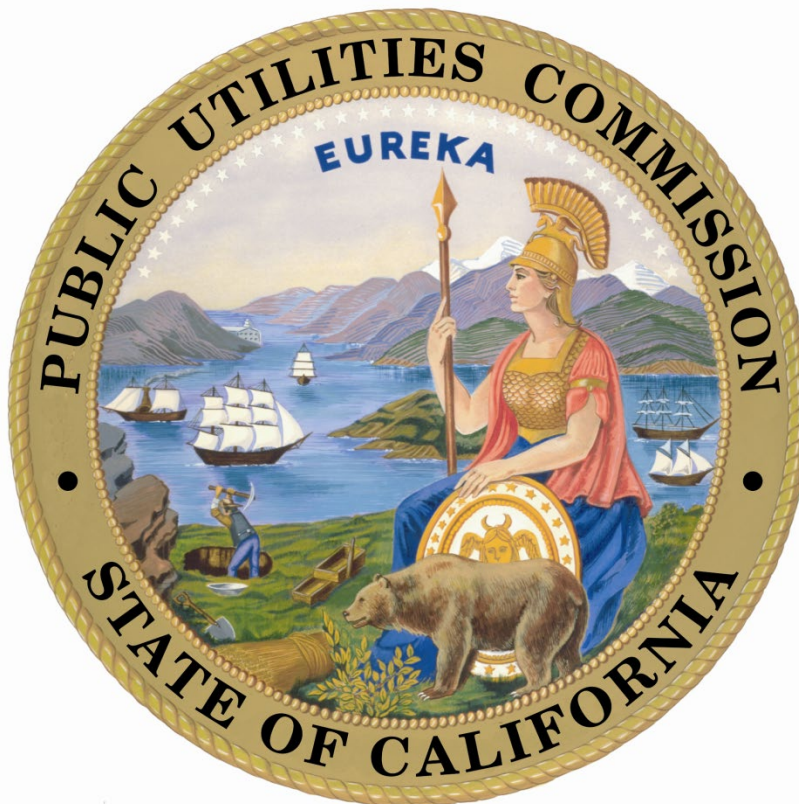


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# PROGRAM STANDARD - PROCEDURES MANUAL STATE SAFETY AND SECURITY OVERSIGHT OF RAIL FIXED GUIDEWAY SYSTEMS

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RAIL TRANSIT SAFETY BRANCH  
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March 15, 2022

### Annual Review

Date	Signature	Comments	Are Revisions Necessary (Y/N)
March 16, 2020		Annual Review as required by 49 CFR Part 674.27(b)	Y
March 15, 2021		Annual Review as required by 49 CFR Part 674.27 (b)	Y
March 15, 2022		Annual Review as required by 49 CFR Part 674.27(b)	Y

### Version History

Revision History	Date	Summary of Changes	Author
1.0	07/13/2010	Initial Release	Anton Garabetian
2.0	12/17/2013	To comply with Federal Transit Administration Audit Findings	Noel Takahara
3.0	05/01/2018	To comply with 49 Code of Federal Regulations Section VI	Bill Lay, Rosa Muñoz, Varoujan Jinbachian, Stephen Artus, Daren Gilbert
3.1	09/14/2018	Added language in Introduction Section regarding RTAs not funding RTSB as described in Resolution L-569	Daren Gilbert, Rosa Muñoz, Varoujan Jinbachian, Bill Lay
3.2	03/16/2020	<p>Changed all occurrences of "Safety and Enforcement Division" to "Rail Safety Division"</p> <p>In RTSB-1, revised Section 1.3.3 (g)(i)</p> <p>In RTSB-2, revised Section 2.4.2</p> <p>In RTSB-8, revised Section 8.7.0 (subsections 8.7.4 through 8.7.9)</p> <p>Revised Attachment 10</p> <p>Revised Attachment 11</p> <p>Revised Attachment 16</p> <p>Several minor formatting changes, such as spelling out words when first used or italicizing defined words.</p>	Varoujan Jinbachian, Rosa Muñoz, Bill Lay, Daren Gilbert, Stephen Artus, Claudia Lam

VERSION HISTORY

<p>3.3</p>	<p>March 15, 2021</p>	<p>Changed all occurrences of “System Safety Program Plan” to “Public Transportation Agency Safety Plan”</p> <p>Changed all occurrences of “triennial on-site system safety and security review” to “triennial on-site review”</p> <p>Changed all occurrences of “shall” to “must”</p> <p>In Introduction Section, added requirement to follow General Order 33</p> <p>In the “Acronym List” deleted “Staff”</p> <p>In the “Definitions” section deleted definition of “Public Transportation Safety Certification Program”, “Rail Transit Agency-Controlled Property”, and “Sterile Cab”</p> <p>In RTSB-1, added Section 1.5.7                  In RTSB-1, revised Sections 1.3.7.1 and 1.4.3</p> <p>In RTSB-2, added Section 2.3.2 and 2.4.2                  In RTSB-4, revised Section 4.6.1, 4.7.1, 4.7.2, 4.7.3</p> <p>In RTSB-4, revised Section 4.3.5</p> <p>In RTSB-5, revised Section 5.3.3, 5.3.5                  In RTSB-5, added Section 5.3.7</p> <p>In RTSB-6, revised Section 6.2.1, 6.3.5, 6.3.7, 6.3.16                  In RTSB-6, added Section 6.3.6, 6.3.10, 6.3.17</p> <p>In RTSB-7, added Section 7.3.4, 7.3.5</p> <p>In RTSB-8, revised Section 8.3.6, 8.3.7, 8.3.8                  In RTSB-8, added Section 8.3.9</p> <p>In RTSB-10, added Section 10.3.8</p> <p>Added RTSB-12</p> <p>Attachment 6: revised checklist for PTASP</p> <p>Attachment 16: revised accident detail report</p>	<p>Varoujan Jinbanchian,                  Rosa Muñoz, Bill Lay,                  Daren Gilbert, Stephen Artus, Claudia Lam</p>
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VERSION HISTORY

Revision History	Date	Summary of Changes	Author
		<p>Attachment 22: added Appendix A of Resolution ST-163, Specified Violations and Scheduled Penalties Table</p> <p>Several minor formatting changes, such as spelling out words when first used or italicizing defined words.</p>	

VERSION HISTORY

<p>3.4</p>	<p>March 15, 2022</p>	<p>Acronym List</p> <ul style="list-style-type: none"> <li>• Added ISSA and NTD</li> <li>• Deleted Rep</li> </ul> <p>Definitions – Modified definition of Corrective Action Plan.</p> <p>In RTSB-1, revised Section 1.3.1, 1.3.2, 1.3.3, 1.3.5, 1.3.6, 1.3.10                  In RTSB-1, added Section 1.9.0                  In RTSB-1, revised renumbered Sections 1.10.3, 1.10.4</p> <p>In RTSB-2, revised Section 2.3.5, 2.3.6, and 2.4.7</p> <p>In RTSB-3, revised Section 3.3.10                  In RTSB-3, added Section 3.4.4, 3.4.5, and 3.4.6</p> <p>In RTSB-4, revised Section Title                  In RTSB-4 revised Sections 4.6.6 and 4.7.3</p> <p>In RTSB-5, revised Section 5.4.2, 5.5.3, and 5.6.3</p> <p>In RTSB-6, revised Section 6.3.12, 6.3.15, and 6.3.18                  In RTSB-7, revised Section 7.3.6                  In RTSB-7, added Section 7.3.8</p> <p>In RTSB-8, revised Section 8.3.3, 8.5.6, 8.5.7, and 8.6.4</p> <p>In RTSB-9, revised Sections 9.3.1, 9.3.3, 9.3.5, and 9.4.3</p> <p>In RTSB-10, revised Section 10.3.14</p> <p>In RTSB-11, revised Section 11.3.7</p> <p>In RTSB -12, added Section 12.2.3 and 12.4.4p                  In RTSB-12 revised Sections 12.4.1, 12.4.2, and 12.4.3</p>	<p>Varoujan Jinbanchian,                  Rosa Muñoz, Bill Lay,                  Daren Gilbert, Stephen Artus, Claudia Lam</p>
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VERSION HISTORY

Revision History	Date	Summary of Changes	Author
		Attachment 10, revised Transit Accident Initial Notice  Attachment 11a, added Form V Webform  Attachment 16, revised Transit Accident Details Report  Attachment 17, added Sample Accident Report Acceptance Letter  Attachment 18, revised Minor Event Report  Attachment 23, added Sample PTASP Approval Letter	

## INTRODUCTION

In 1911, the California Public Utilities Commission (CPUC or Commission) was established by Constitutional Amendment as the Railroad Commission. In 1912, the Legislature passed the Public Utilities Act, expanding the Commission's regulatory authority to include natural gas, electric, telephone, and water companies as well as railroads and marine transportation companies. In 1946, the Commission was renamed the California Public Utilities Commission.

The Commission was designated as the *State Safety Oversight Agency (SSOA)* for the purposes of rail transit *safety* oversight to the Federal Transit Administration (*FTA*) by California Governor Pete Wilson on October 13, 1992.

The Commission is legally independent from the *Rail Transit Agencies (RTAs)* under its jurisdiction. In accordance with 49 CFR Part 674.13(a)(1), and as stated in Public Utilities (PU) Codes cited below, the Commission historically has never received, and currently does not receive any funding from *RTAs*. Relative to State funding, PU Code 99315(f) specifies that the Commission's rail transit *safety* oversight activities are funded from the State's Public Transportation Account in the State Transportation Fund. The annual California Budget Act restricts funding for the Commission's *Rail Transit Safety Branch (RTSB)* to only two sources: (1) the State's Public Transportation Account, which is funded from use taxes on diesel fuel, and (2) *FTA State Safety Oversight Agency (SSOA)* Formula Grant Fund Program. Furthermore, per PU Code Section 2104 and Commission Resolution ST-163 (authorizing *RTSB's* citation program), any fines and penalties the Commission levies on *RTAs* must be deposited in the state's General Fund, instead of the Public Transportation Account. Additionally, on September 13, 2018, the CPUC adopted Resolution L-569, specifying that the CPUC is prohibited from receiving any funds from any of the rail transit systems which are under the Commission's jurisdiction.

This manual defines the Commission's program for the *State Safety and Security Oversight of RTAs and Rail Fixed Guideway Systems (RFGS)*, as required by the following rules and regulations:

- *FTA* Rules in Title 49 of Code of Federal Regulations Chapter VI
- PU Code Sections 771, 778, 2104, 29047, 30646, 99152, 99315, and 100168
- CPUC General Order series 26, 33, 95, 118, 127, 143, 164, 172, and 175

The new State Safety Oversight (SSO) regulation implements statutory mandates of 49 U.S.C. 5329(e). It also outlines requirements for developing Program Standards, notifying the *FTA* of *accidents*, and monitoring corrective actions of the *RTAs*.

The Commission, as *SSOA*, will make unannounced and announced inspections of

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*RTA* operations, maintenance, and facilities to ensure compliance with the federal, PU Code, Commission, and the applicable *RTA* rules and/or procedures. No party or entity may provide services to both the *RTSB* and *RTA*.

This manual contains *RTSB staff* instructions and procedures for implementing all aspects of the State *Safety* and *Security* Oversight program. The *RTSB's* SSO activities are divided between the *Rail Transit Safety Section* and the *Rail Transit Operation Safety Section*. These procedures identify the persons responsible and describe the practices to be followed:

- System *Safety* and *Security* program management and oversight of the design, construction, *safety* certification, internal *safety* and *security* audits, operation and maintenance of *RFGSSs*;
- Review and approval of an *RTA's Public Transportation Agency Safety Plan, System Security Plan, Safety Certification Plans, accident investigation* procedures, *accident investigation* reports, annual internal *safety* and *security* audit reports, *hazard* management and *corrective action plans* and schedules;
- Reporting and investigating *events* and *hazards*;
- Performing triennial on-site reviews;
- *Hazard* management; and
- Handling formal and informal complaints.

These procedures make it clear that the *RTA* alone is responsible for the *safety* and *security* of its system's operations. The *RTA's* executive management, particularly the *Accountable Executive*, as the lead of the *RTA*, is ultimately accountable for *safety* and *security*, because they are tasked with allocating resources to address business functions, including the management of *safety* as an organizational process. *Staff* oversight provides an added degree of confidence that the policies and procedures described in each *RTA Public Transportation Agency Safety Plan* and *System Security Plan* are implemented in actual practice.

These procedures also provide a basis for establishing effective communication and cooperation in the interest of *safety* between the *Staff* and the *RTA*. A basis that is essential to meeting the Commission's goal of assuring that Californians are provided with safe rail transit services.



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These procedures set policies and objectives for rail *safety* for all RTAs throughout California.

Where noncompliance is identified through any means, *RTSB Staff* and management, in consult with Rail Safety Division Director, must make a determination on whether to recommend any enforcement action be taken. Enforcement actions take two possible forms: (1) an Order Instituting Investigation, where *Staff* recommends the Commission open a formal proceeding to provide the forum for *Staff* to request enforcement of specific rules, regulations, or codes; or (2) *Staff* can issue citations under the requirements of Commission Resolution ST-163, for violations of Commission General Orders or applicable PU Code Sections. Citations are subject to appeal, in accordance with the Commission's Rules of Practice and Procedure.

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## ACRONYM LIST

<b>Acronym</b>	<b>Meaning</b>
AIP	Accident Investigation Procedure
ALJ	Administrative Law Judge
APTA	American Public Transportation Association
CAP	Corrective Action Plan
CFR	Code of Federal Regulations
CPUC/Commission	California Public Utilities Commission
FTA	Federal Transit Administration
GO	General Order
ISSA	Internal Safety and Security Audit
NTD	National Transit Database
NTSB	National Transportation Safety Board
OIR	Order Instituting Rulemaking
PMOC	Project Management Oversight Contractor
PTASP	Public Transportation Agency Safety Plan
RSSIMS	Rail Safety and Security Information Management System
RTA	Rail Transit Agency
RTOSS	Rail Transit Operations Safety Section
RTSB	Rail Transit Safety Branch
RTSS	Rail Transit Safety Section
SC Plan/SCP	Safety Certification Plan
SOP	Standard Operating Procedure
SSCOP	Safety and Security Certification Oversight Plan
SSOA	State Safety Oversight Agency
SSO	State Safety Oversight
SSP	System Security Plan

## DEFINITIONS

*Accident* means an *Event* that involves any of the following: A loss of life; a report of a *serious injury* to a *person*; a collision involving a *rail transit vehicle*; a runaway train; an evacuation for life *safety* reasons; or any derailment of a *rail transit vehicle*, at any location, at any time, whatever the cause.

*Accountable Executive* means a single, identifiable *individual* who has ultimate responsibility for carrying out the *Public Transportation Agency Safety Plan* of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan (see 49 CFR Part 625); and control or direction over the human and capital resources needed to develop and maintain both the agency's *Public Transportation Agency Safety Plan* and the agency's Transit Asset Management Plan.

*Certifiable Elements List* means a list that contains all facilities, systems, rail at-grade crossings, and other items that are subject to *safety certification* due to their *safety* functions.

*Contractor* means an entity that performs tasks on behalf of *FTA*, Commission, or *RTA* through contract or other agreement.

*Corrective Action Plan (CAP)* means a plan developed by an *RTA* that describes the actions the *RTA* will take to minimize, mitigate, control, correct, or eliminate risks and *hazards*, the schedule for implementing those actions, and indicate the individual and department responsible for the implementation.

*Designated Representative* means the *individual(s)* in the *Rail Transit Safety Section*, a section within the *RTSB*, designated by *RTSB* Management as the primary point of contact to an *RTA*, responsible for coordination of the *RTSB* *safety* oversight activities and acts in most cases as the primary point of contact with the *RTA*.

*Director* means the *Director* of the Commission's division overseeing rail transit *safety*.

*Event* means an *accident*, *incident*, or *occurrence*.

*Existing Industry Standards* means the currently accepted industry and professional engineering standards and/or guidelines relating to the design, construction, operation, and maintenance of *Rail Fixed Guideway Systems* such as ANSI, APTA, AREMA, ASCE, ASEE, ASME, *FRA*, *FTA*, IEEE, NFPA, and others.

