THE SECRETARY OF TRANSPORTATION
WASHINGTON, DC 20590

August 3, 2016

The Honorable Jerry Brown
Governor of California
State Capitol Building, Suite 1173
Sacramento, CA 95814

Dear Governor Brown:

I am writing to notify you that on March 16, 2016, the Federal Transit Administration (FTA) published a final rule for the State Safety Oversight (SSO) of rail fixed guideway systems that promotes safety by significantly strengthening States' authorities to prevent and mitigate accidents and incidents.

The new SSO rule requires each State with a rail fixed guideway public transportation System—which includes any light, heavy, or rapid rail system; trolley; streetcar; or other types of automated guideway—to have a compliant SSO Program with adequate enforcement authority certified by FTA. For your awareness, States have until April 15, 2019, to fully comply with the new SSO rule. This extended period of time was implemented in statute to allow States to take the necessary steps, including any required legislative action, to establish a fully compliant SSO Agency. Congress has authorized FTA to withhold Federal funds from a State that has not been certified as compliant by that time.

Under the new rule, in order to achieve and maintain program compliance, the SSO Agency must: 1) be financially and legally independent from any rail fixed guideway public transportation system that it oversees; 2) have, or be able to obtain, investigative and enforcement authority regarding rail transit safety; 3) have, or be able to obtain, the authority to require, review, approve, oversee, and enforce the implementation of each rail transit agency's public transportation agency safety plan; and 4) require all State employees and other SSO program personnel to be certified through the FTA public transportation safety certification training program. States also will be responsible for the non-Federal share of the costs of the SSO Agency activities that will be financed with Federal financial assistance.

We are confident that the resources and support of FTA will provide your State with the capability to ensure safe and effective oversight of our Nation's critical rail fixed guideway public transportation systems.

Thank you for your ongoing commitment to safety. If I can provide further information or assistance, please feel free to call me.

Sincerely,

Anthony R. Foxx

cc: Mr. Malcolm Dougherty, Director, California Department of Transportation
Mr. Daren Gilbert, Manager, Rail Transit and Crossings Branch, California Public Utilities Commission