Virginia Department of Rail and Public Transportation

State Safety & Security Oversight

Rail Fixed Guideway Transit System

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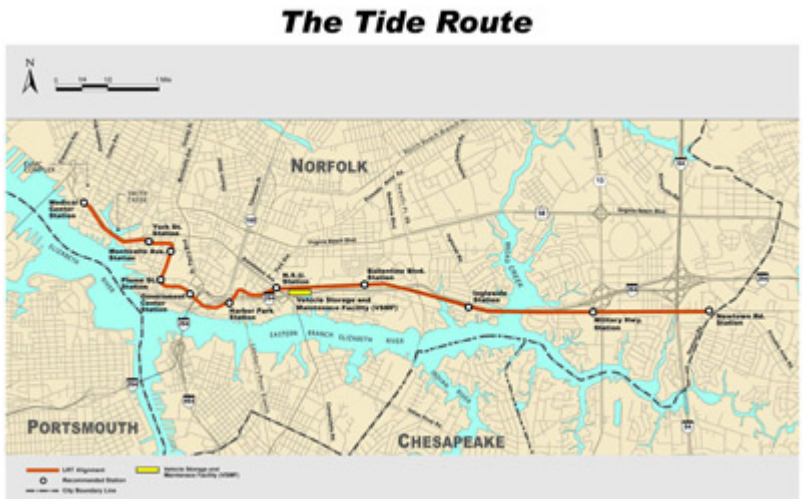
Commonwealth Transportation Board Briefing
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Federal Regulations

- Federal regulations[1] 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

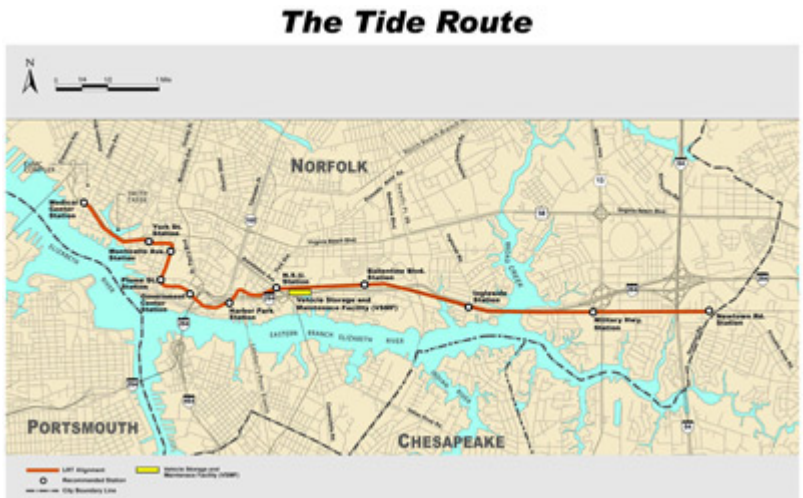
- DRPT represents Virginia on a Tri-state Oversight Committee[2] that serves as the Safety and Security Oversight Agency for WMATA



[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"



Ride 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

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 Authority[3] is the Safety Oversight Agency

[3]**The 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?