*FRA* means the Federal Railroad Administration, an agency within the United States Department of Transportation.

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*FTA* means the Federal Transit Administration, an agency within the United States Department of Transportation.

*Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock or infrastructure of an *RTAs*; or damage to the environment.

*Hazard Analysis* means any analysis performed to identify *hazards* for the purpose of their elimination, mitigation, or control.

*Incident* means an *Event* that involves any of the following: a personal injury that is not a *serious injury*; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a *rail transit agency*.

*Individual* means a *passenger*, employee, *contractor*, pedestrian, trespasser, or any person on *RTA-controlled property*.

*Inspectors* means the Commission's *Rail Transit Operations Safety Section* personnel that conduct onsite visits to inspect *RTA* infrastructure, vehicles, operations, maintenance practices, and other activities to identify noncompliance, *safety* concerns, and unsafe conditions.

*Investigation* means the process used to determine the causal and contributing factors of an *accident*, *incident*, or *hazard*, for the purpose of preventing recurrence and mitigating risk.

*Mainline* means all tracks used for the purpose of the movement of *passengers* on *rail transit vehicles*. *Mainline* does not include storage tracks, yard tracks or other tracks used for the purpose of storage.

*Major Projects (Projects)* means new rail systems or extensions, the acquisition and integration of new vehicles and *safety* critical technologies into existing service or major *safety* critical redesign *projects*, excluding functionally and technologically similar replacements.

*Occurrence* means an *event* without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of an *RTA*.

*On Their Person* means being located on the *person* or attached to the *person*. For instance, if the *personal electronic device (PED)* is attached to the belt in a

## DEFINITIONS

case, or kept in a pocket, or placed on a strap attached to the *person*, it is *on their person*.

*Passenger* means a *person* who is on board, boarding, or alighting from a *rail transit vehicle* for the purpose of travel.

*Passenger Operations* means the period of time when any aspect of *RTA* operations is initiated with the intent to carry *passengers*.

*Person* means any *individual*.

*Personal Electronic Device (PED)* means any wireless or portable electronic device. This includes, but is not limited to, wireless phones, personal digital assistants, smart phones, two-way pagers, portable internet devices, laptop computers, DVD players, audio players, iPods, MP3 players, games, Bluetooth devices, or any headphones or earbuds. The following devices are excluded from this definition:

- a. *RTA*-owned licensed radio communications equipment such as cab-mounted or portable two-way radios with channels dedicated solely for *RTA* operations.
- b. Electronic or electrical devices prescribed by a licensed medical practitioner to permit an employee to meet minimum levels of hearing ability as required by the *RTA* or *contractor*.
- c. Roadway worker protection devices.

*Public Transportation Agency Safety Plan (PTASP)* means the comprehensive agency *safety plan* for an *RTA* required by 49 U.S.C. 5329(d) and based on a *Safety Management System*.

*Rail Fixed Guideway System (RFGS)* means any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, cable car, automatic people mover, or automated guideway transit system used for public transit and not regulated by the Federal Railroad Administration or not specifically exempted by statute from Commission oversight. Part 674 includes "Public Transportation" as part of its definition and is *Rail Fixed Guideway Public Transportation System* for a fixed guideway system and to be more inclusive of other systems currently under the Commission's jurisdiction.

*Rail Transit Agency (RTA)* means the entity that plans, designs, constructs, and/or operates a *RFGS* and is within the jurisdiction of the Commission.

*Rail Transit Safety Branch (RTSB)* means the branch of the California Public Utilities Commission responsible for the State Safety Oversight of all Rail

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*Transit Agencies in California.*

*Rail Transit Operations Safety Section (RTOSS) means a section within California Public Utilities Commission's RTSB responsible for inspections of all RTAs.*

*Rail Transit Safety Section (RTSS) means a section within the California Public Utilities Commission' RTSB responsible for safety oversight of all RTAs.*

*Rail Transit Vehicle means an RTA's rolling stock, including but not limited to passenger and maintenance vehicles.*

*RSSIMS means the Rail Safety and Security Information Management System, which is the centralized database system used by RTSB.*

*Safety means freedom from harm resulting from unintentional acts or circumstances.*

*Safety Certification is the series of acts or processes that collectively verify the safety readiness of a Project for public use.*

*Safety Certification Plan (SC Plan) means a Project-specific document developed by an RTA, which ensures that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, and implemented, and that employees are trained, and rules and procedures followed, in compliance with the RFGS and the regulatory safety requirements.*

*Safety Certification Verification Report (SCVR) means a Project-specific document that will be the final certificate of compliance verifying that the Project complies with all safety requirements identified by an RTA's SC Plan.*

*Safety Design Criteria means the organized listing of safety codes, regulations, rules, design procedures, existing industry standards, recommended practices, analyses, handbooks and manuals prepared to provide guidance to Project designers in development of technical specifications that meet minimum safety parameters.*

*Safety Management System (SMS) means the formal, top-down, organization-wide data-driven approach to managing safety risk and assuring the effectiveness of safety risk mitigations. SMS includes policies, procedures, and practices for the management of safety risk.*

*Security means freedom from harm resulting from intentional acts or circumstances.*



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*Serious injury* means any injury which: (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second or third-degree burns, or any burns affecting more than 5 percent of the body surface.

*Staff* means the *California Public Utilities Commission's* *RTSB* staff responsible for the state *safety* oversight of the *RTAs*.

*State Safety Oversight Agency (SSOA)* means an agency established by a state that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in 49 CFR Part 674. In California the *California Public Utilities Commission (CPUC)* is the *SSOA*, and the *CPUC's* *RTSB* implements the *CPUC's* *SSOA* program.

*Sterile Cab* means non-essential conversation and activities are not allowed in the cab while train is in motion.

*System Security Plan (SSP)* means a document adopted by an *RTA* detailing its *security* policies, objectives, responsibilities, and procedures.

## **RTSB-1 RTSB SYSTEM SAFETY AND SECURITY PROGRAM MANAGEMENT AND PROCEDURE FOR SAFETY AND SECURITY OVERSIGHT OF DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF RAIL FIXED GUIDEWAY SYSTEMS**

### **1.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch's (RTSB)* procedures for System *Safety* and *Security* Program management and *Safety* and *Security* oversight of the design, construction, operation, and maintenance of rail fixed guideway systems in California.

### **1.2.0 PURPOSE**

1.2.1 The purpose of this procedure is to describe *RTSB's* System *Safety* and *Security* Program management and establish a standard set of instructions for *Staff* to follow when performing the following *Safety* and *Security* Oversight activities on a day-to-day basis:

- a. Oversight of *safety* and *security*-related issues during all phases of the system design, construction, operation, and maintenance;
- b. Preparation of the *Safety* and *Security* Certification Oversight Plan (SSCOP) for a *Major Project*;
- c. Review of selected drawings and specifications during the design and construction of new rail systems, extensions, modifications, acquisition and integration of new vehicles and *safety* critical technologies into the existing service or major *safety* critical redesign *projects*;
- d. Attendance at design review and other *RTA* meetings concerning *safety* related issues;
- e. Observation of selected tests during start-up and pre-revenue operation of newly installed facilities and equipment;
- f. Sampling and inspection of selected system components, and equipment;
- g. Unannounced and announced inspections;
- h. To assign the responsibility for implementation of this procedure at each *RTA* to a *RTSB Designated Representative*, who will serve as a primary point of contact for the *RTA* to process and oversee all

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matters, other than inspections, that concern the *RTSB's Safety and Security Oversight Program*;

- i. To assign the responsibility for inspections of *RTAs* to *RTSB Inspectors* to ensure compliance with all relevant rules, regulations, and/or procedures applicable to *RTAs*;
- j. To inform each *RTA* in advance of the Commission's requirements for:
  - 1. Document submittals;
  - 2. Inspections;
  - 3. Observe tests or *investigations* conducted by the *RTAs*; and
  - 4. Record reviews;
- k. To complement the inspection, internal audit and *safety* and *security* certification programs described in the *RTA's Public Transportation Agency Safety Plan (PTASP)* and *System Security Plan (SSP)*; and
- l. To document *safety* and *security* concerns identified by *Staff* and bring them to the attention of the Commission and the *RTA* in a timely manner.

1.2.3 The *RTSB safety* and *security* oversight program does not take the place of the *RTA's System Safety and Security Program*, including *safety* and *security* certification of *Major Projects*. In addition, it does not relieve the *RTA* in any way from its total responsibility for the *safety* and *security* of system operations. The *RTSB safety* and *security* oversight program is designed to provide an added degree of confidence that the *safety* and *security* policies and procedures described in each *RTA's PTASP* and *SSP* are adequately implemented.

### 1.3.0 GENERAL REQUIREMENTS

#### 1.3.1 System *Safety* and *Security* Program Management

- a. Commission authority, policies, and roles and responsibilities for providing *safety* and *security* oversight of the *RTAs* within its jurisdiction are detailed in the California Public Utilities Code and Commission General Orders.
- b. These documents, along with this *Program Standard - Procedures Manual* provide an overview of planned activities to ensure on-

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going *safety* and *security* information communication with each affected *RTA*.

1.3.2 Program Standard Development

- a. *FTA's* 49 CFR Part 674.27(a) states an *SSOA* must adopt and distribute a written State Safety Oversight (*SSO*) program standard, consistent with the National Public Transportation Safety Plan and the rules for *Public Transportation Agency Safety Plan*. The *SSO* program standard must identify the processes and procedures that govern the activities of the *SSOA*. Also, the *SSO* program standard must identify the processes and procedures an *RTA* must have in place to comply with the standard.
- b. *Staff* will develop, review, and adopt the Program Standard - Procedures Manual to supplement the Commission General Orders and in compliance with 49 CFR 674.
- c. Revisions and updates of the program standard
  - i. Applicable Commission General Orders and the Program Standard - Procedures Manual will be reviewed on an annual basis to determine if updates are necessary. Changes will be tracked in the revision history table.
  - ii. *Staff* will circulate the revised documents to affected *RTAs* for a 30 calendar day comment period.
  - iii. Under California law and the Commission's Rules of Practice and Procedures, the Commission may make additional rules and regulations or changes to the Program Management Standard Procedures Manual, as necessary for the purpose of *safety* and *security*.
  - iv. If an *RTA* wishes to receive an exemption from Commission General Orders, the *RTA* may file a formal request to the Commission per requirements of the Commission's Rules of Practice and Procedures. See 1.9.0 *General Order Exemptions/Waivers*.
  - v. Final revisions/updates to the documents will be distributed to the *RTA* and then posted on the Commission's website, and a copy will be provided to the *FTA*.

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1.3.3 *FTA* Annual Submission Requirements

Before March 15 of each year, or as required by the *FTA*, *Staff* will submit the following to the *FTA*:

- a. A publicly available annual report summarizing *Staff* oversight activities for the preceding calendar year, including a description of the causal factors of investigated *accidents*, status of *Corrective Actions Plans (CAPs)*, updates and modifications to the *RTA's* program documentation, and the level of efforts *Staff* used in oversight activities.
- b. A report documenting and tracking findings from the three-year *safety* review activities and status of three-year *safety* review findings/recommendations completed since the previous annual report submittal.
- c. Program Management Standard and Procedures Manual with indication of changes or revisions made during the preceding year.
- d. Certification that *Staff* reviewed and approved any changes or modifications to the *RTA's PTASP, SSP, AIP, and/or ISSA*.
- e. *FTA* retains the authority to periodically request/audit Program Standards - Procedures Manual information.
- f. All submissions to the *FTA* required in this part must be submitted electronically using a reporting system specified by *FTA*.
- g. The Certification of Compliance is as follows:
  - i. Annually, *Staff* will certify to the *FTA* that it has complied with the requirements of 49 CFR Part 674.
  - ii. *Staff* will maintain a signed copy of each annual certification to the *FTA*, subject to audit by the *FTA*.
  - iii. Per Commission GO 164 series, annually, the *RTA* must submit to *Staff*, a formal letter of certification, signed by the *RTA's Accountable Executive*, stating that, based on the evaluation performed during the internal *safety* and *security* audit/review (*ISSA*) process during the previous year, the *RTA* is in compliance with its *PTASP* and *SSP*. *Staff* must include letters of certification in its *FTA* annual submission.

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- h. The annual report to the *FTA* will include evidence that each *RTSB* employee has completed the requirements of the Public Transportation Safety Certification Training Program, or if in progress, the anticipated completion date of the training.

1.3.4 At least once a year, *RTSB* will report the status of the *safety* of each *RTA* to the Governor, the *FTA*, and the board of directors, or equivalent entity, of the *RTAs*.

1.3.5 The *RTSB* Program Manager has overall responsibility for the preparation and use of this Program Standard – Procedure Manual.

1.3.6 The *RTSB*'s SSO activities are divided between the *Rail Transit Safety Section (RTSS)* and the *Rail Transit Operation Safety Section (RTOSS)*.

*RTSS* has appointed Public Utilities Regulatory Analysts and Associate Government Program Analyst and is further divided into northern and southern units. Each unit consists of the following:

- a. One Senior Utilities Engineer (Supervisor)
- b. A number of Utilities Engineers
- c. A number of Senior Utilities Engineer (Specialist)

The *RTSB* Program Manager will appoint a designated *RTSS Designated Representative* for each *RTA* from the Utilities Engineers. For larger agencies or those with significant capital *projects*, another *RTSS* Utilities Engineer is usually assigned to assist the primary engineer.

1.3.7 The *Rail Transit Operations Safety Section (RTOSS)*, the *RTSB Inspector Team*, is divided into northern and southern units. Each unit consists of:

- a. Supervisor Operations and Safety Section;
- b. Senior *Inspector*;
- c. Operating Practices *Inspector*;
- d. Equipment (Mechanical) *Inspector*;
- e. Signal and Train Control *Inspector*; and
- f. Track *Inspector*

*RTOSS* has designated authority to conduct inspections, *investigations* and observations on *RTA* properties, and to ensure compliance with the following:

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- a. Federal regulations;
- b. State regulations;
- c. PU Code;
- d. Commission General Orders;
- e. Industry standards; and
- f. *RTA* rules and/or procedures.

*RTOSS Inspectors* make announced and unannounced inspections of *RTA* operations and facilities.

The *RTOSS Inspectors* conduct the following activities in their discipline, but are not limited to the listed activities:

1.3.7.1 Operating Practices *Inspector*:

- a. Inspect all operating procedures;
- b. Observe operating and non-operating personnel for regulatory compliance;
- c. Review training records and procedures;
- d. Review qualification and certification process;
- e. Observe *RTA* Operators while in the field performing service;
- f. Observe *RTA* Dispatchers while performing service;
- g. Review the Agencies drug and alcohol procedure;
- h. Observe and review the *RTAs* efficiency testing program;
- i. Observe and review the *RTAs* roadway worker protection program;
- j. Review the *RTA* discipline policy;
- k. Conduct *accident* and *incident investigations*; and
- l. Assist the *RTA* in compliance with and interpretation of regulations and codes.

1.3.7.2 Equipment (Mechanical) *Inspector*:

- a. Perform *safety* and maintenance inspection of vehicles, systems, and equipment, including maintenance or service vehicles, of the *RTA*;
- b. Ensure maintenance and operation practices and documentation pertaining to defects, maintenance, repairs and training are compliant with Original Equipment Manufacturer (OEM) recommendations, *RTA* procedures, and applicable regulations;

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- c. Inspect maintenance and overhauls of electrical and mechanical systems of *RTA* vehicles, in accordance with schematic drawings, wiring diagrams, operations manuals, and OEM instructions;
- d. Inspect shop equipment and measurement tools;
- e. Inspect Rail Support Equipment (i.e. Hi-Rail Equipment, Cranes, Locomotives, etc.);
- f. Conduct *accident* and *incident investigations*;
- g. Inspect shop area; and
- h. Review inspection forms and work orders.

These inspections will encompass all maintenance shops, yards, and field operations.

