

## Transportation Committee

For the Metropolitan Council meeting of July 22, 2020

**Subject:** Agency Safety Plans

### Proposed Action

That the Metropolitan Council adopt Agency Safety Plans for Metropolitan Transportation Services, Metro Transit Bus and Metro Transit LRT.

### Summary of Committee Discussion/Questions

Metro Transit Rail and Bus Safety Director Mike Conlon and Metropolitan Transportation Services Contract Services Assistant Director Gerri Sutton presented this item. Atlas-Ingebretson asked if the previous conversation regarding the reporting structure of the MTPD Chief is related to this safety plan. Metro Transit General Manager Wes Kooistra responded that this safety plan doesn't engage the MTPD part of the organization. Chair Barber added that these plans are specific to comply with FTA regulations/requirements.

Motion by Zeran, seconded by Sterner. Motion carried, **consent** to Council.

## Transportation Committee

Meeting date: July 13, 2020

For the Metropolitan Council meeting of July 22, 2020

**Subject:** Agency Safety Plans

**District(s), Member(s):** All

**Policy/Legal Reference:** 49 CFR Part 673

**Staff Prepared/Presented:** Nick Thompson, Director of MTS, 651-602-1754  
Wes Kooistra, General Manager MT, 612-349- 7510  
Gerri Sutton, Assistant Director MTS, 651-602-1672  
Mike Conlon, Director of Rail and Bus Safety MT, 612-349-7516

**Division/Department:** Metro Transit (MT) & Metropolitan Transportation Services (MTS)

### Proposed Action

That the Metropolitan Council adopt Agency Safety Plans for Metropolitan Transportation Services, Metro Transit Bus and Metro Transit LRT.

### Background

The Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673) requires compliance by recipients and sub-recipients of Federal Transit Administration (FTA) Urbanized Area Formula Grant Program funds under 49 USC § 5307. The required Agency Safety Plans (one each for MTS bus, Metro Transit bus and Metro Transit light rail) require approval by the governing board. The original due date for plan approval was July 20, 2020. However, enforcement of the plans has been delayed by the FTA until January 1, 2020 due to the significant administrative burden placed on public transit agencies due to COVID-19.

### Rationale

The FTA requirement calls for the development of an Agency Safety Plan (ASP) that formalizes the Safety Management System (SMS) principles and strategies for demonstrating safety management policy, safety risk management, safety assurance, and safety promotion. Each of the Council's plans define the process for identifying, evaluating, and resolving hazards associated with operations. Each plan must also name an accountable executive and a chief safety officer that reports directly to the accountable executive regarding all safety related issues.

As a direct operator of service, Metro Transit has had an ASP in place for many years. The new FTA requirements resulted in only minor edits to the existing plans to include plan approval by the Council. Metro Transit has an ASP to address bus safety and a separate ASP for rail service as required by the FTA.

MTS' contractors have safety plans as required in each contract. However, MTS previously did not have its own ASP. With assistance from WSP, a consultant with extensive experience in safety plan development, MTS has created an ASP that covers contracted services to include Metro Mobility,

Transit Link and fixed route in addition to MTS employees. MTS is in the process of hiring a Chief Safety Officer to ensure compliance with the plan and federal requirements.

### **Thrive Lens Analysis**

This action promotes multiple *Thrive MSP 2040* outcomes. Equity and Livability are supported through the plan's focus on strategies to ensure a safe transit infrastructure, the safe transport of all customers and promote the well-being of transit employees. The plan's role in mitigating risk and promoting proactive planning to responsibly manage the region's finite resources fosters the outcome of Stewardship.

### **Funding**

Funding for a new MTS position (Chief Safety Officer) and consulting services are included in the 2020 adopted budget.

### **Known Support / Opposition**

There is no known opposition.

# Public Transportation Agency Safety Plans Metropolitan Transportation Services Metro Transit

Presenting to the Transportation Committee July 13, 2020

Gerri Sutton, Assistant Director, Metropolitan Transportation Services

Michael Conlon, Director of Rail and Bus Safety, Metro Transit



# Proposed Action

That the Council approves the Metropolitan Transportation Services and Metro Transit Agency Safety Plans, in order to comply with FTA rule 49 CFR 673.

