Goals and Objectives	A clear definition of the goals and objectives for the safety program and stated management responsibilities to ensure they are achieved.
3	Overview of Management Structure	An overview of the management structure of the rail transit agency, including: <ol style="list-style-type: none"> (1) An organization chart; (2) A description of how the safety function is integrated into the rest of the rail transit organization; and (3) Clear identification of the lines of authority used by the rail transit agency to manage safety issues.
4	Control and Update Procedure	The process used to control changes to the system safety program plan, including: <ol style="list-style-type: none"> (1) Specifying an annual assessment of whether the system safety program plan should be updated; and (2) Required coordination with the oversight agency, including timeframes for submission, revision, and approval.
5	Implementation Activities and Responsibilities	A description of the specific activities required to implement the system safety program, including: <ol style="list-style-type: none"> (1) Tasks to be performed by the rail transit safety function, by position and management accountability, specified in matrices and/or narrative format; and (2) Safety-related tasks to be performed by other rail transit departments, by position and management accountability, specified in matrices and/or narrative format.
6	Hazard Management Process	A description of the process used by the rail transit agency to implement its hazard management program, including activities for: <ol style="list-style-type: none"> (1) Hazard identification; (2) Hazard investigation, evaluation and analysis; (3) Hazard control and elimination; (4) Hazard tracking; and (5) Requirements for on-going reporting to the oversight agency relating to hazard management activities and status.

7	System Modification	A description of 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.
8	Safety Certification	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 of passenger operations for New Starts and subsequent major projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and equipment.
9	Safety Data Collection and Analysis	A description of the process used to collect, maintain, analyze, and distribute safety data, to ensure that the safety function within the rail transit organization receives the necessary information to support implementation of the system safety program.
10	Accident/Event/ Incident/Occurrence Notification, Investigation, and Reporting	A description of the process used by the rail transit agency to perform accident notification, investigation and reporting, including: (1) Notification thresholds for internal and external organizations; (2) Accident investigation process and references to procedures; (3) The process used to develop, implement, and track corrective actions that address investigation findings; (4) Reporting to internal and external organizations; and (5) Coordination with the oversight agency.

11	Emergency Management Program	<p>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:</p> <ol style="list-style-type: none"> (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	<p>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:</p> <ol style="list-style-type: none"> (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	<p>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:</p> <ol style="list-style-type: none"> (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.

14	Facilities and Equipment Inspections	<p>A description of the process used for facilities and equipment safety inspections, including:</p> <ol style="list-style-type: none"> (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.
15	Maintenance Audits and Inspections	<p>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.</p>
16	Training and Certification Program for Employees and Contractors	<p>A description of the training and certification program for employees and contractors, including:</p> <ol style="list-style-type: none"> (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	<p>A description of the configuration management control process, including:</p> <ol style="list-style-type: none"> (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	<p>A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements, including:</p> <ol style="list-style-type: none"> (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	<p>A description of the hazardous materials program, including the process used to ensure knowledge of and compliance with program requirements.</p>

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 E: 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: _____