1.3.7.3 Track *Inspector*:

- a. Inspect tracks for defects or regulatory violations;
- b. Ensure compliance with all federal and state regulations regarding rail and track structures;
- c. Inspect documentation pertaining to rail inspections and training;
- d. Inspect documentation pertaining to roadway worker protection training;
- e. Conduct *accident* and *incident investigations*;
- f. Inspect documentation pertaining to personnel recertification, qualification, and discipline; and
- g. Document defects and follow up with an additional inspection verify defects were corrected.

1.3.7.4 Signal and Train Control *Inspector*:

- a. Inspect all train control systems electrical and communication equipment;
- b. Review all training, qualification, certification, discipline, and defect documentation;
- c. Conduct *accident* and *incident investigations*;
- d. Inspect all wayside equipment; and
- e. Ensure compliance with all federal and state, and/or *RTA* rules and procedures.



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- 1.3.8 The Supervisors of *RTOSS* will be responsible for tracking inspection status and *Corrective Action Plans (CAPs)* from inspection findings of non-compliance with federal, state and/or *RTA* rules and procedures.
- 1.3.9 The *Designated Representative* will be responsible for coordinating any non-inspection type visits of the *RTA*.
- 1.3.10 The *Designated Representative* will be responsible for on-going communication with the *RTA* relating to *safety* and *security* information. The *Designated Representative* will participate in the *RTA* committees and meetings including but not limited to Fire Life Safety Committee, *Safety Certification* Committee, *Safety Certification* Verification field activities, *FTA/FRA/RTA* Quarterly Meetings, *RTA* Project Management Oversight Contractor (PMOC) meetings, System Integration Meetings, Pre-revenue Meetings, internal *safety* audits, *accident* reenactments, *accident* review committees, etc.

Each *Designated Representative* is responsible for tracking non-inspection related *CAPs* and *RTSB Hazard* Reports resulting from the Triennial On-Site Reviews (*RTSB-4*), Oversight of *RTA* Internal Safety and Security Reviews (*RTSB-5*), and Investigating *Accidents* and Approving *RTA Accident Investigation* Reports (*RTSB-8*). Each *RTSB Designated Representative* is responsible for updating *Rail Safety and Security Information Management System (RSSIMS)* Closure of each *CAP* will be acknowledged by letter or email from the appropriate *Staff*. See 1.10.0, *Corrective Action Plan* Follow-Up, below.

Each *Designated Representative* will be responsible for documenting participation in *RTA* meetings, committees, and any field activities in an Activity Report in *RSSIMS*. If meeting minutes are prepared, they are to be attached to the Activity Report. The *Designated Representative* will maintain original reports in *RSSIMS* and furnish a copy to their immediate supervisor.

- 1.3.11 *RTSB Staff* will be qualified and trained in accordance with the Public Transportation *Safety Certification* Training Program (Technical Training Plan).
- 1.3.12 *RTSB Staff* must utilize Commission issued Personal Protective Equipment as required by *RTSB* Management.

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#### 1.4.0 DOCUMENT SUBMITTAL REQUIREMENTS

- 1.4.1 These submittal requirements are specified in the applicable Commission GOs, Decisions, Resolutions, *RTSB* procedures, and as additionally agreed to by the *RTA*. Document submittal requirements for *Major Projects* and *safety critical technologies* into existing service or major *safety critical redesign projects* must be documented by the *Designated Representative* in a SSCOP form (See Attachment 3). The *Designated Representative* will file the SSCOP in *RSSIMS* DCSB module (see *RSSIMS* manual).
- 1.4.2 The *Designated Representative*, is responsible for reviewing the *RTA's* document submittals and providing comments, as necessary. When appropriate, the *Designated Representative* may consult with *RTOSS Inspectors* or other staff for additional review and comments on those documents.
- 1.4.3 Examples of documents that are requested and filed by the *Designated Representative* include but not limited to the following:
- a. *Public Transportation Agency Safety Plan*;
  - b. *Safety Certification Plan*;
  - c. Annual internal *safety* and *security* audit reports and a formal letter of certification, signed by the *RTA's accountable executive*, stating that, based on the evaluation performed during the internal *safety* and *security* audit/review process during the previous year, the *RTA* is in compliance with its *PTASP* and *SSP*;
  - d. *Accident investigation* reports;
  - e. *Corrective Action Plans* and schedules;
  - f. *Hazard Conditions Reports*;
  - g. *Safety Certification Verification Reports* and supporting documentation for *Major Projects*, major modifications and system extensions, including new and refurbished transit vehicles;
  - h. *Accident Investigation Procedure*; and
  - i. Operating rule book.
- 1.4.4 Examples of documents that are requested and filed by the *RTOSS Inspectors (Inspectors)* include but not limited to the following:
- a. Roadway Worker Protection Procedures;
  - b. Operating Rule Book including maintenance, signal, and track rules;
  - c. Maintenance procedures;

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- d. *Corrective Action Plans* and schedules subsequent to *RTOSS* inspection;
- e. *Accident Investigation* Procedure; and
- f. Track charts.

### 1.5.0 INSPECTIONS OF RAIL TRANSIT AGENCIES

1.5.1 Periodic inspections will be performed to assess the *RTA* is conducting operation and maintenance activities as required by federal, state, and Commission regulations.

1.5.2 *Inspectors* will conduct both announced and unannounced inspections of operations and facilities to assess compliance with federal, state, Commission, and relevant *RTA* rules and/or procedures. Sample inspections may include but not limited to the following:

- a. Observation of *RTA* employees and *contractors* for compliance with *RTA*'s rules and procedures;
- b. Review of training records and procedures;
- c. Drug and alcohol program effectiveness;
- d. Observation and review of *RTA* efficiency testing program (rules compliance testing program);
- e. *Safety* and maintenance inspection of track, vehicles, and signal and train control systems; and
- f. Review of *RTA* inspection, maintenance, and repair records of track, signal system, and equipment.

For announced inspections, the *Inspector* will provide a minimum of 24-hour notice to the *Designated Representative*, and the *RTA Safety Manager*. Although the *Inspector* may make discretionary schedule arrangements based on the *RTA*'s request, at no time will the *Inspector* be required to arrange dates to satisfy schedule conflicts of the additional parties. All parties may arrange to meet at a specific location and at an agreeable time, however the determined location and time will be the responsibility of the *Inspector* in charge of the inspection.

*Inspectors* may conduct unannounced inspections.

If *Inspectors* are planning announced/unannounced inspections in *RTA* property which is restricted to *RTA* employees only, *Inspectors* will notify the *RTA* onsite personnel upon arrival. The *Inspector* is not required to notify any additional personnel, but may do so if desired. In some cases

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for example, where the general public has access, notification of inspection is not required. However, the *Inspector* in charge on an unannounced inspection will notify the *RTA* when the inspection is complete, and whether the *Inspector* identified any findings.

Operating Cab—When the *Inspector* rides in the operating cab to perform an operating practices, track, signals & communications, or mechanical Inspection, the *Inspector* will not distract the vehicle operator and comply with the following:

1. Prior to entering an operating cab, the *Inspector* will ensure that their *Personal Electronic Device (PED)* is turned off and properly *Stowed* in a grip, backpack, etc. and not *On Their Person*, in compliance with Commission GO 172 series. The *PED* on vibrate or airplane mode and in their clothing pocket is not acceptable.
2. Prior to the *RTA* Operator moving the train, the *Inspector* will perform a job briefing, advising the *RTA* Operator that as the *Inspector* you are calling a *Sterile Cab*. This is to ensure that there is no conversation between the *Inspectors* and the *RTA* Operator while the train is in operation. Conversation should only occur if it does not impede the operator's duties.
3. Before leaving the operating cab, the *Inspector* will debrief the *RTA* Operator and relay observations regarding the in-cab ride pertaining to the inspection.

1.5.3 Following each inspection, the *Inspector* will complete a *Rail Transit Safety Branch Inspection Form* (see Attachment 2) and submit it within three (3) business days to the Senior *RTOSS* Supervisor. *RTOSS Inspectors* will document *RTA* issues of non-compliances, exceptions, or findings from unannounced or announced inspections and transmit findings.

1.5.4 The *RTOSS* Supervisor will provide to the *RTA* designated *Safety* Department information or documentation provided by the *Inspectors*, to ensure all inspection activities are communicated properly, and may consult the *Inspectors* for clarification as needed.

1.5.5 The *Designated Representative* may also prepare an Activity Report for any or all activities related to such inspections. The Senior *RTOSS* Supervisor will review the *Rail Transit Safety Branch Inspection Form* for completeness and pertinent regulation(s) categorization. Any safety concerns will be noted in the form and submitted to the *RTA's* safety

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department and the *Designated Representative* within seven (7) days by email/letter.

- 1.5.6 The *RTOSS Senior Inspector* will track all inspections and *CAPs* to ensure the documented findings of non-compliance, or exceptions, are completed per federal, state and Commission regulations.
- 1.5.7 If the *RTA* disagrees with the finding(s) of an inspection report, the *RTA* can submit to the *RTOSS Supervisor* documentation and other information to justify their position. The *RTOSS Supervisor* will review the *RTA's* request, and as appropriate discuss with the *RTSB Program Manager* and other *Staff*. If *RTSB Management* agrees with *RTA's* request, the *RTOSS Supervisor* will instruct the *RTOSS Senior Inspector* to send to the *RTA* a follow-up inspection report closing out the original inspection report. The *RTOSS Senior Inspector* will also update the inspection tracking, as appropriate. If *RTSB Management* disagrees with the *RTA*, the *RTOSS Supervisor* will inform the *RTA* along with its reasons.

## 1.6.0 RECORD REVIEWS

- 1.6.1 Records that *Staff* review include but are not limited to the following:
  - a. Construction turnover inspection records for completed work on system extensions and other new facilities;
  - b. Verification and validation records for vital software and hardware;
  - c. Automatic train control, block signaling, track circuit and interlocking test records;
  - d. Test records for grade crossing warning devices;
  - e. Event recorder records;
  - f. Final design and as-built construction documents;
  - g. Start-up test records;
  - h. *Hazard analyses* records;
  - i. Training and certification records;
  - j. Internal *safety* and *security* audit reports;
  - k. *Accident investigation* records;
  - l. *Other Event records*;
  - m. Maintenance records;
  - n. Hours of service records;
  - o. Operational evaluation records;
  - p. Drugs and alcohol test results;
  - q. *Security* video surveillance records; and
  - r. *Corrective Action Plans*.

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1.6.2 The *Designated Representative* will document *safety certification* records for *Major Projects* that are selected for review in a *project SSCOP* Records Review (see Attachment 4).

1.6.3 *Staff* will prepare an Activity Report following each records review. *Staff* will discuss with *RTA* and note any *safety* concerns in these reports. The *Designated Representative* will notify their immediate supervisor of all reports noting *safety* concerns.

### 1.7.0 ACTIVITY REPORTS

The *Designated Representative* must document in *RSSIMS Staff* participation in *RTA* meetings and committees, field, and other activities. If this is a joint activity with *RTOSS*, the *Inspector* must provide to the *Designated Representative* the *Inspector's* Activity Report for inclusion in *RSSIMS*.

### 1.8.0 COMMISSION FILING REQUIREMENTS

The *Designated Representative* will prepare a notice of the filing of the *RTA* documents requiring Commission consideration and ensure it is published in the Commission Daily Calendar (see Attachment 5). The *Designated Representative* will prepare and track the draft Commission Resolution as required in the CPUC's Rules of Practices and Procedures. See *RSSIMS* Procedures Manual for instructions on preparing and tracking resolutions.

### 1.9.0 GENERAL ORDER EXEMPTIONS/WAIVERS

Any exemption/waiver issued by the Commission must achieve a level of safety equivalent to, or greater than, the level that would be achieved by compliance with the current regulation. This procedure outlines the options for *RTAs* seeking an exemption/waiver from a Commission General Order requirement and for *Staff* to process the request.

If an *RTA* wishes to receive an exemption/waiver from a Commission General Order, the *RTA* may discuss the exemption request with *Staff*. If *Staff* agrees safety would not be reduced and is in support of the exemption/waiver request, *Staff* will discuss with *RTSB* Management, and if they agree, *RTSB* will start the staff-initiated formal approval process. *Staff* will bring the matter before the Commission via a Commission Resolution recommending *Staff* approval.

If *Staff* does not support the *RTA* request, the *RTA* may file a formal *CPUC*

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Application to request approval of the exemption/waiver from a Commission General Order requirement.

1.9.1 The *RTA* should informally discuss with the *Designated Representative* their reasons to substantiate why the Commission General Order requirement cannot be met and must demonstrate that safety will not be reduced by the proposed exemption/ waiver. The *Designated Representative* will share the informal request with *RTSB Management*.

1.9.2 After discussion and approval of *RTSB Management* to proceed with the exemption/waiver request, the *Designated Representative* will inform the *RTA* to formally submit the request in writing addressed to the Program Manager with the signature from their *Accountable Executive*. The written request must contain a full statement for the reason(s) justifying the exemption/waiver and must demonstrate that safety will not be reduced.

1.9.3 *Staff* will then process the exemption/waiver request, by generating a draft Resolution recommending the Commission's approval.

1.9.4 The *Designated Representative* will prepare and track the Commission Resolution as required in the *CPUC's* Rules of Practice and Procedure, the *RSSIMS* Procedures Manual, and this program standard. The exemption/waiver granted shall be limited to the particular case and Commission General Order requirement covered by the request.

1.9.5 *Staff* shall create a new resolution record in *RSSIMS*, uploading relevant documents and updating all the required data and follow-through to completion when the final Resolution is issued by the Commission, so the *RSSIMS* record can be closed.

#### **1.10.0 CORRECTIVE ACTION PLAN FOLLOW-UP**

Since Commission GO 164 series requires the *RTA* to develop *CAPs* for all *safety* and *security* findings of noncompliance, *Staff* will review, and approve *CAPs*.

1.10.1 Where immediate or emergency corrective actions are required to ensure *safety*, the *RTA* may implement the corrective action prior to *RTSB Staff* approval. *RTA* must provide the *CAP* to *RTSB Staff* within 48 hours.

1.10.2 Each *RTA* must submit each *CAP* to Staff with a request for review and approval. If the *CAP* is acceptable to Staff, Staff must notify the *RTA*

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approving the *CAP* as consistent with General Order 164 series, Sections 9.1 through 9.5 inclusive, best industry practices, and in furtherance of the public's interest in system *safety* and *security*. If Staff rejects the *CAP*, Staff must identify the areas in the plan that, in its determination, require correction, and communicate that information to the *RTA*. If the *RTA* does not agree with the rejection, *RTA* must meet and confer with Staff in an effort to resolve this disagreement. If no resolution is achieved through negotiation, the *RTA* must apply to the Commission for approval pursuant to the application procedure under the Commission's Rules of Practice and Procedure.

- 1.10.3 The *Designated Representative* must create a record for all *CAPs*, except for inspection *CAPs*, in the TCAP module in *RSSIMS* to document the *CAP* and its status.

*CAPs* must include the following three elements:

- a. Identification of the action to be taken by the *RTA*;
- b. An implementation schedule; and
- c. *Individual* and department responsible for the implementation.

The *Designated Representative* will enter into *RSSIMS* the monthly updates in the *RTAs* provide on their progress in completing the *CAPs*. *Staff* can verify progress by conducting unannounced or announced inspection.

- i. The *Designated Representative* will conduct their own reviews to verify *CAP* completion as *RTAs* close them over time and request *CAP* closure approval. The *Designated Representative* will document closure and verification method by completing the TCAP module in *RSSIMS*. The *Designated Representative* will attach any *RTA's* verification documentation, along with any other associated documentation, to the appropriate *RSSIMS* record.
- ii. If the *Designated Representative* is satisfied with the completion of the *CAP*, the *Designated Representative* will document the approval method – email (date) or letter (date) to the *RTA* in the appropriate *RSSIMS* TCAP record. The designated representative should consult with other RTSB Staff or management as necessary to determine *CAP* adequacy.



