



State Safety Oversight Program Annual Status Report

August 2018

Public Transportation Division

Purpose

Pursuant to state and federal law (Tex. Transp. Code § 455.057 and U.S.C.A. § 5329), the Texas Department of Transportation (TxDOT), as the designated State Safety Oversight Agency (SSOA) for the State of Texas, is required to “... provide an annual status report on the safety of the rail fixed guideway public transportation 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 rail fixed guideway public transportation system under the oversight of the department.”

This report summarizes the activities of TxDOT’s State Safety Oversight (SSO) Program in addressing the enhanced state and federal safety regulations during state Fiscal Year (FY) 2018 and includes data from the Calendar Year 2017 Annual Report required by the Federal Transit Administration.

TxDOT leadership moved the responsibility for managing the SSO Program to the Public Transportation Division (PTN) on November 1, 2017. The Texas Transportation Commission adopted changes to Texas Administrative Code rules in March 2018 to comply with new federal requirements and Senate Bill 1523 (85th Regular Session). The new rules are effective on September 1, 2018.

Rail Fixed Guideway Public Transportation Systems in Texas

Currently, there are four Rail Fixed Guideway Public Transportation Systems (RFGPTS) in Texas that fall under the scope of the FTA State Safety Oversight Program administered by TxDOT:

- Dallas Area Rapid Transit (DART)
- Dallas Streetcar (City of Dallas)
- McKinney Avenue Transit Authority (MATA)
- Metropolitan Transit Authority of Harris County (Metro)

Each of these agencies must to comply with Federal planning and reporting requirements for their rail public transportation operations. In addition, the El Paso Streetcar and Galveston Trolley are scheduled to begin operation within the next 12 months.

Status on Certification of TxDOT’s SSO Program for 49 CFR 674 Compliance

On July 25, 2018, the FTA approved and certified the Texas SSO Program as compliant with 49 U.S.C. A. 5329 and 49 C.F.R. § 674. Federal certification includes approval of an updated State Program Standard. The State Program Standard describes to rail agencies their requirements under 49 C.F.R. § 674, includes documents establishing the legal and financial capacity of the SSOA to administer the program, and verifies that the state has adequate resources available to carry out program oversight requirements.

Because Part 674 significantly changes how the federal government and states work together to keep Rail Fixed Guideway Public Transportation Systems (RFGPTS) safe, FTA must certify each state’s safety oversight program to meet federal requirements. All States subject to the SSO requirements must be certified by April 15, 2019, or risk withholding of all FTA funds allocated or awarded to all recipients and subrecipients within the state; which in Texas’ case would have amounted to more than \$444 million per year.

Updated Program Standard

FTA's SSO Program certification process required TxDOT to adopt new a Program Standard document. During development of this document, TxDOT worked with rail agencies and other key stake holders to obtain their input. The rail agencies reviewed the updated standard in June 2018. With FTA approval and SSO Program Certification, TxDOT will implement the new Program Standard beginning September 1, 2018. All agencies have committed to completing updates to their current System Safety Program Plans (SSPP) by the end of this calendar year, as well. TxDOT's approved Program Standard is available online at http://ftp.dot.state.tx.us/pub/txdot-info/ptn/rail_grant.pdf.

Summary of CY 2017 Rail Transit Agency Annual Safety Report

As the SSOA, TxDOT must submit an annual report to FTA by March 15 on the previous calendar year's safety performance, along with other information, for each rail transit agency overseen by the SSOA. That report is a detailed MS Excel spreadsheet as prescribed by FTA and required of all thirty SSOAs. Additionally, TxDOT must certify that it has complied with all federal SSO Program requirements.

This report summarizes the significant safety information and activities from the report submitted to FTA for the TxDOT SSO program and the RFGPTs currently in passenger operations.

Table 1: System Safety Program Plans¹

Rail Fixed Guideway Public Transportation Systems	System Safety Program Plan Date of Approval
Dallas Area Rapid Transit	December 12, 2017
Dallas Streetcar	February 1, 2017 (Submitted, under review)
McKinney Avenue Transit Authority	March 1, 2017 (Submitted, under review)
Metropolitan Transit Authority of Harris County	November 28, 2016

¹ A System Safety Program Plan (SSPP) describes a rail agency's safety policies, objectives, responsibilities, and procedures.

Table 2: Safety Activities for January 1 through December 31, 2017

Regional Transportation Agency	Reported Events ¹	Reported Hazards ²	Corrective Action Plans ³
Dallas Area Rapid Transit	43	0	21
Dallas Streetcar	0	0	0
McKinney Avenue Transit Authority	12	0	1
Metropolitan Transit Authority of Harris County	109	6	35

¹In accordance with 49 CFR 659.33, events must be reported that meet the following thresholds.

1. A fatality at the scene; or where an individual is confirmed dead within thirty (30) days of a rail transit-related Event ;
2. Injuries requiring immediate medical attention away from the scene for two (2) or more individuals;

3. Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities and non-transit property that equals or exceeds \$25,000;
 4. An evacuation due to life safety reasons;
 5. A collision at a grade crossing;
 6. A main-line derailment;
 7. A collision with an individual on a rail right of way;
 8. A collision between a rail transit vehicle and a second rail transit vehicle, or a rail transit non-revenue vehicle.
- ² Hazards are real or potential conditions 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.
- ³ Corrective action plans (CAPs) address risk and hazards identified through investigations: the hazard management process, audit findings, internal safety review findings, or recommendations specified internally. A CAP describe the actions the agency 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.