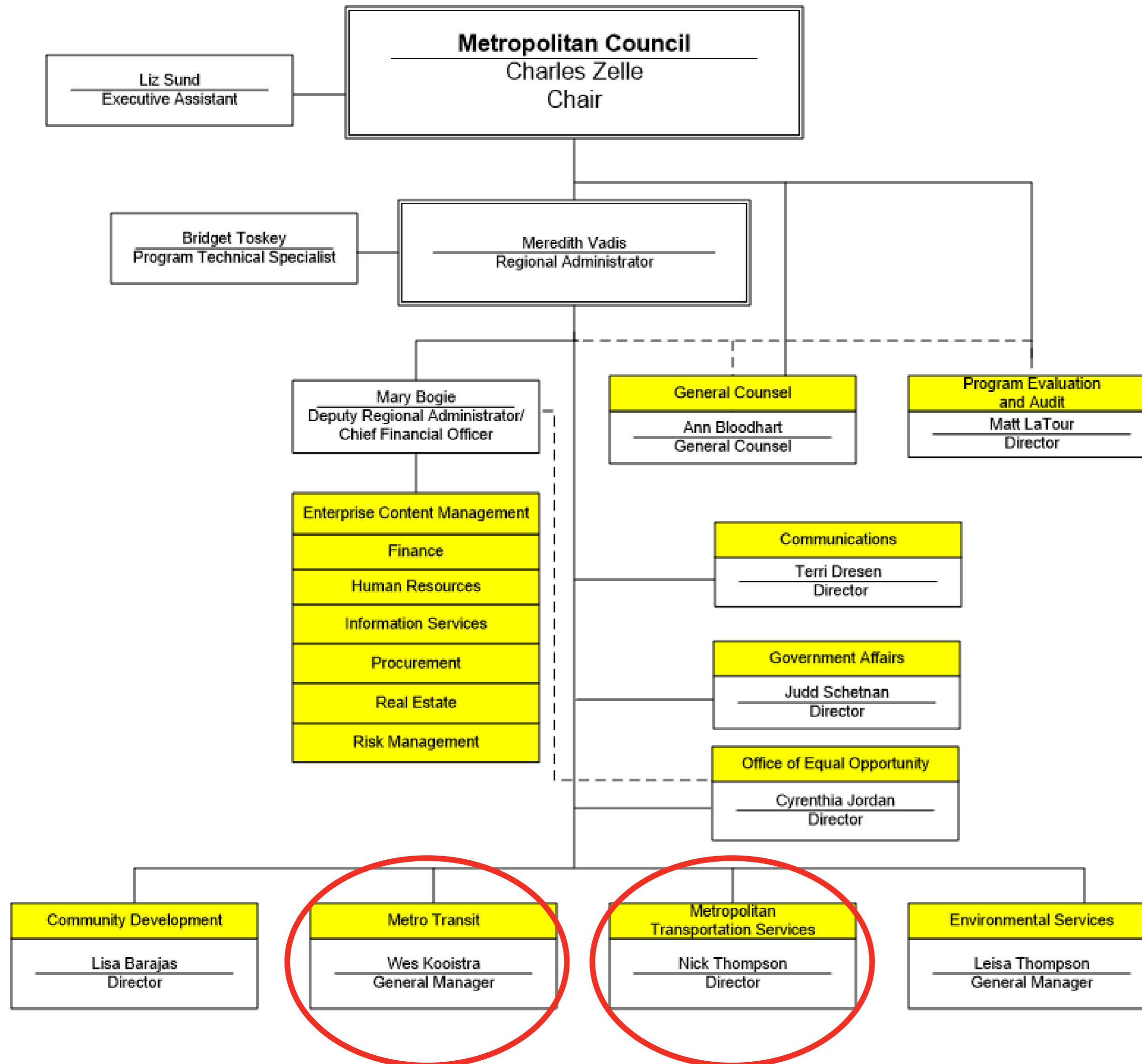
# Why this change is needed

Federal Transit Administration 2018 Rulemaking, 49 CFR 673 requires:

- All transit agencies that receive federal financial assistance must establish a Public Transportation Agency Safety Plan
- 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
- The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation

# Accountable Executives

Last review/revision: January 21, 2020



## Accountable Executive

- A single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency;
- Has responsibility for carrying out the agency's Transit Asset Management Plan; and
- Has 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.

# Four Major Required Components of Public Transportation Agency Safety Plans

- **Safety Management Policy** – The transit agency’s documented commitment to safety, which defines the transit agency’s safety objectives and the accountabilities and responsibilities
- **Safety Risk Management** - process within a transit agency’s PTASP for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Safety Assurance** - processes in transit agency’s SMS functions to ensure the implementation and effectiveness of safety risk mitigation.
- **Safety Promotion** – a combination of training and communication of safety information to support SMS as applied to the transit agency’s operations.



# Metro Transit Agency Safety Plans

- Have been in place for Bus and LRT modes since July 2019; predecessors have been in place since the early 2000s.
- Safety and Office of State Safety Oversight collaborated on a gap analysis checklist
- Both LRT and Bus ASPs have been analyzed using the gap analysis tool
- Both plans have been presented to and approved by GM Kooistra

# Metropolitan Transportation Services Agency Safety Plan

- Historically, contractors were responsible for SMS per contract language
- MTS ASP was developed with assistance from WSP Consulting
- All contractors have modified plans with the guidance of WSP to be compliant with FTA requirements
- MTS will hire Chief Safety Officer to ensure ASP and regulatory compliance

# Proposed Action

That the Council approves the Metropolitan Transportation Services and Metro Transit Agency Safety Plans, in order to comply with FTA rule 49 CFR 673.