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
1.0	Policy Statement	<ol style="list-style-type: none"> 1. A policy statement is developed for the System Safety Program Plan (SSPP). 2. The policy statement describes the authority that establishes the SSPP. 3. The policy statement is signed and endorsed by the rail transit agency's chief executive. 			
2.0	Purpose, Goals, and Objectives	<ol style="list-style-type: none"> 4. The purpose of the SSPP is defined. 5. Goals are identified to ensure that the SSPP fulfills its purpose. 6. Objectives are identified to monitor and assess the achievement of goals. 7. Stated management responsibilities are identified for the safety program to ensure that the goals and objectives are achieved. 			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
3.0	Management Structure	<p>8. An overview of the management structure of the rail transit agency is provided including an organization chart.</p> <p>9. Organizational structure is clearly defined and includes:</p> <ul style="list-style-type: none"> a. History and scope of service; b. Physical characteristics; and c. Operations and Maintenance. <p>10. A description of how the safety function is integrated into the rest of the rail transit organization is provided.</p> <p>11. Clear identification of the lines of authority used by the rail transit agency to manage safety issues is provided.</p>			
4.0	Plan Review and Modification	<p>12. An annual assessment of whether the SSPP should be updated is specified.</p> <p>13. The process used to control changes to the SSPP is described.</p> <p>14. Specific departments and persons responsible for initiating, developing, approving, and issuing changes to the SSPP are identified.</p> <p>15. Required coordination with the oversight agency regarding plan modification, including timeframes for submission, revision, and approval, is addressed.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
5.0	Plan Implementation	<p>16. A description of the specific activities required to implement the SSPP is included.</p> <p>17. Tasks to be performed by the rail transit safety function, by position and management accountability, are identified and described.</p> <p>18. A description of the methodologies used by the system safety function to achieve their safety responsibilities should be provided.</p> <p>19. Safety-related tasks to be performed by other rail transit departments, by position and management accountability, are identified and described.</p> <p>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</p>			
6.0	Hazard Management Process	<p>21. The process used by the rail transit agency to implement its hazard management program, including the role of the oversight agency in providing on-going communication is described.</p> <p>22. The hazard management process includes activities for: hazard identification, hazard investigation, evaluation, and analysis, hazard control and elimination, hazard tracking.</p> <p>23. Requirements for on-going monthly reporting to the oversight agency relating to hazard management activities and status are specified.</p>			
7.0	Safety Certification Process	<p>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.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
8.0	Safety Modifications	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.			
9.0	Safety Data Acquisition	26. The process used to collect, maintain, analyze, and distribute safety data is clearly defined. 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.			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
10.0	Accident-Incident Notification, Investigation, and Reporting	<p>28. A description is provided regarding the process used by the rail transit agency to perform accident notification, investigation, and reporting.</p> <p>29. Criteria for determining what accidents/incidents require investigation, and who is responsible to conduct specific investigations are developed.</p> <p>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.</p> <p>31. Notification thresholds for internal departments -functions are defined.</p> <p>32. Criteria are specified for notifying external agencies (NTSB, state oversight agency) of accidents and incidents.</p> <p>33. Procedures are established for documenting and reporting on accident investigations.</p> <p>34. Process used to develop, implement, and track corrective actions that address investigation findings is specified.</p> <p>35. Coordination with the oversight agency is specified.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
11.0	Emergency Management Program	<p>36. The agency's emergency planning responsibilities and requirements are identified.</p> <p>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.</p> <p>38. Required meetings with external agencies regarding the emergency management program are specified.</p> <p>39. The process used to evaluate emergency preparedness, such as annual emergency field exercises, is documented.</p> <p>40. After action reports and implementation of findings are required.</p> <p>41. The process is explained to be used by the rail transit agency for the revision and distribution of emergency response procedures.</p> <p>42. The agency's responsibilities for providing employee training are identified.</p> <p>43. The agency's responsibilities for providing familiarization training to local public safety organizations are identified.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
12.0	Internal Safety Audit Program	<p>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.</p> <p>45. Identification of departments and functions subject to audit is performed.</p> <p>46. Auditors must be independent from the first line of supervision responsible for the activity being audited.</p> <p>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.</p> <p>48. The process for conducting audits, including the development of checklists, and procedures for conducting audits and issuing of findings is described.</p> <p>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.</p> <p>50. The process for resolving problems and disagreements, report distribution, and follow-up on corrective action procedures is described.</p> <p>51. The ISAP process and reporting must be coordinated with the state oversight agency.</p> <p>52. The ISAP process should be comprehensive.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
13.0	Rules Compliance	<p>53. Operating and maintenance rules and procedures that affect safety are identified.</p> <p>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.</p> <p>55. Description of process for developing, maintaining, and ensuring compliance with operating and maintenance rules and procedures.</p> <p>56. Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing/compliance checks.</p> <p>57. Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules.</p> <p>58. Process for documenting results and incorporating them into the hazard management program.</p>			
14.0	Facilities and Equipment Inspections	<p>59. Identification of the facilities and equipment that are subject to regular safety related inspection and testing is provided.</p> <p>60. A description of how safety-related equipment and facilities are included in a regular inspection and testing program is provided.</p> <p>61. Use of a written checklist for conducting facility inspections.</p> <p>62. Descriptions of how identified hazardous conditions are entered into the Hazard Resolution Process.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
15.0	Maintenance Audit and Inspection Program	<p>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.</p> <p>64. A description of the process for tracking and resolving problems identified during inspections is provided.</p> <p>65. Use of a written checklist for conducting maintenance audits is required.</p>			
16.0	Training and Certification Program	<p>66. A description of the training and certification program for employees and contractors is provided.</p> <p>67. Categories of safety-related work requiring training and certification are identified.</p> <p>68. Description of the training and certification program for employees and contractors in safety-related positions is provided.</p> <p>69. Description of the training and certification program for contractors is provided.</p> <p>70. The process used to maintain and access employee and contractor training records is described.</p> <p>71. The process used to assess compliance with training and certification requirements is described.</p>			
17.0	Configuration Management Process	<p>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.</p> <p>73. Process for making changes is described.</p> <p>74. Authority to make configuration changes is described and assurances are provided for formal notification of all involved departments.</p>			

