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
- 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 Committee\(^2\) 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”
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
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 Authority 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?