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1.10.4 *RTSB* Inspectors will adhere to the following *CAP* documentation and  
approval mechanisms for *CAPs* (resulting from inspections):

- i. The *Inspector* will verify the completion of their recommendations.
- ii. If the *Inspector* is satisfied with the *RTA*'s completed *CAPs*, the *Inspector* will close them out. The *Inspector* will provide a follow-up inspection report to the Senior *RTOSS* Supervisor, who will transmit it to the *RTA*, documenting that the corrective actions are acceptable.
- iii. If the *Inspector* is not satisfied, the *Inspector* will discuss the inspection report and proposed *CAP* with the Senior *RTOSS* Supervisor and if they agree will reject the proposed *RTA* cap via e-mail. The *CAP(s)* will remain open and shown on the Senior *RTOSS* Supervisor's tracking spreadsheet.
- iv. The *Inspector* will create a reminder to follow-up on their outstanding inspection reports.

## **RTSB-2 PROCEDURE FOR REVIEWING, APPROVING, AND FILING A RAIL TRANSIT AGENCY'S PREPARED PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

### **2.1.0 SCOPE**

This section describes the *RTSB* procedures for reviewing, approving and filing a *Public Transportation Agency Safety Plan (PTASP)* prepared by the *RTA's* operating *Rail Fixed Guideway Systems* in California.

### **2.2.0 PURPOSE**

2.2.1 The purpose of this procedure is to:

- a. Establish a standard set of instructions for *Staff* to follow when reviewing, approving, and filing *PTASP* submittals; and
- b. Establish a set of guidelines for the *RTAs* to use in preparation and/or revision of their *PTASP*.

### **2.3.0 GENERAL REQUIREMENTS**

2.3.1 The *RTSB* Program Manager has overall responsibility for the application and use of this procedure, including approval of the "CPUC Checklist for Review of *Public Transportation Agency Safety Plan*" (see Attachment 6).

2.3.2 Whenever *RTSB* management revises the "CPUC Checklist for Review of *Public Transportation Agency Safety Plan*" (see Attachment 6), it will be provided to *RTSB Staff* and the *RTAs*.

2.3.3 The *Designated Representative* will review each *PTASP*, including any subsequent revisions, for conformance to CPUC Checklist for Review of *Public Transportation Agency Safety Plan*.

2.3.4 The *Designated Representative* will review each *PTASP* in cooperation with the *RTA* to resolve any checklist item(s) not adequately addressed in the *PTASP*.

2.3.5 The *RTSB* Management will review and approve the Checklist for Review of *Public Transportation Agency Safety Plan* (see Attachment 6) for the submittal of the *RTA's PTASP*. The *Designated Representative* will prepare and process a draft letter of approval for *RTSB* Senior Utilities Engineer (Supervisor) with accompanying Checklist for Review (see Attachment 23). In case of rejection of the *RTA's PTASP*, the *Designated Representative* will provide the Checklist for Review and reasons for non-approval.

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- 2.3.6 Commission GO 164 series requires *RTAs*, before February 15<sup>th</sup> of each year, to review their *PTASP*, in order to determine whether the plan should be revised, and notify *Staff* if no revisions to the *PTASP* are deemed necessary.
- 2.3.7 In the event *Staff* disagrees with the *RTA*, *Staff* must provide written explanation of the reasons for its rejection to the *RTA*, and the *RTA* must file a formal application seeking approval by the Commission.
- 2.3.8 *Staff* may periodically require additional review of the *PTASP* to address specific issues based on revisions of the following documents:
- a. Program Management Standard and Procedures; and
  - b. 49 CFR Chapter VI.
- Including but not limited to the following:
- a. *FTA safety* advisory;
  - b. *FTA safety* directives;
  - c. On-site reviews;
  - d. *Investigations*; or
  - e. Changing trends in *events* data.
- 2.3.9 *RTA* may initiate review and/or revision to the *PTASP* outside of the annual review cycle.
- 2.3.10 Revisions to the initial Commission approved *PTASP* will be reviewed by *Staff* for conformance to the applicable sections of the "CPUC Checklist for Review of *Public Transportation Agency Safety Plan*", using the same methodology as in the initial *PTASP* submission (see Attachment 6).

**2.4.0 REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

- 2.4.1 To ensure statewide compliance and consistency, *Staff* will review the initial *PTASP* and, subsequently, any revised *PTASPs* using the "CPUC Checklist for Review of *Public Transportation Agency Safety Plan*" (see Attachment 6). *Staff's* evaluation of the *RTA's* submittal will verify the following elements are addressed in the *PTASP*:
- a. Endorsement of the *PTASP* by the *RTA's* *accountable executive*;

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- b. Establish the *safety* goals and objectives of the *RTA*;
- c. Identify the *safety* roles and responsibilities of all *RTA* departments/functions;
- d. Identify the *hazard* management process, including reporting thresholds, to be used by the *RTA*;
- e. Identify the internal *safety* review process to be performed by the *RTA* and *Staff* involvement in the process;
- f. Identify *events* notification, *investigation* and reporting procedures to be used jointly by the *RTA* and the *SSOA* in managing *events*, meeting the thresholds specified by *FTA*'s rule;
- g. Require communication and coordination with *Staff* in all Commission program provisions, and document the actual mechanisms in place for communication and coordination between the *RTA* and *Staff*, and
- h. Provide a schedule for the implementation and revision of the *PTASP*.

2.4.2 *RTA*'s Board of Directors does not need to approve the *RTA*'s annual review of their *PTASP* if no changes are made to the document. The *RTAs* simply need to provide a letter informing *Staff* they reviewed their *PTASP* and have no changes for this year.

2.4.3 The *Designated Representative* will verify all 23 elements prescribed in Commission General Orders series 164, 172, and 175, as well as CPUC's Checklist for Review of *Public Transportation Agency Safety Plan* are addressed in the *RTA*'s *PTASP*.

2.4.4 The *Designated Representative* will review all referenced materials in conjunction with the *PTASP*.

2.4.5 The *Designated Representative* will complete the CPUC Checklist for Review of *Public Transportation Agency Safety Plan*, and brief *RTSB* Management on any findings. The *RTSB* Management will review the checklist for thoroughness and, if necessary, assign additional *Staff* to conduct peer review of the *PTASP* and the completed checklist.

2.4.5 If the revised *PTASP* is not acceptable based on the Commission General Order 164 series requirements, the *Designated Representative* will draft a formal letter of review for *RTSB* Management signature with a copy of the *Staff*'s completed

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checklist. The *RTA* will be given instructions on how to revise and resubmit the revised *PTASP* in the letter.

- 2.4.6 The *Designated Representative* will draft an approval letter for *RTSB* Management review. *RTSB* Management will send a formal letter of review and approval of the *PTASP* to the *RTA*, with a copy of *Staff's* completed checklist.
- 2.4.7 The *Designated Representative* will maintain the completed checklists, , *RTSB* letters of approval/disapproval with accompanying reasons for rejection, any other correspondence and the approved *PTASP*, including the original and any revisions, for each *RTA* and file a copy in *RSSIMS*.

## **RTSB-3 PROCEDURE FOR REVIEWING, APPROVING, AND FILING RAIL A TRANSIT AGENCY'S PREPARED SYSTEM SECURITY PLAN**

### **3.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedures for reviewing, approving and filing *System Security Plan (SSP)* prepared by the *RTA* operating *Rail Fixed Guideway Transportation Systems* in California.

### **3.2.0 PURPOSE**

3.2.1 The purpose of this procedure is to:

- a. Establish a standard set of instructions for *Staff* to follow when reviewing, approving, and filing *SSP* submittals; and
- b. Establish a set of guidelines for the *RTA* to use when they prepare or revise a *SSP*.

### **3.3.0 GENERAL REQUIREMENTS**

3.3.1 The *RTSB* Program Manager has overall responsibility for the application and use of this procedure, including approval of the "CPUC Checklist for Reviewing the *System Security Plan*" (see Attachment 7).

3.3.2 *Staff* will review each *SSP*, including any subsequent revisions, for conformance to the "CPUC Checklist for Reviewing the *System Security Plan*" (see Attachment 7).

3.3.3 *Staff* will review each *SSP* in consultation with the *RTA* to resolve any checklist item(s) not adequately addressed in the *SSP*.

3.3.4 *RTSB* Management will approve the CPUC Checklist for reviewing the *SSP* for the initial submittal of each *RTA*'s *SSP*. *Staff* will prepare and process a draft Commission Resolution, with a copy of the completed checklists attached, for Commission approval.

3.3.5 As required by GO 164 series, an *RTA* must annually review the *SSP* to determine whether the plan should be revised. *RTA* will be responsible for formally advising *Staff* prior to February 15 of each year if no revisions to *SSP* are deemed necessary. In the event *Staff* disagrees with *RTA* decision, *Staff* will formally notify the *RTA* that further review and revisions are necessary.

3.3.6 *Staff* may periodically require additional review of the *SSP* to address specific issues based on revisions of the following documents:

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- a. Program Management Standard and Procedures; and
- b. 49 CFR Chapter VI.

Including but not limited to the following:

- a. *FTA Safety Advisory*;
- b. *FTA Safety Directives*;
- c. On-site reviews;
- d. *Investigations*;
- e. Changes in homeland *security* trends; and
- f. Recommendations or requirements from Department of Homeland Security or Transportation Security Administration.

3.3.7 The *RTA* may initiate review and/or revision to the *SSP* outside of the annual review cycle.

3.3.8 In the event *SSP* revisions are made, the *RTA* must submit the revised *SSP* to *Staff* no later than February 15 of each year. Revised Commission approved *SSP* will be reviewed by *Staff* for conformance to the applicable sections of the attached CPUC Checklist for review of *SSP*, using the same methodology as in the initial *SSP* submission.

3.3.9 *RTSB* Management will approve the CPUC Checklist for reviewing the *SSP* for a revised *SSP*; the *Designated Representative* will prepare and transmit a letter of approval to the *RTA*.

3.3.10 The *Designated Representative* will maintain a file containing the completed checklists, Commission Resolution, and *RTSB* letters of approval/disapproval for each *RTA* and file a copy in *RSSIMS*. *Staff* will maintain confidentiality of *SSP*.

#### **3.4.0 REVIEW OF SYSTEM SECURITY PLAN**

3.4.1 To ensure statewide compliance and consistency, *Staff* will review the initial *SSP* and revised *SSP* using the CPUC Checklist for review of *SSP*. (see Attachment 7). Evaluation of the *RTA* submittal verifies the following elements are addressed in the *SSP*:

- a. Identify the policies, goals, and objectives for the *security* program endorsed by the *RTA's accountable executive*;

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- b. Document the *RTA's* process for managing threats and vulnerabilities during operations, and for *Major Projects*, including integration with the *safety certification* process;
  - c. Identify controls in place that address the personal *security of passengers* and employees;
  - d. Document the *RTA's* process for conducting internal *security* reviews to evaluate compliance and measures the effectiveness of the *SSP*; and
  - e. Document the *RTA's* process for making its *SSP* and accompanying procedures available to the *SSOA* for review and approval.
- 3.4.2 The *RTA* must make available to *Staff* for review all documents referenced in *SSP* along with the *SSP*. The *Designated Representative* will review all referenced materials in conjunction with the *SSP* review.
- 3.4.3 The *Designated Representative* will complete CPUC Checklist for review of *SSP*, and brief *RTSB* Management on findings. *RTSB* Management will review checklist for thoroughness and, if necessary, assign additional *Staff* to conduct peer review of *SSP* and completed checklist.
- 3.4.4 If the revised *SSP* is not acceptable based on the Commission General Order 164 series requirements, the *Designated Representative* will draft a formal letter of review for *RTSB* Management signature with a copy of the *Staff's* completed checklist. The *RTA* will be given instructions on how to revise and resubmit the revised *SSP* in the letter.
- 3.4.5 The *Designated Representative* will send a formal letter of review and approval of the *SSP* to the *RTA*, with a copy of *Staff's* completed checklist.
- 3.4.6 The *Designated Representative* will maintain the completed checklists, *RTSB* letters of approval/disapproval with accompanying reasons for rejection, any other correspondence and the approved *SSP*, including the original and any revisions, for each *RTA* and file a copy in *RSSIMS*.



## **RTSB-4 PROCEDURE FOR PERFORMING TRIENNIAL ON-SITE REVIEW OF A RAIL TRANSIT AGENCY**

### **4.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedures for performing triennial on-site reviews of the *rail transit agencies (RTAs)* operating *Rail Fixed Guideway Systems* in California.

### **4.2.0 PURPOSE**

4.2.1 The purpose of this procedure is to:

- a. Provide the *RTSB staff (Staff)* with a standard set of instructions for performing triennial, on-site, reviews by auditing the application and use of the *RTA's Public Transportation Agency Safety Plan (PTASP)* and *System Security Plan (SSP)*; and
- b. Provide the *RTA* a complete description of the triennial on-site, review program.

### **4.3.0 GENERAL REQUIREMENTS**

4.3.1 The *RTSB* Program Manager has overall responsibility for the preparation and use of this procedure.

4.3.2 Each *RTA* operating a *Rail Fixed Guideway System* in California is required by Commission General Order 164 series to have a Commission approved *PTASP* and *SSP*.

4.3.3 *Staff* will review each *RTA's* implementation of its *PTASP* and *SSP* in accordance with this procedure within a 3-year period, and every 3-year period thereafter. For a new start *RTA*, *Staff* will review the *RTA's* implementation of its *PTASP* and *SSP*, in accordance with this procedure, after one year of revenue service, and every 3-year period thereafter.

4.3.4 *Staff* will conduct each review in accordance with a set of checklists prepared in advance. The checklists are prepared from the 23 elements found in Section *RTSB-2: Public Transportation Agency Safety Plan*, Attachment 6. *Staff* may reference checklists, found in Content Server's "Triennial On-Site *PTASP* Review Docs" folder or on prior *RSSIMS* TRRV records.

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- 4.3.5 *Staff* will document the results of each review in a final triennial on-site review report containing the *Staff's* findings and recommendations (see Attachment 8). *Designated Representative* will prepare to separate Draft Reports with findings and recommendations for the *Safety* and *Security* audit. *Staff* will file all Triennial On-Site Review documents on *RSSIMS* and which will be approved by *RTSB* Management.

The *Designated Representative* will create and track the Triennial audit on *RSSIMS* TRRV module including the Resolution on a separate *RSSIMS* RSL module record, the checklists, *Staff* Reports with their findings and recommendations and the resulting *CAPs*.

#### 4.4.0 REVIEW PREPARATIONS

- 4.4.1 The *RTSB* Management will assign a *Designated Representative* and *Staff* to conduct each scheduled triennial on-site review. Also, *RTSB* Management will assign a *Designated Representative* to oversee the review process.
- 4.4.2 In addition to the *RTA's* *PTASP* and *SSP*, *Staff* will use the *RTA's* procedures and other pertinent documents as a basis for preparing a set of checklists before beginning the on-site review. As stated before, the checklists are prepared from the 23 elements found in Section *RTSB-2: Public Transportation Agency Safety Plan*, Attachment 6. Examples of these procedures include but not limited to:
- a. The *RTA's* operating rule book, bulletins, notices, and standard operating procedures (SOP's);
  - b. The *RTA's* manuals and procedures for preventive maintenance of *safety* related systems, equipment, and facilities;
  - c. The *RTA's* procedures for documenting and investigating *accidents* and *hazards*;
  - d. The *RTA's* *Safety Design Criteria* and project engineering and construction procedures for configuration management and control of extensions and modifications;
  - e. The *RTA's* annual internal audit reports for the previous three years;
  - f. The *RTA's* open and closed *CAPs* for *accidents* and *hazards*

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- reported to the Commission during the previous three years;
- g. Any *FTA safety* regulations;
- h. Previously prepared Commission triennial audit reports; and
- i. Applicable Commission General Orders, Resolutions and Decisions.

4.4.3 Utilizing the materials referred to in Section 4.4.2, the *Designated Representative* and *Staff* will prepare checklists that identify the *safety* and *security* requirements to be reviewed, the applicable reference documents that establish the acceptance criteria for those requirements, and the method of verification. Space will also be provided on the checklists to record review findings, comments, and recommendations. See Attachment 6 for an example of a checklist.

4.4.4 When preparing the checklists, *Staff* will concentrate on requirements that affect the *safety* and *security* of train operations and are known or believed to be important to *hazard* reduction and the prevention of *events*.