NO.	CHECKLIST ITEM	SSPP REQUIREMENTS	INCLUDED	PAGE	COMMENTS
			YES - NO	NO.	
18.0	Compliance with Local, State, and Federal Safety Requirements	<p>75. A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements is provided.</p> <p>76. Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency controlled property are identified.</p> <p>77. Processes for ensuring the employees and contractors know and follow the requirements are described.</p>			
19.0	Hazardous Materials Program	78. A description of the hazardous materials program, including the process used to ensure knowledge of and compliance with program requirements is provided.			
20.0	Drug and Alcohol Program	79. A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with program requirements is provided.			
21.0	Procurement	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.			
<p>ADDITIONAL REVIEWER COMMENTS:</p>					

Appendix F: PTASP Review Checklist

RAIL FIXED GUIDEWAY SYSTEM: _____

SAFETY PLAN TITLE: _____

REVIEWER: _____

REVIEW DATE: _____

By July 20, 2020 each RTA must establish a Public Transportation Agency Safety Plan (PTASP) that is in compliance with 49 CFR 673 and TxDOT's Program Standard.

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.11(a)(1)	(a)(1) The PTASP must be signed by the Accountable Executive and approved by the agency's Board of Directors, or an Equivalent Authority.	Is the plan: <ul style="list-style-type: none"> a. signed by the accountable executive, b. approved by agency board or equivalent authority. <p><i>Board or equivalent authority approval must be documented with resolution, proclamation, meeting meetings, or other official action which evidences formal approval.</i></p>			
673.5	49 CFR 673.5 includes definitions.	Does the plan: <ul style="list-style-type: none"> a. contain definitions consistent with CFR 673? <p><i>Definitions used in the PTASP and associated documentation must be consistent with CFR 673, FTA, and TxDOT guidance.</i></p>			
673.11(a)(5) (PS, Sec 11)	Each transit agency must establish a process and timeline for conducting an annual review and update of the PTASP.	Does the plan include: <ul style="list-style-type: none"> a. process for conducting the annual review, b. timeline for conducting annual review, c. annual review/update completed by Dec 1st. <p><i>TxDOT requires the PTASP to be updated, if necessary, by Dec 1st each year.</i></p>			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.11(a)(6)	A rail transit agency must include or incorporate by reference in its PTASP an emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.	<p>Is the emergency preparedness and response plan or procedures included within the plan or incorporated by reference?</p> <ul style="list-style-type: none"> <input type="checkbox"/> include in plan, or <input type="checkbox"/> incorporated by reference. <p>Does the emergency preparedness and response plan or procedures address the following areas:</p> <ul style="list-style-type: none"> a. assignment of employee responsibilities during an emergency, b. coordination with local, regional, state, and federal officials with roles/responsibilities for emergency preparedness and response in the agency's service area. 			
673.11(a)(3)	(a)(3) The Public Transportation Agency Safety Plan must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.	<p>Does the plan include:</p> <ul style="list-style-type: none"> a. performance targets based on the safety performance measures established under the National Public Transportation Safety Plan? <p><i>The National Public Transportation Safety Plan can be found at: https://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan</i></p>			
673.15(a) 673.15(b)	<p>(a) A State or transit agency must make its safety performance targets available to States and Metropolitan Planning Organizations to aid in the planning process.</p> <p>(b) To the maximum extent practicable, a State or transit agency must coordinate with States and Metropolitan Planning Organizations in the selection of State and MPO safety performance targets.</p>	<p>Does the plan include:</p> <ul style="list-style-type: none"> a. process to coordinate with and make safety performance targets available to the state and MPO. <p><i>This section must include specific information on the process including who is responsible for making the targets available, to whom the targets are provided to, and when the targets are provided.</i></p>			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.23(a)	(a) A transit agency must establish its organizational accountabilities and responsibilities and have a written statement of safety management policy that includes the agency's safety objectives and safety performance targets.	<p>Does the plan contain:</p> <ul style="list-style-type: none"> a. statement of safety management policy b. including the agency's safety objectives, and c. safety performance targets. <p><i>Sample Safety Management Policy Statement can be found within Appendix B of the National Public Transportation Safety Plan.</i></p> <p><i>The National Public Transportation Safety Plan can be found at: https://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan</i></p>			
673.23(b)	(b) A transit agency must establish a process that allows employees to report safety conditions to senior management, protections for employees who report safety conditions to senior management, and a description of employee behaviors that may result in disciplinary action.	<p>Does the plan contain:</p> <ul style="list-style-type: none"> a. process that allows employees to report safety conditions to senior management, b. protections for employees who report safety conditions to senior management, and c. description of employee behaviors that may result in disciplinary action. 			
