

State Safety & Security Oversight

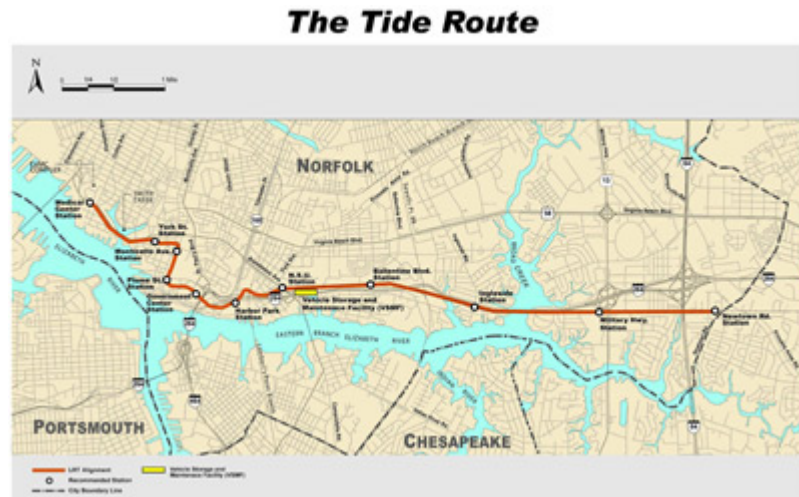
Rail Fixed Guideway Transit System

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Federal Regulations

- ❑ Federal regulations¹ require any state that is served by a rail transit system to designate a Safety and Security Oversight Agency



¹ 49 CFR Part 659 Rail Fixed Guideway Systems; State Safety Oversight

DRPT Authority

- ❑ Title 33.1-391.2,3,5 of the Virginia Code – Powers and Responsibilities of DRPT
- ❑ Governor's Designation of DRPT as State Safety Oversight Agency – 1996 Letter to FTA (*Reaffirmed in 2000 and 2008*)
- ❑ Two DRPT positions dedicated to safety and security
- ❑ Annual cost to DRPT approximately \$400K – include payments for WMATA program
- ❑ Funding (\$200K) for DRPT Safety and Security Program approved by CTB resolution April 2007
- ❑ DRPT administrative budget will need to accommodate ongoing program costs

Safety and Security Oversight Agency

- ❑ DRPT represents Virginia on a Tri-state Oversight Committee² that serves as the Safety and Security Oversight Agency for WMATA



² Established under a Tri-State Memorandum of Understanding in 1997

Safety and Security Oversight Agency

- ❑ DRPT serves as the Safety and Security Oversight Agency for Hampton Roads Transit's new light rail system "The Tide"

The Tide Route



DRPT Responsibility

For systems that are in operation

- ❑ The Safety Oversight Agency must require, approve, track & monitor:
 - System safety & security plans and annual reviews
 - Internal safety & security audits
 - Service operator hazard management process
 - Corrective action plans resulting from audits or investigations
 - Annual reports from the service operator
 - Accident investigation procedures

DRPT Responsibility

- ❑ The Safety Oversight Agency must also:
 - Require accident & security incident notification
 - Investigate or cause to be investigated all accidents/incidents meeting notification and investigation thresholds
 - Conduct tri-annual safety & security reviews
 - Prepare and submit annual reports to the Federal Transit Administration (FTA)
 - Submit annual certification
 - Identify a process for evaluating findings resulting from a National Transportation Safety Board investigation and determining corrective actions for the service operator

DRPT Responsibility

- ❑ For Hampton Roads Transit Light Rail, DRPT must prepare and implement a Safety and Security Program to include:
 - Introduction and Overview
 - System Safety Program Plan Standard
 - System Security Plan Standard
 - Internal Safety and Security Audit Program
 - Hazard Management Process
 - Accident Notification, Investigation and Reporting
 - Three-Year On-Site Safety and Security Review
 - Corrective Action Plans
 - Reporting to FTA



State Oversight Agency Liability

- ❑ The State Oversight Agency (SOA) must comply fully with the FTA regulations
- ❑ Any National Transportation Safety Board (NTSB) investigation of a rail transit accident also includes an investigation of the State Oversight Agency
 - NTSB can identify the SOA as a contributing factor
 - NTSB can also identify the SOA as a causal factor or ‘probable cause’ of the accident
 - NTSB can and will issue recommendations to all identified contributors to the accident, including the SOA, the State as a whole, and Governing Boards

Chicago Transit Authority Example

- ❑ Subway accident occurred July 11, 2006
- ❑ Last car of train derailed in tunnel
- ❑ Electrical arc ignited material under car and filled tunnel with thick smoke
- ❑ 1,000 riders
 - 152 injuries
 - 0 fatalities
- ❑ Total cost > \$1 million
- ❑ The Chicago Transit Authority is the operator of the system and the Regional Transit Authority³ is the Safety Oversight Agency

³The RTA is the financial oversight and regional planning body for the three public transit operators in northeastern Illinois: the Chicago Transit Authority, Metra commuter rail and Pace suburban bus

Chicago Transit Authority Example

- ❑ Investigated by the National Transportation Safety Board (NTSB)

- ❑ NTSB made the Regional Transportation Authority, the State Oversight Agency, a party to the investigations

- ❑ NTSB finding of probable cause:
 - NTSB held a public hearing September 11, 2007
“The Chicago Transit Authority’s ineffective management and oversight of its track inspection and maintenance program and its ***system safety program*** resulted in unsafe track conditions.”

Chicago Transit Authority Example

❑ NTSB Contributing Factors

- The State Oversight Agency failed to require that action be taken by the Chicago Transit Authority to correct unsafe track conditions
- FTA had ineffective oversight of the State Oversight Agency
- Smoke in tunnel and the delay in removing that smoke

❑ Final NTSB discourse

- “Through implementation of Part 659, Chicago Transit Authority’s System Safety Department, Illinois Regional Transit Authority and FTA had an **obligation** to identify these conditions and **appropriate authority** to require corrective actions, but failed to do so.”

❑ Failed Role of Oversight

- NTSB classified this accident as a **failure of safety oversight at all levels** rather than a failure of local government to adequately fund needed maintenance

Next Steps

- ❑ Fill Staffing Vacancy
- ❑ Develop Program Standard
- ❑ FTA review and approval of the program standard
- ❑ Implementation of the program



Questions?