4.4.5 *Staff* will notify the *RTA's accountable executive* by letter at least 30 days in advance of each review. Concurrently, *Staff* will notify the *RTA's safety* and *security* department management and will include the planned scope of the review and the checklists.

#### **4.5.0 THE TRIENNIAL ON-SITE REVIEW**

4.5.1 Each triennial on-site review (Review) will be preceded by an on-site meeting attended by *RTSB's* Program Manager, the *RTA's Accountable Executive*, and personnel in charge of each department to be reviewed.

4.5.2 The *Designated Representative* will prepare a meeting agenda that includes the scope of the Review, a brief review of the checklists, a proposed schedule of daily activities, protocol for communications between *Staff* and the *RTA's* personnel, the treatment of the Review findings, the time and date for holding a post review meeting, and the procedure for drafting, reviewing, and issuing a final report.

4.5.3 *Staff* will conduct the Review by using the checklists to verify the *RTA's* conformance with the requirements contained in the listed reference criteria. *Staff* will accomplish verification by:

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- a. Discussions with *RTA's* personnel;
- b. Review of procedures and records;
- c. Observations of operations and maintenance activities; and
- d. Visual examinations and measurements.

4.5.4 The checklists will identify the method of verification. However, the checklists will not restrict *Staff* from performing additional *investigations* when initial findings appear to warrant further inquiry to verify conformance with *safety* requirements specified in *RTA's PTASP* and *SSP*.

4.5.5 *Staff* will record findings and comments on the checklists. *Staff* will immediately communicate the *safety* and *security* critical findings to the *RTA*.

4.5.6 *Staff's* recommendations for correcting findings of non-compliance may also be included on the *individual* checklists, and/or combined and presented in a separate section of the final report. At the conclusion of each checklist review, *Staff* will communicate preliminary findings to the *RTA*.

4.5.7 Each review will be concluded by an on-site meeting attended by *RTSB* Program Manager, the *RTA's accountable executive*, and personnel in charge of each department reviewed to discuss the preliminary findings and recommendations. During this meeting, the *Designated Representative* will offer the *RTA* personnel an opportunity to comment and provide any additional information that may affect the preliminary findings and recommendations.

#### **4.6.0 THE FINAL TRIENNIAL ON-SITE REVIEW REPORTS**

4.6.1 Following the completion of the on-site review, the *Designated Representative* will prepare a draft report with *Staff's* findings, conclusions, and recommendations. The report will be based on triennial review activities, including but not limited to activities observed, documents reviewed, field inspections, and issues discussed with *RTSB* Management. Nothing prevents *Staff* from referring to previous violations or addressing other safety concerns relating to the checklist items. The *Designated Representative* will include the completed checklists in the draft Review report as attachments.

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- 4.6.2 The *Designated Representative* will submit the draft report to the *RTSB* Management for approval.
- 4.6.3 The *Designated Representative* will submit the approved draft report to the *RTA* for review and comments.
- 4.6.3 The *Designated Representative* will allow the *RTA* 30 days to review and comment on the findings and recommendations contained in the draft Review report.
- 4.6.4 The *Designated Representative* will make every effort to reach full agreement and concurrence with the *RTA* on the review findings and recommendations.
- 4.6.5 The *Designated Representative* will prepare and process the final Review report, draft a Commission Resolution, and follow Commission Rules and Procedures for Commission approval.
- 4.6.6 The *Designated Representative* will upload all relevant documents pertaining to triennial audits to *RSSIMS*, with a copy of the completed checklists attached, for Commission approval. Staff will follow the Commission's Rules of Practice and Procedures in processing the Commission Resolution with guidance of the process office, Commission Resolution and triennial record modules.

**4.7.0 CORRECTIVE ACTION PLAN FOLLOW-UP FOR TRIENNIAL REVIEW**

- 4.7.1 The Commission Resolution approving the *Staff's* Triennial Review Report provides a time period for the *RTA* to formally respond. The *RTA* must develop *CAPs* to address the Report's findings of non-compliance.

The *RTA* will complete and implement all recommended corrective actions contained in the reports, in accordance with the plans and schedules submitted to *RTSB*.

*RTSB* will review and approve the *CAPs*. The *Designated Representative* will create one *TCAP* record in *RSSIMS* for each *CAP*. In the *RSSIMS TCAP* record the "Source of CAP" field should be associated with the appropriate Triennial Review (*TTRV*) record in *RSSIMS*.

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*CAPs* must include the following three elements:

- a. Identify the action to be taken by the *RTA* to minimize, control, correct or eliminate the risks and *hazards* identified by the *CAP*.
- b. An implementation schedule; and
- c. Indicate the *individual* and department responsible for the implementation.

4.7.2 The *Designated Representative* will monitor the *RTA's* implementation of the *CAPs* that result from each triennial on-site review by requesting monthly progress reports according to the corresponding Commission adopted Resolution, until all recommended corrective actions are implemented and completed. The *RTA* will provide to the *Designated Representative* a monthly status report detailing information on the implementation of all remaining corrective actions.

4.7.3 The *Designated Representative* will file the Triennial Review *CAP* progress in the *RSSIMS TCAP* record (along with attaching supporting documentation) and associate the *CAP* to the triennial record.

## **RTSB-5 PROCEDURE FOR OVERSIGHT OF THE RAIL TRANSIT AGENCY'S INTERNAL SAFETY AND SECURITY REVIEW**

### **5.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedures for oversight of the *RTA's Internal Safety and Security* reviews that each *RTA* must perform and *RTSB staff (Staff)* will participate in the review process.

### **5.2.0 PURPOSE**

5.2.1 The purpose of this procedure is to:

- a. Establish a standard set of instructions for *Staff* to follow when overseeing the *RTA's Internal Safety and Security* reviews; and
- b. Provide the *RTA's* with guidelines that they may use to perform *Internal Safety and Security* reviews and prepare an annual *Internal Safety and Security* review report.

### **5.3.0 GENERAL REQUIREMENTS**

5.3.1 The *RTSB* Program Manager has overall responsibility for the application and use of this procedure.

5.3.2 The *RTA* operating a *Rail Fixed Guideway System* in California is required by Commission General Order 164 series to annually perform planned and scheduled *Internal Safety and Security* reviews to evaluate compliance and measure the effectiveness of its *Public Transportation Agency Safety Plan (PTASP)* and *System Security Plan (SSP)*.

5.3.3 In its *Internal Safety and Security Audit* the *RTA* must audit all the same elements that *Staff* audits during the Triennial On-Site Review. The *RTA* must include all 23 elements of the *PTASP* and the *SSP*, described in Commission General Orders 164, 172, and 175 series. As required by Commission GO 164 series, the *RTA* will identify the scope of activities to be reviewed. *Staff* must ensure that the *RTA* reviews all 23 elements of the *PTASP* and *SSP* in an on-going manner and completes reviewing them over a 3-year period.

5.3.4 The *RTA* must prepare a schedule of *Internal Safety and Security* reviews to be performed during each calendar year. The *RTA* must submit this schedule and checklists, including any subsequent changes to the *Designated Representative* at least thirty (30) days before any scheduled review begins.

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- 5.3.5 The *RTA* must perform an Internal *Safety* and *Security* review in accordance with the written checklists by personnel technically qualified to verify compliance and judge the effectiveness of the activity being reviewed. The reviewers may be *RTA* assigned to the unit responsible for management of the activity being reviewed, but they must be independent from the first line of supervision responsible for performance of the activity being reviewed. *RTA* must demonstrate to *Staff* that the reviewers are qualified to participate in the review.
- 5.3.6 The *RTA* must document the Internal *Safety* and *Security* review in an annual report that covers the reviews performed during each calendar year. The annual report must state the results of each review in terms of the adequacy and effectiveness of the *RTA*'s *PTASP* and *SSP*.
- 5.3.7 The *RTA* must retain the following supporting documentation for a minimum of four years:
  - a. The completed checklist;
  - b. Reference criteria;
  - c. Supporting documents; and
  - d. Documentation that the checklist was provided to the *Designated Representative* at least 30 days in advance of the audit.
- 5.3.8 In addition to the *RTA*'s annual report, the *RTA* must submit a formal letter of certification, signed by the *RTA*'s *accountable executive*, stating that, based on the evaluation performed during the Internal *Safety* and *Security* review process during the previous year, the *RTA* is in compliance with its *PTASP* and *SSP*. The *RTA* must submit the report to the *Designated Representative* prior to the 15<sup>th</sup> of February each year.

**5.4.0 OVERSEEING THE RAIL TRANSIT AGENCY'S PERFORMANCE OF INTERNAL SAFETY AND SECURITY REVIEWS**

- 5.4.1 Upon notification that the *RTA*'s plans to conduct an Internal *Safety* and *Security* review, the *Designated Representative* will oversee the review activity to assure that the *RTA* perform the following:
  - a. Complies with its own schedule of annual Internal *Safety* and *Security* reviews;
  - b. Performs Internal *Safety* and *Security* reviews in accordance



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- with a written checklist prepared in advance;
- c. Reviewers are technically qualified;
- d. Reviewers are independent from the first line of supervision responsible for the activity being reviewed; and
- e. Conducts a thorough and objective Internal *Safety* and *Security* review.

5.4.2 The *Designated Representative* will document each observed Internal *Safety* and *Security* review in an activity report in *RSSIMS*, upload correspondence, reports and approval letter and checklists.

**5.5.0 REVIEWING AND APPROVING THE RAIL TRANSIT AGENCY'S ANNUAL INTERNAL SAFETY AND SECURITY REVIEW REPORTS**

5.5.1 The *Designated Representative* is responsible for reviewing and approving the annual Internal *Safety* and *Security* review reports for conformance to the guidelines in the attached checklist (see Attachment 9).

5.5.2 *Staff* will review the annual Internal *Safety* and *Security* review report in accordance with the Commission General Order 164 series requirements.

5.5.3 *Staff* will send a letter of approval/disapproval with reasons for rejection to the *RTA*.

5.5.4 *Staff* will submit all the *RTA*'s internal review reports to the *FTA* alongside the Annual Submission documents on or before March 15 of each year.

5.5.5 *Staff* will maintain the approved annual Internal *Safety* and *Security* review report, checklist and copy of the approval letter and file documents in *RSSIMS*.

**5.6.0 CORRECTIVE ACTION PLAN FOLLOW UP FOR ANNUAL INTERNAL SAFETY AND SECURITY REVIEW**

5.6.1 *Staff* will require the *RTA* to develop *CAPs* for all the internal *safety* and *security* review noncompliant findings and recommendations. *Staff* will review and approve *CAPs*. *CAPs* must include the following three elements:

- a. Identify the action to be taken by the *RTA*;
- b. An implementation schedule; and
- c. *Individual* and department responsible for the implementation.

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- 5.6.2 The *Designated Representative* will monitor the *RTA's* implementation of the *CAPs* that result from each annual on-site System *Safety* and *Security* review by requesting periodic progress reports.
- 5.6.3 The *Designated Representative* will document the *CAP* in *RSSIMS* and provide monthly updates to *RTSB* Management until completed and associate the *CAP* record to the *RSSIMS Internal Safety and Security* review (*ISSA*) record.

## **RTSB-6 PROCEDURE FOR RECEIVING NOTIFICATION OF EVENTS AND HAZARDS**

### **6.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedures for receiving notifications of *Events (Accidents, Incidents, and Occurrences)* and/or *hazards* from *RTAs*.

### **6.2.0 PURPOSE**

6.2.1 The purpose of this procedure is to:

- a. Identify thresholds for *Events*:
- b. Establish a standard set of instructions for *RTSB staff (Staff)* to follow when an *RTA* notifies *RTSB* of an *Event* and/or *hazard*; and
- c. Prescribed forms and instructions for receiving notices of *Events* and/or *hazards*.

### **6.3.0 GENERAL REQUIREMENTS**

6.3.1 The *RTSB* Program Manager has overall responsibility for the preparation and use of this procedure.

6.3.2 Each *RTA* must submit notification to *Staff* or designee of immediately reportable *Events* and/or *hazards* in accordance with 49 CFR 674.33 and Commission General Order 164 series within two hours. See Attachment 10 for required information for the *RTA's* Initial *Accident* Report.

6.3.3 An immediately reportable *accident* is one, which meets or exceeds the following thresholds:

- a. A fatality (occurring at the scene, or within 30 calendar days following the *accidents*);
- b. One or more persons suffering *serious injury*, which: (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second or third-degree burn(s), or any burns affecting more than 5 percent of the body surface.

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- c. A collision involving a *rail transit vehicle* and any other vehicle, object, or *individual*;
- d. A runaway train;
- e. An evacuation for life *safety* reasons;
- f. Any derailment of a *rail transit vehicle*, at any location, at any time, whatever the cause; and
- g. Fires resulting in a *serious injury* or fatality.

6.3.4 As required by Commission GO 164 series, the *RTA* shall provide as part of the notification:

- a. The time and date of the *accident*;
- b. The location of the *accident*, including Commission highway-rail grade crossing number if applicable;
- c. The number of fatalities or injuries;
- d. The *rail transit vehicles* involved in the *accident*, if any;
- e. The factor from Section 6.3.3 that makes the *accident* immediately reportable;
- f. Narrative description of the *accident*; and
- g. The first responders at the scene of the *accident*.

6.3.5 *RTSB* maintains a web-based *accident* reporting tool. *RTAs* are encouraged to use the web-based *accident* reporting tool to report:

- Any immediately reportable *accident* (see Section 6.3.3 above);
- A collision involving a *rail transit vehicle* and any object or *individual*, not resulting in a serious injury, fatality, or substantial property damage;
- A Hazardous condition, for immediately reportable *hazards* per the *RTA's PTASP*; or
- A Courtesy Notice for an *occurrence* that does not meet the required *CPUC* reporting criteria, however may generate attention from the media/elected officials.

The web-based *accident* reporting tool automatically sends to

- The *RTA* a confirmation email, which includes the information entered on the form;
- A *CPUC* email distribution list an email (that includes all *RTSB staff*) the information that was entered on the form; and
- If the *accident* meets the *FTA* immediately reportable

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criteria, an email to the *CPUC* email distribution list which includes a cc to the U.S. Department of Transportation's Transportation Operations Center (TOC), which *FTA* requires *RTAs* to report their immediately reportable *accident* reports.

- 6.3.6 The *RTA* can use the web-based *accident* reporting tool to revise information they had previously provided.
- 6.3.7 The *RTA* can also "Reply to All" on the confirmation email they received from the *RTSB's* web-based *accident* reporting tool to send attachments, such as photos, to everyone on the *CPUC* email distribution list.
- 6.3.8 Concurrent notification to the *FTA* is required for all immediately reportable *accidents* within two (2) hours. If the *RTA* does not use the *RTSB's* web-based *accident* reporting tool, the *RTA* must copy the *Designated Representative* on their notification email to the *FTA*.
- 6.3.9 *Events* which require *FRA* notification, the *RTA* must notify the *Designated Representative* within two (2) hours of the *event*.
- 6.3.10 *Staff* will prepare an Initial *Accidents* Report through *RSSIMS* (formerly known as a Form R) for reportable *events* and/or *hazards*. Instructions for preparing and processing Initial *Accident* Reports (see Attachment 10).
- 6.3.11 If an *RTA* determines that an *accident* they had previously reported does not meet the threshold of an immediately reportable accident, the *RTA* must notify the *Designated Representative* to withdraw the *accident* report.

If the *RTA* used *RTSB's* web-based *accident* reporting tool, the *RTA* can use the "reply to all" option on the *accident* report confirmation email to provide additional information for their determination to withdraw the original *accident* report. Upon receipt of information to withdraw an *accident* report, if *Staff* is satisfied with the determination, they can update the *RSSIMS* record for that *accident* by changing the status to "withdrawn" and entering the justification for withdrawal.

If *Staff* disagrees with the *RTA's* determination, *Staff* will discuss with *RTSB* management, and contact the *RTA* to resolve the issue, and then accordingly update the *RSSIMS incident* record.

- 6.3.12 As required by Commission GO 164 series, each *RTA* must submit the Monthly Service Record, *Events*, *Hazard*, and *Corrective Action Plan* Summary Report (formerly known as the Form V – See Attachment 11), no

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later than 30 days after the last day of the month covered by the required reports.