673.23(c)	(c) The safety management policy must be communicated throughout the agency's organization.	<p>Does the plan contain:</p> <ul style="list-style-type: none"> a. process or description of how the safety management policy is communicated throughout the agency. 			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.23(d)	<p>(d) The transit agency must establish the necessary authorities, accountabilities, and responsibilities for the management of safety amongst the following individuals within its organization, as they relate to the development and management of the transit agency's Safety Management System (SMS), including....</p> <ul style="list-style-type: none"> a. accountable executive b. chief safety officer or safety management system (SMS) executive c. agency leadership or executives d. key staff 	<p>Does the plan:</p> <ul style="list-style-type: none"> a. Establish the necessary authorities, accountabilities, and responsibilities for the management of safety amongst the following individuals within its organization, as they relate to the development and management of the transit agency's Safety Management System (SMS) b. list the following by position and name: <ul style="list-style-type: none"> – accountable executive, – chief safety officer or SMS executive, – agency leadership or executives with day-to-day SMS implementation duties, – key staff, groups, or committees with responsibilities in developing, implementing, and operating the agency's SMS. 			
673.35(a)	<p>(a) Safety Risk Management process. A transit agency must develop and implement a Safety Risk Management process for all elements of its public transportation system. The Safety Risk Management process must be comprised of the following activities: Safety hazard identification, safety risk assessment, and safety risk mitigation.</p>	<p>Does the plan:</p> <ul style="list-style-type: none"> a. Document a safety risk management process for all elements of its system? Including: <ul style="list-style-type: none"> – safety hazard identification – safety risk assessment – safety risk mitigation 			
673.25(b)(1) and (2)	<p>(b) Safety hazard identification.</p> <p>(1) A transit agency must establish methods or processes to identify hazards and consequences of the hazards.</p> <p>(2) A transit agency must consider, as a source for hazard identification, data and information provided by an oversight authority and the FTA.</p>	<p>Does the plan:</p> <ul style="list-style-type: none"> a. document methods or processes to identify hazards and consequences of hazards. b. include as a source for hazard identification, data and information provide an oversight authority and the FTA. 			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.25(c)(1) and (2)	<p>(c) Safety Risk Assessment</p> <p>(1) A transit agency must establish methods or processes to assess the safety risks associated with identified safety hazards.</p> <p>(2) A safety risk assessment includes an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations, and prioritization of the hazards based on the safety risk</p>	<p>Does the plan:</p> <ul style="list-style-type: none"> a. describe methods or processes to assess safety risks associated with identified safety hazards b. does the safety risk assessment include: <ul style="list-style-type: none"> a. assessment of likelihood (b. severity c. existing mitigations, d. prioritizations of hazards based on safety risk 			
673.25(d)	<p>(d) Safety risk mitigation. A transit agency must establish methods or processes to identify mitigations or strategies necessary as a result of the agency's safety risk assessment to reduce the likelihood and severity of the consequences.</p>	<p>Does the plan:</p> <ul style="list-style-type: none"> a. include methods or processes to identify mitigations or strategies necessary as a result of the agency's safety risk assessment? 			
673.27(a)	<p>Safety assurance process. A transit agency must develop and implement a safety assurance process that meets the requirements of sections (b), (c), and (d).</p>	<p>Does the plan include:</p> <ul style="list-style-type: none"> a. safety assurance process that meets the requirements of sections (b), (c), and (d) listed below? 			
673.27(b)	<p>(b) Safety performance monitoring and measurement. A transit agency must establish activities to:</p> <ul style="list-style-type: none"> (1) Monitor its system for compliance with, and sufficiency of, the agency's procedures for operations and maintenance; (2) Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended; (3) Conduct investigations of safety events to identify causal factors; and (4) Monitor information reported through any internal safety reporting programs 	<p>Does the plan include activities to:</p> <ul style="list-style-type: none"> a. monitor its system for compliance/sufficiency of procedures for operations and maintenance, b. monitor operations to identify any safety risk mitigations that are ineffective, inappropriate, or not implemented as intended, c. conduct investigations of safety events to identify the causes, d. monitor information through any internal safety reporting programs. 			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.27(c)	<p>c) Management of change.</p> <p>(1) A transit agency must establish a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance.</p> <p>(2) If a transit agency determines that a change may impact its safety performance, then the transit agency must evaluate the proposed change through its Safety Risk Management process</p>	<p>Does the plan include:</p> <ul style="list-style-type: none"> a. process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance b. process to evaluate changes that may impact safety performance through the safety risk management process. 			
673.27(d)(1) and (2)	<p>(d) Continuous improvement. (1) A transit agency must establish a process to assess its safety performance.</p> <p>(2) If a transit agency identifies any deficiencies as part of its safety performance assessment, then the transit agency must develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.</p>	<p>Does the plan include:</p> <ul style="list-style-type: none"> a. process to assess its safety performance? b. Does the process include a requirement to address deficiencies through the development and carrying out of a plan to address identified deficiencies. <p><i>Section 4.5 of the TxDOT Program Standard requires RTA's to complete an annual internal safety review.</i></p>			
673.29(a)	<p>(a) Competencies and training. A transit agency must establish and implement a comprehensive safety training program for all agency employees and contractors directly responsible for safety in the agency's public transportation system. The training program must include refresher training, as necessary.</p>	<p>Does the plan include or reference:</p> <ul style="list-style-type: none"> a. a comprehensive safety training program for all employees and contractors directly responsible for safety? b. does the training program include refresher training, as necessary? 			

FEDERAL AND STATE REQUIREMENT	PTASP REQUIREMENTS	REVIEW QUESTION:	PAGE #	COMPLIANT: Y/N	COMMENTS
673.29(b)	(b) Safety communication. A transit agency must communicate safety and safety performance information throughout the agency's organization that, at a minimum, conveys information on hazards and safety risks relevant to employees' roles and responsibilities and informs employees of safety actions taken in response to reports submitted through an employee safety reporting program.	Does the plan include: <ul style="list-style-type: none"> a. a process to strategies to communicate safety and safety performance information throughout the agency, which at a minimum: <ul style="list-style-type: none"> a. conveys info on hazards and safety risks relevant to employees roles and responsibilities. b. informs employees of safety actions taken in response to reports submitted through the employee safety reporting program 			

Appendix G: Safety Supplemental Form

Sample Three-Year Safety and Security Review Supplemental Form

SOA:		RAIL TRANSIT AGENCY:	DATE OF REVIEW:
Item No.	SSPP/System Security Plan Section:	SOA Reviewers:	Supplemental Form
		RTA Participants:	
Acceptance Criteria:			
Requirement:			
Finding:			
Recommendation:			
Prepared by: _____ Date: _____			

Appendix H: Sample Rail Safety Audit Form

TxDOT 3-YEAR RAIL SAFETY AUDIT						DATE:	
RAIL AGENCY:							
INTERVIEW WITH:							
Auditor:							
2.0							
ITEM		ITEM DESCRIPTION	1	2	3	4	COMMENTS
2.1		System Safety Program Plan distributed and implemented					
		Surface Operations Division					
		Subway/Elevated Division					
		Railroad Division					
		Engineering and Construction Division					
		Facilities Engineering and Construction Division					
		Risk Management Department					
		System Safety Department					
		Internal Audit Department					
		Police Department					
		Organizational Development and Training Department					
		Operations Safety and Training Department					

FTA Two-Hour Accident Notification Guide

The Federal Transit Administration’s (FTA) [State Safety Oversight \(SSO\)](#) regulation ([49 C.F.R. Part 674](#)) establishes definitions and minimum notification thresholds for safety events. Part 674 defines three types of safety events: accidents, incidents, and occurrences, and requires a rail transit agency (RTA) to notify its State Safety Oversight Agency (SSOA) and the FTA within two hours of any event classified as an **accident**. This Two-Hour Accident Notification Guide is designed to help RTAs identify those events that are classified as accidents and how to notify FTA.