*RTAs* are encouraged to submit this form online using the webform at <https://ia.cpuc.ca.gov/form/page.aspx?id=23>. See Attachment 11a.

6.3.13 Upon receipt, *Staff* will review the “Monthly Service Record, Events, *Hazard*, and Corrective Action Plan Summary Report” for completeness. If the report is not complete, *Staff* must contact the *RTA* and note the deficiencies.

6.3.14 *Staff* will maintain a file/record of all Initial Accident Reports (formerly known as a Form R) in *RSSIMS INCT* module.

6.3.15 As required by 49 CFR 674, each *RTA* must report *incidents* to *FTA* within 30 days via the National Transit Database (NTD) and record for analysis. Corrections made to NTD are subsequently reviewed and updated to the State Safety Oversight Reporting online system maintained by *FTA*.

If an *RTA* or *Staff* later determines that an *incident* meets the definition of an *accident*, that *event* must be reported as set forth in Section 6.3.3 through 6.3.10. *Incidents* include the following:

- a. An injury that is not a *serious injury*;
- b. One or more injuries requiring medical transportation away from the *event*; and
- c. Damage to facilities, equipment, rolling stock or infrastructure that disrupts the operations of a *rail transit agency*.

6.3.16 As required by Commission GO 164 series, each *RTA* must collect, track and analyze data on *occurrences* to reduce the likelihood of recurrence and make available for *Staff* and/or *FTA* review. *Occurrences* include the following:

- a. No injury
- b. Close calls or near misses;
- c. *Safety* rule violations;
- d. Violations of *safety* policies;
- e. Damage to catenary or third-rail equipment that do not disrupt operations; and
- f. Vandalism or theft.

6.3.17 A reportable *hazard* is any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling

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stock or infrastructure of a *RFGS* or damage to the environment. A *hazard* is different than “hazardous material spill”, which the *RTA* must report to the National Transit Database within 30 days. The *RTA* does not need to report a *hazard* to the *FTA*. Examples of *hazards* reportable to *RTSB* include but not limited to the following:

- a. Red signal violations;
- b. Signal device failures;
- c. Near misses with other rail vehicles, employees, automobiles, or pedestrians;
- d. Door faults including wrong-side door openings or door openings during train movements;
- e. Equipment failure causing service disruption; and
- f. Emergency brake application due to equipment failure, unattended aspect or track occupancy.

6.3.18 *Staff* must create a record of a reported *hazard* in the HAZT module of *RSSIMS*, which includes the Hazard category, identification method, hazard analysis data entries, and track the *hazard* to closure.

## **RTSB-7 PROCEDURE FOR REVIEWING AND APPROVING A RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES**

### **7.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch's (RTSB)* procedures for reviewing and approving *Accident Investigation Procedures (AIP)* prepared by the *RTA*.

### **7.2.0 PURPOSE**

7.2.1 The purpose of this procedure is to:

- a. Establish a standard set of instructions for *RTSB staff (Staff)* to follow for reviewing and approving *RTA's AIP* submittals; and
- b. Provide each *RTA* with a set of guidelines that they may use to prepare AIPs for submittal to *Staff*.

### **7.3.0 GENERAL REQUIREMENTS**

7.3.1 The *RTSB* Program Manager has overall responsibility for the application and the use of this procedure.

7.3.2 *Staff* is responsible for reviewing and approving the *RTA's AIP*, including revisions, utilizing the attached checklist (see Attachment 12).

7.3.3 *Staff* will review the *RTA's AIP* in cooperation with the *RTA* to resolve any checklist items that are not adequately covered in the AIP.

7.3.4 *Staff* will enter their name, signature and date the completed checklist and provide it to their immediate supervisor (Senior Utilities Engineer – Supervisor) for their review. The immediate supervisor will add their name, signature and date the form after they review and approve it.

7.3.5 *Staff* will draft a letter for the signature of *RTSS* Program and Project Supervisor informing the *RTA* their AIP has been approved.

7.3.6 *Staff* will send a letter of approval/disapproval with reasons for rejection to the *RTA* with a copy of the completed checklist attached.

7.3.7 *Staff* will maintain the approved AIP, completed checklist, and a copy of the approval letter and file a copy in *RSS/IMS*, as indicated by *RTSB* Management.



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- 7.3.8 *Staff* will submit the *RTA's* AIP and approval letter with the completed checklist to the *FTA* alongside the Annual Submission documents on or before March 15 of each year.

## **RTSB-8 PROCEDURE FOR INVESTIGATING ACCIDENTS AND APPROVING A RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION REPORTS**

### **8.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch's (RTSB)* procedures for investigating *accidents* and approving *Rail Transit Agency (RTA) accident investigation* reports. Although the Commission is ultimately responsible for the sufficiency and thoroughness of all *accident investigations*, each *RTA* must investigate, on behalf of the Commission, all reportable *accidents* involving a *rail transit vehicle* or taking place on *rail transit agency-controlled property*. Per Commission GO 164 series section 8, *Staff* may also perform a separate, independent *investigation* of any *accident*.

### **8.2.0 PURPOSE**

- 8.2.1 The purpose of this procedure is to:
- a. Establish a standard set of instructions for *RTSB staff (Staff)* to follow when investigating *accidents* and approving *accident investigation* reports submitted by *RTA*;
  - b. Establish a set of guidelines for the *RTA* to follow when conducting *accident investigations*, and developing *investigation* reports on behalf of the Commission; and
  - c. Provides a set of procedures for protecting the confidentiality of the *investigation* reports.

### **8.3.0 GENERAL REQUIREMENTS**

- 8.3.1 The *RTSB* Program Manager is responsible for the overall application and use of this procedure.
- 8.3.2 Notification of a reportable *accident* should be in accordance with Commission GO 164 series.
- 8.3.3 *Staff* will prepare a Transit *Accident* Initial Notice via *RSSIMS* (Formerly known as Form R) for every immediately reportable *accident* (see Attachment 10). *Staff* will include the *accident* history going back only 10 years for that location in the initial notice. Once the *RSSIMS* generated Transit *Accident* Initial Notice is completed, *Staff* will distribute the report to the INCT email distribution list. If the *RTA* provides updates to their initial *accident* notification, *Staff* must also distribute the updated information to the INCT email distribution list.

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- 8.3.4 As required by 49 CFR 674 and Commission GO 164 series, the *RTA* must investigate, on behalf of the Commission, all reportable *accidents* involving a *rail transit vehicle* or taking place on *rail transit-controlled property*.
- 8.3.5 *Staff* may also perform a separate, independent *investigation* of any such *accident*.
- 8.3.6 *Staff* will ensure the *RTA*:
- a. Investigates *accidents* in accordance with *Staff* approved *RTA's Accident Investigation Procedures* (See Section *RTSB – 7*) and conducts a thorough and objective *investigation*;
  - b. *RTA* submits its *accident investigation* report within 60 calendar days of the *accident*;
  - c. Draws accurate and substantiated conclusions from the available evidence;
  - d. Identifies correctly the most probable primary causes;
  - e. Identifies correctly the most probable secondary, underlying, and contributing causes;
  - f. Prepares a final *accident investigation* report with recommendations that address the most probable primary and secondary causes;
  - g. Prepares and implements a *CAP* and schedule to carry out the recommendations contained in the final *investigation* report.
  - h. *Staff* should remind the *RTAs* to submit the final *accident investigation* reports within 60 days; and
  - i. If the *investigation* takes longer than 60 calendar days to complete, the *RTA* must submit an interim status report every 30 calendar days. If the *RTA* does not provide a report within 90 calendar days, *Staff* must enter into the *RSSIMS INCT* record reasons for the delay.
- 8.3.7 *Staff* will review the *RTA's accident investigation* report, and if acceptable, *Staff* will submit the report to their immediate supervisor for review and approval. If the *Staff's* immediate supervisor approves of the report, then *Staff* will formally adopt the *RTA's* report.
- a. *Staff* will send correspondence to the *RTA* indicating the acceptance of their *accident investigation* report.
  - b. *Staff* will close out the *RSSIMS INCT* record and attach to it the following documents, as applicable:
    1. Initial Notice;
    2. All correspondence between the *RTA* and *Staff*, including emails;

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3. Photos, coroner's reports, and law enforcement agency reports; and/or
4. Final formal correspondence between *Staff* and *RTA* approving *RTA's accident investigation* report.

8.3.8 In cases where *Staff* does not accept the *RTAs accident investigation* report, and *Staff* finds the *RTA's accident investigation* report incomplete, or disagrees with the *RTA's* conclusions, *Staff* must identify and inform the *RTA* the areas in the report to be corrected. If the *RTA* does not agree with *Staff*, *Staff* will discuss with *RTSB* Management next steps on how to proceed toward a resolution. If an agreement is reached and the *RTA's accident investigation* report is acceptable to *Staff*, then *Staff* will formally adopt the *RTA's* report.

8.3.9 If the *RTA* does not agree with *Staff*, then *Staff* may conduct its own *investigation*, or *Staff* will formally file with the Commission the *RTA's* report along with *Staff's* reason for rejection, pursuant to G.O. 164-E, Section 8.3(f).

8.3.10 In cases where *Staff* conducts its own *accident investigation*, *Staff* will notify the *RTA* accordingly and formally transmit its final *investigation* report to the *RTA*.

8.3.11 If the *RTA* disagrees with the findings of *Staff's* independent *investigation*, the *RTA* may submit a written dissent to the report, which may be included in the *RTSB* report at the discretion of *Staff*.

#### **8.4.0 ACCIDENT INVESTIGATION REQUIREMENTS**

8.4.1 If determined necessary by *Staff*, as soon as practicable, *Staff* will perform an on-site inspection of the *accident* scene.

8.4.2 *Staff* will participate, to the fullest extent possible, in *RTA's investigation* of the *accident* (per Commission GO 164 series, Section 8.3b).

8.4.3 When investigating *accidents* that require immediate notification per Commission GO 164 series, Section 7.2, *Staff* will, as applicable and practicable, be present and participate with *RTA* in:

- a. Interviewing of persons involved in the *accident*;
- b. Visual examinations, measurements and tests of vehicles, tracks, switches, signals, and other similar items;

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- c. Operational reenactments;
  - d. Meetings with investigators, consultants, review boards, etc. to review and analyze *accident*-related information;
  - e. Guidelines for site visits are in Attachment 13;
  - f. Guidelines for conducting interviews are in Attachment 14; and
  - g. If during the course of the *investigation* additional information is needed, *Staff* can use a "Data Request." A template is in Attachment 15.
- 8.4.4 When not practicable to directly participate in a particular *investigation* activity, *Staff* will review the applicable reports, records, transcripts, meeting minutes, etc..
- 8.4.5 *Staff* will review, as applicable, but not limited to:
- a. Results of drug and alcohol tests;
  - b. Employee training, certification, and recertification records;
  - c. Employee performance evaluation records;
  - d. Hours of service records;
  - e. *RTA* employee voice recordings;
  - f. *RTA* employee cell phone records;
  - g. Train and signal *event* recordings;
  - h. Operating procedures, instructions, rules, bulletins and notices;
  - i. Vehicle, track, switch, signal, etc. maintenance records;
  - j. Post-*accident* equipment inspection/testing reports;
  - k. Law enforcement agency reports;
  - l. Coroner reports;
  - m. Test procedures and recorded results of operational reenactments; and
  - n. Previous *accident* data.
- 8.4.6 *Staff* will complete the *RSSIMS* INCT module record with the data collected (formerly referred to as Form S) to each reportable *accident* to document *accident investigation* activities. See Attachment 16 titled "INCT Transit Accident Details Report" for sample final *accident* report.
- 8.4.7 In accordance with 49 CFR Part 831, the National Transportation Safety Board (NTSB) may investigate a reportable *accident*. In such case, the NTSB is responsible for leading the *investigation*; the determination of facts, conditions, and circumstances; the cause or probable causes; and

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recommendations to reduce the likelihood of recurrence. *Staff* will support the NTSB as a member of its Party System. *Staff* will assist the NTSB by providing information requested about the *RTA* critical practices on other matters as appropriate. NTSB will control the distribution of information relating to its *investigation*.

8.4.8 If NTSB investigates an *accident* involving an *RTA*, *Staff* and the *RTA* will meet to address NTSB's recommendations and determine the appropriate corrective actions to be taken based on those recommendations and all other information available on the *accident*.

8.4.9 At *RTSB* management's direction, *Staff* will develop their own *accident investigation* report to expand on the NTSB's *investigation* report, or to investigate certain aspects of the *accident* that were not covered by the NTSB *investigation*. The CPUC *accident* report will not be issued before the NTSB *investigation* report, without direct permission from the NTSB Investigator-In-Charge.

8.4.10 *FTA* may investigate an *accident* at its discretion and *RTSB Staff* will support them in the same manner as NTSB in accordance with section 8.4.7, 8.4.8, and 8.4.9.

8.4.11 In accordance with PU Code Section 765, the Commission will provide NTSB with a formal written response to each recommendation no later than 90 days after receiving the letter for events. Also see PU Code Section 765 for additional requirements in Attachment 1.

8.4.12 *Staff* will monitor NTSB *investigations* and recommendations for *RFGS* events occurring outside of California to evaluate if they are pertinent to California's *RFGS*.

## **8.5.0 RAIL TRANSIT AGENCY ACCIDENT INVESTIGATION REPORT REVIEW AND APPROVAL REQUIREMENTS**

8.5.1 *Staff* will review *RTA accident investigation* report to ensure compliance with the *RTA's Accident Investigation Procedure*.

8.5.2 *Staff* will review the *RTA's accident investigation* report, findings, and recommendations to assure *Staff* agrees with the causal and contributory factors that are identified and are properly addressed.

8.5.3 *Staff* will review and approve the *RTA's accident investigation* report, including any *CAPs*, its schedule for implementation, and the *individual(s)*

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or department responsible for taking those actions.

- 8.5.4 *Staff* will document the results of their review of the *RTA's accident investigation* report, *CAP* and implementation schedule in *RSSIMS INCT* module record.
- 8.5.5 *Staff* must note in *RSSIMS INCT* module record the *RTA's accident investigation* reports, *CAPs* or implementation schedules that are of concern or not acceptable and will bring them to the attention of the *RTSB* Management for resolution with the *RTA*.
- 8.5.6 If *Staff* finds the *RTA accident investigation* report and associated *CAPs* are acceptable, *Staff* will complete the *RSSIMS INCT* module record for the *accident*, notify their immediate supervisor to review. If approved, *Staff* will issue a formal letter to *RTA* approving the report (see Attachment 17). *Staff* will attach the letter to *RSSIMS INCT* module record, in accordance Section 8.7 below.
- 8.5.7 If *Staff* finds it appropriate, in accordance with the *RTA's AIP*, *Staff* may accept the *Minor Event Report* (formerly known as the 60 Day EZ Form, see Attachment 18 according to Commission GO 164 series. This Form cannot be used for an *accident* involving a fatality or *serious injury* unless there is confirmation that the *accident* resulted from a suicide or attempted suicide.

#### **8.6.0 CORRECTIVE ACTION PLAN FOLLOW-UP FOR ACCIDENT INVESTIGATION FINDINGS**

- 8.6.1 *Staff* will require the *RTA* to develop *CAPs* for all *accident investigation* findings. *RSSIMS* will serve as the central filing for *CAPs* in the *TCAP* Module.
- 8.6.2 *Staff* will review and approve *CAPs*, which must include the following three elements:
  - a. Identify the action to be taken by the *RTA* to minimize, control, correct or eliminate the risks and *hazards* identified by the *CAP*;
  - b. An implementation schedule; and,
  - c. Indicate which *individual* or department responsible for the implementation.
- 8.6.3 The *Designated Representative* will monitor the *RTA's* implementation of the *CAPs* that result from each *accident investigation* by requesting

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periodic progress reports. *Staff* can verify progress by conducting unannounced or announced inspection.

8.6.4 The *Designated Representative* will maintain the *CAP* document and file it in *RSSIMS* and every 30 calendar days enter updates from the *RTA* as required by Commission GO 164 series, Section 9. *Staff* will associate the *CAP record(s)* to the *accident* record in *RSSIMS*.