What is an “Accident”?

“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.” 49 C.F.R. § 674.7.



What is the requirement to notify the SSO and FTA of an accident?

In addition to the requirements for accident notification set forth in an SSO program standard, an RTA must notify both the SSOA and the FTA within two hours of any accident occurring on its rail fixed guideway public transportation system. An RTA should provide accident notifications at the earliest practicable time after the occurrence of any one of the defined accidents and no later than two hours after the accident has occurred.

How do I notify FTA of an accident?

Contact the U.S. Department of Transportation Crisis Management Center (CMC) within two hours of a reportable accident, by email (recommended method) or phone:

CMC-01@dot.gov / 202-366-1863

When providing two-hour notifications, please submit accident information details as specified in your SSOA's program standard. The SSO required notifications may include, but are not limited to, a summary of the event and pertinent details such as:

- Number of fatalities
- Number of serious injuries (include type of injury if known)
- Primary and secondary event types (e.g. collision, derailment, fire, etc.)

FREQUENTLY ASKED QUESTIONS

How do I classify an event that includes multiple accident types?

When an event includes multiple accident types, in your notification, please classify the accident type as the accident that occurred first.

Example 1:

If a streetcar collides with a truck and subsequently derails, the accident would be classified as a collision, because the derailment was a result of the collision.

Example 2:

If a train collides with a person and results in a fatality, the accident would be classified as a collision, because the fatality was a result of the collision.

Must I provide notification of a loss of life that results from natural causes or homicides?

You must only provide two-hour notification of loss of life (fatality) that occur on a transit property or are related to transit operations or maintenance. This requirement excludes deaths resulting from illness or other natural causes and criminal homicides that are not related to collisions with a rail transit vehicle.

Must I provide notification of a serious injury that results from natural causes or criminal assaults?

Serious injury is defined at 49 C.F.R. § 674.7 as any injury that:

1. Requires hospitalization for more than 48 hours, commencing within 7 days from the date 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; Involves any internal organ; or
4. Involves second- or third-degree burns, or any burns affecting more than five percent of the body surface.

You must only provide two-hour notification of serious injuries that occur on a transit property or are related to transit operations or maintenance. This requirement excludes serious injuries resulting from illness or other natural causes and criminal assaults that are not related to collisions with a rail transit vehicle.

Some injuries may be readily identified or observable at the scene of an event while other injuries may not be apparent until the person undergoes a medical examination, at which point notification may be required. FTA does not expect SSOA or RTA safety personnel to undergo medical training to determine whether an injury meets the threshold of “serious.” However, FTA does expect safety personnel to exercise a common-sense approach when evaluating injuries.

What types of collisions require two-hour notification?

You are required to provide two-hour notification of all collisions involving two or more rail transit vehicles, and all collisions involving at least one rail transit vehicle at grade crossing, with a person, or with an object that results in substantial property damage, serious injury or fatality. See Appendix A to Part 674.

What is “substantial damage”?

Substantial damage is any physical damage to transit or non-transit property including vehicles, facilities, equipment, rolling stock, or infrastructure.

Substantial damage includes damage which adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation. See National Transit Database glossary.¹

¹ The NTD glossary is available at <https://www.transit.dot.gov/ntd/national-transit-database-ntd-glossary>.

Substantial damage excludes damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

What is a “runaway train”?

The NTD glossary defines “runaway train” as a train that is no longer under the control of a driver regardless of whether the operator is physically on the vehicle at the time. This requirement is only applicable to trains and not all rail transit vehicles.

What is an evacuation for a life safety reason?

An evacuation for a life safety reason is a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuation. A life safety reason may include a situation such as a fire, the presence of smoke or noxious fumes, a fuel leak, a vehicle fuel leak, an electrical hazard, a bomb threat, a suspicious item, or other hazard that constitutes a real potential danger to any person. See NTD glossary.

Do not provide Two-Hour Accident Notifications for evacuations that are not for a life safety reason such as an evacuation of a train into the right-of-way or onto adjacent track; or customer self-evacuation or transfer of passengers to rescue vehicles or alternate means of transportation due to obstructions, loss of power, mechanical breakdown and system failures, or damage.

What is a “derailment”?

A derailment is a non-collision event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails. See NTD glossary.

Two-Hour Accident notification is required anytime there is the derailment of a rail transit vehicle at any location, at any time, whatever the cause.

What are the notification requirements for RTAs that are also regulated by the FRA?

Federal Railroad Administration (FRA) notifications – Anytime an RTA must notify the FRA of an accident as defined by 49 CFR Part 225.5 (i.e. shared use of the general railroad system trackage or corridors), the RTA must also notify the SSOA and FTA of the accident within the same time frame established by the FRA.

Two-Hour Accident Notification

If an event meets any of the conditions in the following checklist, it is an accident and you **must** notify the State Safety Oversight Agency (SSOA) and Federal Transit Administration (FTA) within two hours after it occurs.

When an event includes multiple accident types, in your notification, please classify the accident type as the accident that occurred first.

How do I notify FTA of an accident?

Contact the U.S. Department of Transportation Crisis Management Center (CMC) within two hours of a reportable accident, by email (recommended method) or phone:

CMC-01@dot.gov / 202-366-1863

When providing two-hour notifications, please submit accident information details as specified in your SSOA's program standard. The SSO required notifications may include, but are not limited to, a summary of the event and pertinent details such as:

- Number of fatalities
- Number of serious injuries (include type of injury if known)
- Primary and secondary event types (e.g. collision, derailment, fire, etc.)

Two-Hour Accident Notification Quick Reference Checklist

Fatality – A death or suicide occurring at the scene or within 30 days following the accident.

Additional guidance:

This requirement includes all loss of life (fatality) that occur on a transit property or are related to transit operations or maintenance. This requirement excludes deaths resulting from illness or other natural causes and criminal homicides that are not related to collisions with a rail transit vehicle.

Serious injury – Any injury that:

1. Requires hospitalization for more than 48 hours, commencing within seven days from the date 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 five percent of the body surface.

Additional guidance:

This requirement includes all serious injuries that occur on a transit property or are related to transit operations or maintenance. This requirement excludes serious injuries resulting from illness or other natural causes and criminal assaults that are not related to collisions with a rail transit vehicle.

Collision –

1. All collisions between a rail transit vehicle and another rail transit vehicle.
2. All collisions resulting in substantial property damage, serious injury or fatality.

Additional guidance:

You are required to provide two-hour notification of all collisions involving two or more rail transit vehicles, and all collisions involving at least one rail transit vehicle at grade crossing, with a person, or with an object that results in substantial property damage, serious injury or fatality.

Substantial damage is any physical damage to transit or non-transit property including vehicles, facilities, equipment, rolling stock, or infrastructure.

Substantial damage **INCLUDES** damage which adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation.

Substantial damage **EXCLUDES** damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

- Runaway train** – A train that is no longer under the control of a driver regardless of whether the operator is physically on the vehicle at the time.

Additional guidance:

This requirement is only applicable to trains and not all rail transit vehicles.

- Evacuation/life safety reason** – An evacuation for a life safety reason is a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuation.

Additional guidance:

A life safety reason may include a situation such as a fire; the presence of smoke or noxious fumes; a fuel leak; a vehicle fuel leak; an electrical hazard; a bomb threat; a suspicious item or other hazard that constitutes a real or potential danger to any person.

Do not provide Two-Hour Accident Notifications for evacuations that **are not** for a life safety reason such as an evacuation of a train into the right of-way or onto adjacent track; or customer self-evacuation or transfer of passengers to rescue vehicles or alternant means of transportation due to obstructions, loss of power, mechanical breakdown and system failures, or damage.

- Derailment** – A non-collision event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails. Two-Hour Accident notification is required anytime there is the derailment of a rail transit vehicle at any location, at any time, whatever the cause.

- Federal Railroad Administration (FRA) notifications** – Anytime an RTA must notify the FRA of an accident as defined by [49 CFR 225.5](#) (i.e. shared use of the general railroad system trackage or corridors), the RTA must also notify the SSOA and FTA of the accident within the same time frame established by the [FRA](#).