8.6.5 *Staff* and the *RTA* will meet to address NTSB's recommendations and determine the appropriate corrective actions based on the findings or recommendation of an *investigation* conducted by NTSB. *Staff* will enter and track *CAPs* in *RSSIMS*, in accordance with Section 8.6.4 above.

**8.7.0 RTSB's Process of RTA's Reporting and Closing Accidents**

8.7.1 *RTA* makes notification of an *accident* to the Commission in the manner directed by *Staff*, as required per Commission GO 164 series.

8.7.2 The *Designated Representative* prepares a Transit *Accident* Initial Notice (formerly known as Form R, now generated through *RSSIMS*), and distributes it to the INCT email distribution list.

8.7.3 After an *accident* occurs, if necessary, *Staff* will make a site visit and collect information as soon as possible.

8.7.4 If the *RTA* has not furnished an *accident investigation* report within 60 days, *Staff* will follow-up to ensure the *RTA* submits interim status reports at 30-day intervals. The status report can be an email, spreadsheet, or letter providing valid justification, acceptable to *Staff*, for not closing the *accident investigation* report. The interim status report cannot simply say the *accident investigation* report is not ready yet, and/or the *RTA* is still working on it.

8.7.5 After the *accident investigation* report is submitted by the *RTA*, *Staff* will review it for accuracy and completeness. *Staff* will document comments and requests for revisions to the *RTA* in written form, if necessary. For an *accident* that the *RTA* determines has an "FTA Most Probable Cause" of "Suicide, Suicides and suicide attempts", the coroner's report confirming the suicide finding must be attached to the final *accident investigation* report. However, if after four (4) months from the date of the *accident* the *RTA* has still not received the coroner's report, then the *RTA* must close out the report based on the most reliable information it has at the time and must indicate in the *accident investigation* report it has not yet received



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the coroner's report. When the coroner issues its report, the *RTA* must send a copy to *Staff* within 10 business days of receiving it. If the coroner's report has a finding different than in the *accident investigation* report, the *RTA* had submitted to *Staff*, the *RTA* must update its *accident investigation* report accordingly, and resubmit it to *Staff*.

- 8.7.6 When *Staff* concurs with the *RTA*'s findings in their submitted *accident* report, *Staff* will enter the reason for concurrence with the *RTA* and recommend to the Sr. UE Supervisor to close the *investigation* in the *RSSIMS* INCT record. The Sr. UE Supervisor will review and approve, as appropriate.
- 8.7.7 After the Senior UE Supervisor approves an *accident investigation* report closure, *Staff* will send the approval letter for the *accident investigation* report to the *RTA*.
- 8.7.8 *Staff* attaches all relevant documents (law enforcement reports, coroner's report, activity reports, etc.) to the *accident* INCT record on *RSSIMS*.
- 8.7.9 *Staff* documents any recommendations and *CAPs* resulting from the *investigation* in the *RSSIMS* TCAP module record. An *RSSIMS* "Association" should be created between any TCAP records that result from an *accident investigation* report and the INCT record for the *accident*.

#### 8.8.0 CONFIDENTIALITY REQUIREMENTS

- 8.8.1 No *investigation* report or recommendation of *RTSB*, nor any *investigation* report of an *RTA* filed with the Commission, must be admissible as evidence in any action for damages based on or arising out of matters covered therein, pursuant to Public Utilities Code Section 315, (see Attachment 1).
- 8.8.2 *Staff* will secure *investigation* documents that are classified confidential by keeping documents locked and secure while not being reviewed and keeping electronic copies on the Commission's Content Server, as indicated by *RTSB* Management, which requires a login and a password, limiting access.

## **RTSB-9 PROCEDURE FOR SAFETY CERTIFICATION PLANS OF MAJOR PROJECTS**

### **9.1.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedures for reviewing, approving, and filing *Safety Certification Plan (SC Plan)* of *Major Projects* pursuant to Commission General Order 164 series, of all *projects* that initiate preliminary engineering.

### **9.2.0 PURPOSE**

9.2.1 The purposes of this procedure are:

- a. Establish a standard set of instructions for *RTSB staff (Staff)* to follow when reviewing, approving, and filing of a *Rail Transit Agency's (RTA) SC Plan* submittals;
- b. Establish a set of guidelines for the *RTA* to use when it is preparing or revising a *SC Plan* for a proposed *project*;
- c. Establish the *Safety and Security Certification Oversight Plan (SSCOP)*, using the *Certifiable Elements List* and other elements of the *SC Plan*; and
- d. Approving the *Safety Certification Verification Report (SCVR)* in accordance with Commission GO 164 series and notifying the *RTA* the facility can be placed in revenue service.

### **9.3.0 GENERAL REQUIREMENTS**

- 9.3.1 The *RTSB* Program Manager has overall responsibility for the application and use of this procedure, including approval of the CPUC Checklist for Review of *Safety Certification Plans* (see Attachment 19).
- 9.3.2 As required by Commission GO 164 series, the *RTA* will prepare a *Project* specific *SC Plan* for each of its *Major Projects*.
- 9.3.3 *Staff* will review each new *SC Plan*, including any subsequent revisions, for conformance (see Attachment 19).

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- 9.3.4 *Staff* will perform the review of each *SC Plan* in consultation with the *RTA* to resolve any questions regarding the content, and to assure checklist requirements not adequately covered in the *SC Plan* are fully addressed in a revision.
- 9.3.5 When *Staff* and *RTA* are in agreement, a complete *SC Plan*, based on the approved “CPUC Checklist for Review of A Safety Certification Plan” (see Attachment 19) the *Staff* will prepare a Resolution for Commission consideration.
- 9.3.6 *Staff* will attach the required information (*SC Plan*, checklist, Resolution, Calendar Notice, cover letter, service list, and Final signed Resolution) on *RSSIMS*.
- 9.3.7 *Staff* will prepare a “calendar notice” for the Resolution of the *SC Plan* and ensure it is noted in the Commission’s Daily Calendar (see *RTSB-1*).

*Staff* will review and approve any subsequent revisions to the *SC Plan*, and document changes by attaching revision requests and approvals to the original *RSSIMS* RESL module record approving the *SC Plan* (see 9.4.0 PROCEDURES FOR REVIEWING REVISED SAFETY CERTIFICATION PLAN).

**9.4.0 PROCEDURES FOR REVIEWING REVISED SAFETY CERTIFICATION PLAN**

- 9.4.1 As required by Commission GO 164 series, the *RTA* must revise and expand the *SC Plan* as the *Project* progresses, as necessary. *Staff* will review and approve the revisions.
- 9.4.2 As required by Commission GO 164 series, the *RTA* must file any revision of the *SC Plan* with *Staff*.
- 9.4.3 Within 45 calendar days, *Staff* will review the revised *SC Plan* (see Attachment 19 – CPUC Checklist for Review of A Safety Certification Plan) and either approve or reject the proposed revisions, or request additional justification.
- 9.4.4 *Staff* will route the revised *SC Plan* and the approval letter to *RTSB* Management for review and signature. *Staff* will send the signed approval or rejection letter to the *RTA*.

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9.4.5 *Staff* will attach all correspondence and documents relating to a revised *SC Plan* in *RSSIMS*, attached to the original RESL module record approving the *SC Plan*.

**9.5.0 MAJOR PROJECTS AND SAFETY AND SECURITY CERTIFICATION OVERSIGHT PLANS**

9.5.1 For *Major Projects* requiring *Safety Certification*, *Staff* in a SSCOP will indicate to the *RTA* tests and other activities that may be selected for observations. Examples of tests and other activities that may be selected are, but not limited to:

- a. Tests of newly installed automatic train control, block signaling and interlocking equipment;
- b. Initial testing of grade crossing warning devices;
- c. Simulation testing of automatic train control software and hardware elements;
- d. Brake rate testing and commissioning of new or refurbished transit vehicles;
- e. Emergency response drills;
- f. *Safety* training classes for certification / recertification;
- g. Internal *safety* and *security* audits; and
- h. Start-up testing and pre revenue operations prior to opening a new extension or major system modification.

9.5.2 *Staff* will become familiar with the requirements contained in the governing specifications and procedures before observing any testing activities.

9.5.3 Following the completion of each test, if there are any *safety* concerns, *Staff* will discuss them in the field with the *RTA* and document in the Activity Report and upload it on the *RSSIMS* TACT module. *Staff* will also create an association between the TACT record and the RESL module record approving the *SC Plan*. Any *safety* concerns will be noted in these reports. *Staff* will notify their immediate supervisor of all reports noting *safety* concerns.

## **RTSB-10 PROCEDURE FOR HAZARD MANAGEMENT**

### **10.1.0 SCOPE**

This procedure describes the *Rail Transit Safety Branch (RTSB)* program for *Rail Transit Agency (RTA)* hazard management.

### **10.2.0 PURPOSE**

10.2.1 The purpose of this section is to:

- a. Establish a procedure for *RTSB staff (Staff)* to follow when evaluating the *RTAs' hazard* management program in their *Public Transportation Agency Safety Plan (PTASP)* and the *RTAs'* reporting and tracking of *hazards*; and
- b. Provide the *RTAs* an overview of the *hazard* management program requirements.

### **10.3.0 GENERAL REQUIREMENTS**

10.3.1 The *RTSB* Program Manager has overall responsibility for the preparation and use of this procedure.

10.3.2 As required by Commission GO 164 series, each *RTA* must develop and document in its *PTASP* a process to identify, record, and resolve *hazards* during its operation, including any *hazards* resulting from subsequent system extensions or modifications, operational changes, or other changes within the rail transit environment.

10.3.3 The *RTA hazard* management process section of the *PTASP* must, at a minimum:

- a. Define the *RTA's* approach to *hazard* management and the implementation of an integrated system-wide *hazard* resolution process;
- b. Specify the sources of, and the mechanisms to support, the on-going identification of *hazards*;
- c. Define the process by which identified *hazards* will be evaluated and prioritized for elimination or control;
- d. Identify the mechanism used to track through resolution the identified *hazard(s)*;
- e. Define minimum thresholds for the notification and reporting of *hazard(s)* to *RTSB*;

RTSB-10: PROCEDURE FOR HAZARD MANAGEMENT

- f. Specify the process by which the *RTA* will provide on-going reporting of *hazard* resolution activities to the oversight agency; and
- g. The *RTA* will also submit any *Corrective Action Plan (CAP)* developed to minimize, mitigate, control, correct, or eliminate the identified risks and *hazards*. The *CAPs* will include the proposed actions, the responsible *individual* or department, and the schedule for implementing those actions for the identified *hazard*, in accordance with Commission GO 164 series, Section 9.

10.3.4 *Hazard* Identification:

As required by 49 CFR Part 674 and Commission GO 164 series, each *RTA* must describe the processes used to identify and record *hazards* in this section of the *PTASP*. This section must describe any *hazard* identification programs associated with capital *projects*, operational changes or other changes within the rail transit environment including mechanisms for soliciting *hazard* reports and input from employees, any committees where the scope includes *safety* issues, etc. *Hazard* identification can be formal or informal, and each *RTA* must describe all methodologies used.

10.3.5 *Hazard Investigation, Evaluation, and Analysis:*

As required by Commission GO 164 series, each *RTA* must describe the processes used to investigate, evaluate, and analyze *hazards* in this section of the *PTASP*. All *hazard investigation, evaluation, and analysis* procedures, including those associated with the *safety* department and any committees that may have *safety* responsibility, must be detailed in this section. The analysis component of this section must detail the methodology used to categorize and prioritize identified *hazards*. In this section, the *RTA* should define a primary quantitative/qualitative methodology for *hazard analysis*.

10.3.6 *Hazard* Mitigation, Control and Elimination:

As required by Commission GO 164 series, each *RTA* must describe the process for *hazard* mitigation, control, and elimination in this section. *RTA* may place an emphasis on certain classifications of high frequency, high-severity *hazards* and describe a consistent methodology for minimizing *hazards* within its resources. *Hazard* control and elimination may require separate discussions and descriptions relative to large *projects* and system modifications versus ongoing operations and maintenance.

RTSB-10: PROCEDURE FOR HAZARD MANAGEMENT

10.3.7 *Hazard* Tracking:

As required by Commission GO 164 series, each *RTA* must establish an appropriate means for tracking all *hazards*, including, but not limited to, information such as the following:

- a. *Hazard* description;
- b. Immediate mitigation (if needed);
- c. Origin of *hazard* (e.g., *accident investigation*, capital project *hazard analysis*, employee *safety* committee, etc.);
- d. Date *hazard* was identified;
- e. *Hazard analysis* results (frequency and severity, *hazard* score, etc., depending on analysis method);
- f. Proposed permanent *hazard* resolution, and any temporary mitigation, if necessary;
- g. Proposed *CAP*(s);
- h. *Hazard* resolution verification/follow-up activities;
- i. Date *hazard* closed;
- j. Responsible investigator or committee leader; or
- k. Other relevant information.

*Hazard* logs may be kept in separate files for separate *projects*, ongoing operations/maintenance, etc. It is important, however, that all *hazard* logs, including open and closed items, be accessible for review by *Staff* upon request.

10.3.8 *RTAs* must develop criteria and appropriate training for their employees assigned to perform *Hazard analysis* and retain documentation of training provided.

10.3.9 *RTAs* should invite *Staff* to their Fire Life Safety Committee, *Safety Certification*, *Hazard* Resolution, and any other meetings where *hazard* management is discussed.

10.3.10 Requirements for ongoing reporting of *hazards* management activities and status are detailed in *RTSB-6*, Procedure for Receiving Notification of *Events* and *Hazards*.

10.3.11 *Staff* will review and approve the *RTA's hazard* management process as an integral part of the *RTA's PTASP* review and approval process.

10.3.12 *Staff* will review and approve the *RTA's* developed reporting thresholds, as defined in the *PTASP*. The notification and reporting thresholds may be reevaluated by the *RTA* and *Staff*, as necessary, during the annual revision process.

RTSB-10: PROCEDURE FOR HAZARD MANAGEMENT

- 10.3.13 The *Designated Representative* will monitor the *RTA's hazard* management process.
- 10.3.14 The *Designated Representative* will document and track reported *hazards* in *RSSIMS HAZT* module (see Attachment 20) and upload corresponding correspondence and note its closure.



## **RTSB-11 PROCEDURE FOR HANDLING FORMAL AND INFORMAL COMPLAINTS**

### **11.1 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedure for handling formal and informal complaints.

### **11.2 PURPOSE**

The purpose of this procedure is to establish a standard set of instructions for *RTSB staff (Staff)* to follow when handling formal and informal complaints.

### **11.3 GENERAL REQUIREMENTS**

- 11.3.1 The *RTSB* Program Manager has overall responsibility for the preparation and use of this procedure.
- 11.3.2 There are two types of complaints: formal complaints and informal complaints.
- 11.3.3 If the complainant wishes to remain anonymous the informal complaint process is the best approach. However, if the complainant is not satisfied with the informal complaint process or wants to appeal *Staff's* determination made at the end of the informal complaint process, the complainant may wish to file a formal complaint with the Commission. Complainant may file a formal complaint without first filing an informal complaint.
- 11.3.4 Formal complaints are those filed with the Commission's Docket Office. They receive a formal Commission proceeding number that begins with the letter "C" and are assigned to an Administrative Law Judge (ALJ). An example would be the complaint filed against Los Angeles County Transportation Metropolitan Authority's (LACMTA) Gold Line Foothill Extension Project by Pasadena Avenue Monterey Road Committee (PAMRC), C-06-10-015.
  - a. A formal complaint may be filed in paper form or electronically. Formal Complaints filed with the CPUC become a public record and may be posted on the CPUC's website.
  - b. Any information the complainant provides in the Formal Complaint, including, but not limited to, complainant's name, address, city, state, zip code, telephone number, e-mail

RTSB-11: PROCEDURE FOR HANDLING FORMAL AND INFORMAL COMPLAINTS

address, and the facts of their case may be available online for later public viewing.

- c. More Commission Formal Complaint information can be found at: <http://www.cpuc.ca.gov/formalcomplaintinfo/>. Additional information can be found on the Commission's Public Advisor's webpage [www.cpuc.ca.gov/pao](http://www.cpuc.ca.gov/pao).

11.3.5 Informal complaints are those received by *Staff* that have not been submitted to the Commission. Examples include complaints received from transit employee labor organization and *individual* complaints received from patrons, the public or transit employees.

- a. These complaints are to be entered in *RSSIMS* CMPT module and tracked to conclusion.

11.3.6 Complaints are received in a variety of forms, including written complaints, electronic, and/or from the CPUC's Consumer Affairs Branch or the CPUC's Public Advisor's Office.

11.3.7 Each informal complaint, regardless of submission form, is to be processed uniformly as outlined below and given priority in resolution. *Staff* should include all complaints and complaint activity in their monthly reports.

As general information, the process for handling incoming informal complaints is as follows:

- a. *RTSB* Management will assign the complaint to a *Staff* member.
- b. Assigned *Staff* will enter the informal complaint information into *RSSIMS* for tracking and ID purposes (complaint number to be included in "subject" line of all correspondence).
- c. The assigned *Staff* will contact the complainant to acknowledge receipt of their complaint, and provide them the assigned complaint number and an estimate for when we will contact them again.
- d. The assigned *Staff* will send out the acknowledgement letter (see Attachment 22 for example) or email to the complainant and copy *RTSB* Management.
- e. The assigned *Staff* will investigate the complaint and determine if a hazardous condition exists. *Staff* should use in-person

RTSB-11: PROCEDURE FOR HANDLING FORMAL AND INFORMAL COMPLAINTS

observation, rather than the transit agency's support, to determine the accuracy of alleged facts in the complaint.

- f. Upon resolution, the assigned *Staff* will draft formal letter of findings/solutions to the complainant for the Senior UE supervisor's signature.
- g. The assigned *Staff* will attach copies of all correspondence to the *RSSIMS* CMPT module records.
- h. The assigned *Staff* should complete entire process within 30 days, or, if not possible, then assigned *Staff* will contact the complainant periodically (not to exceed 90 days) with updates.
- i. Assigned *Staff* member will be responsible for tracking all recommended *corrective actions plans (CAPs)* through to completion, making entries into *RSSIMS* TCAP module.

NOTES:

- a. *Staff* will not reveal a complainant's name(s) to the *RTA* without first obtaining specific authority from complainant.
- b. *Staff* should investigate and draw their own conclusions rather than adopting agency support/information.
- c. *Staff* will determine if a *hazard* exists and if mitigation is required. If *Staff* requires additional information, this should be collected from the agency on the *hazard* and any past mitigation efforts.
- d. If *Staff's investigation* reveals that no hazardous condition exists or the CPUC has no jurisdiction over the matter, the complaint will be dismissed. The assigned *Staff* will send a formal letter to the complainant, providing reasons for the complaint's dismissal and providing other options to file a formal complaint.

## **RTSB-12 PROCEDURE FOR ENFORCEMENT ACTIONS**

### **12.0 SCOPE**

This section describes the *Rail Transit Safety Branch (RTSB)* procedure for handling enforcement actions.

### **12.1 PURPOSE**

The purpose of this procedure is to establish a standard set of instructions for *RTSB staff (Staff)* to follow when handling enforcement actions.

### **12.2 GENERAL REQUIREMENT**

- 12.2.1 The *RTSB* Program Manager has overall responsibility for the preparation and use of this procedure.
- 12.2.2 There are two primary methods of taking enforcement actions.
  - a. Open a formal proceeding before the Commission referred to as an Order Instituting *Investigation* (OII); or
  - b. *Staff* issues a citation.
- 12.2.3 Assigned *Staff* will document and track reported enforcement action in *RSSIMS* TCIT module and upload corresponding correspondence and note its closure.

### **12.3 ORDER INSTITUTING INVESTIGATION**

- 12.3.1 An OII may be opened by the Commission of its own volition for any reason it determines is necessary and appropriate, or *Staff* may propose and recommend that the Commission open such a proceeding for a specific purpose.
- 12.3.2 If the Commission issues an OII, a formal proceeding is initiated where an Administrative Law Judge (ALJ) is assigned to preside.
- 12.3.3 In an OII the *RTA* and *Staff* are both represented by legal counsel and the proceeding scope and schedule are determined by the assigned ALJ and Commissioner. Proceedings will typically require witness testimony and/or hearing.

RTSB-12: PROCEDURE FOR ENFORCEMENT ACTIONS

## 12.4 RAIL TRANSIT CITATION PROGRAM

- 12.4.1 On December 22, 2014, the Commission issued Resolution ST-163, which approved a citation program under the administration of the Commission's *Director* of the Safety and Enforcement Division (SED) for enforcing compliance with certain GOs, 49 CFR 659 et seq, and other requirements for RTAs operating in California. ST-163 can be found at the following link: [Resolution ST-163](#).

Note: *RTSB* and two other Commission branches involved in rail *safety* were formally part of SED. In 2019, Commission formed the Rail Safety Division (RSD) by separating the three rail *safety* branches from SED. Therefore, the authority delegated to the SED *Director* in Resolution ST-163, now is delegated to the RSD *Director*.

- 12.4.2 The *Rail Transit Citation Program* will aid in ensuring compliance with the requirements for walkways, clearances, roadway worker protections and certain *rail fixed guideway system* operating rules. *RTSB Staff* is delegated authority to draft and issue citations for specific violations and levy penalties in specified amounts as set forth in Resolution ST-163, Appendix A (see attachment 22). *RTSB* works with the Legal Division to generate and issue the Citation. The *Rail Transit Citation Program* includes an appeal process.
- 12.4.3 Citations will also be considered for repeat violations that were previously corrected, but which have re-occurred, or for particularly egregious or willful violations. Currently *RTSB Staff* uses on-site visits to identify noncompliance, *safety* concerns, and reported unsafe conditions. Following those visits, *Staff* notifies the *rail fixed guideway system* of the need for corrective action. Generally, *Staff* and *RTA* agree to a timeframe for remediation informally. However, if the *RTA* fails to meet its commitments, *RTSB Inspectors* must make repeated site visits, or contacts with the *RTA*, in an effort to achieve and verify compliance. Alternatively, *Staff* may recommend to *RTSB* management to consider a formal proceeding (Order Instituting Investigation) process. The citation process allows *Staff* to document persistent conditions that fail to comply with applicable Commission rules, orders, and regulations, and provides a more certain timeframe for remediation.

RTSB-12: PROCEDURE FOR ENFORCEMENT ACTIONS

12.4.4 *Rail Transit Citation Program Process*

- a. *Staff* reviews appropriate records in *RSSIMS* listed below to prepare justifications for a citation and recommendation to *RTSB* Management to consider a citation:
  1. *Incident (INCT)*;
  2. *Corrective Action Plan (TCAP)*;
  3. *Hazard, (HAZT)*;
  4. *Triennial Review (TRRV)*;
  5. *Citation (TCIT)*;
  6. *Document Submittal (DCSB)*; and
  7. *Internal Safety and Security Review Annual Reports*
- b. *Staff* prepares documentation describing each alleged violation.
- c. *RTSB* management determines if a citation should be recommended to the *RSD Director*.
- d. *RTSB* management discusses the matter with the *RSD Director* before going to the CPUC's *Legal Division*. *RSD Director* may consult with the CPUC executive leadership and/or Commissioner Offices.
- e. After *RSD Director* approves pursuing a citation, *RTSB* Management contacts CPUC's *Legal Division* for their advice and assistance on the matter.
- f. *RTSB* Management informs *Staff* to create a *Citation (TCIT)* record in *RSSIMS* and assist in preparing and/or reviewing appropriate documents.
- g. *RTSB* Management directs *Staff* to serve the citation to the *RTA*.
- h. The citation must inform the *RTA* they have 30 calendar days from being served to take one of the following actions:
  1. Remit payment of the full amount of the fine to the CPUC's Fiscal Office, and agree with RSD on conditions of payment;  
or
  2. Contest the citation by filing an appeal, pursuant to Commission Resolution ALJ-299.

RTSB-12: PROCEDURE FOR ENFORCEMENT ACTIONS

- i. *RTSB* Management notifies CPUC's Accounts Receivable Section of Admin Services Division that *RSD* has issued a citation, the name of the *RTA*, the amount of the citation, citation number, and name of *RTSB* contact they should notify when they receive payment from the *RTA*. Otherwise, the Accounts Receivable Office may not know how to handle the *RTA*'s payment of the fine.
- j. *RSD Director* will notify CPUC executive leadership, Commissioner Officers, Offices of Governmental Affairs, and News and Public Information Office (NPIO) that the citation has been issued.
- k. *RTSB* Management provides NPIO information they may need (such as description of the alleged violations in terms the general public will understand, and explanation of how the *RTA*'s alleged violations compromise public *safety*), in order to help NPIO prepare a press release (if they think this may be newsworthy) and/or reply to questions from reporters.
- l. *Staff* will monitor the citation's progress, provide *RTSB* management updates and reminders of approaching deadlines.
- m. If the *RTA* pays the full amount of the fine within the specified time, the citation will become closed. *Staff* must accordingly update the *Citation (TCIT)* record in *RSSIMS*.
  1. *Staff* will continue monitoring *RTA*'s actions required in the citation and provide monthly updates to *RTSB* Management until all required actions are completed.
  2. *Staff* will document the closure of all linked *TCAP* record(s) in *RSSIMS*.
- n. If the *RTA* appeals the citation, the matter is assigned to the *ALJ* Division, where an *ALJ* is assigned to hear the case.
  1. *Staff* may be asked to provide expert witness testimony at hearings, where they will be represented by Legal Division attorney.
  2. Citations that are appealed, are given a docket case number starting with the letter K. *Staff* must update the *TCIT* record

RTSB-12: PROCEDURE FOR ENFORCEMENT ACTIONS

in *RSSIMS* to indicate the *RTA* appealed the citation, the docket number of the case, and other relevant information.

3. If the final outcome of the case results in the *RTA* being directed to take certain action(s), *Staff* will monitor and provide monthly updates to *RTSB* Management. *Staff* will also document *RTA* action and update *TCAP* record(s) in *RSSIMS* as appropriate.
4. If the *RTA* is successful in its appeal, the ALJ will clarify the case disposition in their final decision.
  - o. *Staff* should update the *RTSB* webpage on citations.
  - p. Until the closure of the case, the Assigned *Staff* will document activities and upload relevant documents in TCIT module of *RSSIMS*. Upon closure of the case, assigned *Staff* make appropriate entries in TCIT Module and change the record status to closed.



## **ATTACHMENTS**

## ATTACHMENT 1: PUBLIC UTILITIES CODE - PUC

### California Code, Public Utilities Code - PUC §211:

“Common carrier” means every person and corporation providing transportation for compensation to or for the public or any portion thereof, except as otherwise provided in this part.

“Common carrier” includes:

(a) Every railroad corporation; street railroad corporation; dispatch, sleeping car, dining car, drawing-room car, freight, freightline, refrigerator, oil, stock, fruit, car-loaning, car-renting, car-loading, and every other car corporation or person operating for compensation within this state.

(b) Every corporation or person, owning, controlling, operating, or managing any vessel used in the transportation of persons or property for compensation between points upon the inland waters of this state or upon the high seas between points within this state, except as provided in Section 212. “Inland waters” as used in this section includes all navigable waters within this state other than the high seas.

(c) Every “*passenger* stage corporation” operating within this state.

### California Code, Public Utilities Code - PUC §216:

(a) “Public utility” includes every common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, and heat corporation, where the service is performed for, or the commodity is delivered to, the public or any portion thereof.

### California Code, Public Utilities Code - PUC §315:

The commission shall investigate the cause of all *accidents* occurring within this State upon the property of any public utility or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the commission, *investigation* by it, and may make such order or recommendation with respect thereto as in its judgment seems just and reasonable. Neither the order or recommendation of the commission nor any *accident* report filed with the commission shall be admitted as evidence in any action for damages based on or arising out of such loss of life, or injury to person or property. Every public utility shall file with the commission, under such rules as the commission prescribes, a report of each *accident* so occurring of such kinds or classes as the commission from time to time designates.

### California Code, Public Utilities Code - PUC §771:

The commissioners and their officers and employees may enter upon any premises occupied by any public utility, for the purpose of making the examinations and tests and

ATTACHMENT 1 – PUBLIC UTILITIES CODE - PUC

exercising any of the other powers provided for in this part, and may set up and use on such premises any apparatus and appliances necessary therefor. The agents and employees of the public utility may be present at the making of such examinations and tests.

**California Code, Public Utilities Code - PUC §778:**

The commission shall adopt rules and regulations, which shall become effective on July 1, 1977, relating to *safety* appliances and procedures for rail transit services operated at grade and in vehicular traffic. The rules and regulations shall include, but not be limited to, provisions on grade crossing protection devices, headways, and maximum operating speeds with respect to the speed and volume of vehicular traffic within which the transit service is operated.

The commission shall submit the proposed rules and regulations to the Legislature not later than April 1, 1977.

(Added by Stats. 1976, Ch. 924.)

**California Code, Public Utilities Code - PUC § 29047:**

The district (SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT) shall be subject to regulations of the Public Utilities Commission relating to *safety* appliances and procedures, and the commission shall inspect all work done pursuant to this part and may make such further additions or changes necessary for the purpose of *safety* to employees and the general public.

The commission shall enforce the provisions of this section.

The district shall reimburse the commission for any cost incurred by the commission in regulating pursuant to this section when such regulating is performed (a) by persons not on the staff of the commission or (b) by the staff of the commission but not funded by a Budget Act appropriation. The reimbursement shall be in the amount as agreed upon by the district and the commission and approved by the Director of Finance. If the district and the commission are unable to agree as to the amount of the cost, the Director of Finance shall determine the amount.

**California Code, Public Utilities Code - PUC §30646:**

The district shall be subject to regulations of the Public Utilities Commission relating to *safety* appliances and procedures, and the commission shall inspect all work done pursuant to this part and may make such further additions or changes necessary for the purpose of *safety* to employees and the general public.

The district shall be subject to the jurisdiction of the Public Utilities Commission with respect to *safety* rules and other regulations governing the operation of street railways.

ATTACHMENT 1 – PUBLIC UTILITIES CODE - PUC

The commission shall enforce the provisions of this section.

**California Code, Public Utilities Code - PUC § 99152:**

Any public transit guideway planned, acquired, or constructed, on or after January 1, 1979, is subject to regulations of the Public Utilities Commission relating to *safety* appliances and procedures.

The commission shall inspect all work done on those guideways and may make further additions or changes necessary for the purpose of *safety* to employees and the general public.

The commission shall develop an oversight program employing *safety* planning criteria, guidelines, *safety* standards, and *safety* procedures to be met by operators in the design, construction, and operation of those guideways. *Existing industry standards* shall be used where applicable.

The commission shall enforce the provisions of this section.

**California Code, Public Utilities Code – PUC § 100168:**

The VTA shall be subject to the regulations of the Public Utilities Commission relating to *safety* appliances and procedures, and the commission shall inspect all work done pursuant to this part and may make further additions or changes necessary for the purpose of *safety* to employees and the general public. The commission shall enforce the provisions of this section.

(Amended by Stats. 2016, Ch. 381, Sec. 62. Effective January 1, 2017.)

<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=PUC&tocTitle=+Public+Utilities+Code+-+PUC>

**California Code, Public Utilities Code – PUC §765**

(a) When the federal National Transportation Safety Board (NTSB) submits a *safety* recommendation letter concerning rail *safety* to the commission, the commission shall provide the NTSB with a formal written response to each recommendation no later than 90 days after receiving the letter. The response shall state one of the following:

- (1) The commission's intent to implement the recommendations in full, with a proposed timetable for implementation of the recommendations.
- (2) The commission's intent to implement part of the recommendations, with a proposed timetable for implementation of those recommendations, and detailed reasons for the commission's refusal to implement those recommendations that the commission does not intend to implement.

ATTACHMENT 1 – PUBLIC UTILITIES CODE - PUC

(3) The commission's refusal to implement the recommendations, with detailed reasons for the commission's refusal to implement the recommendations.

(b) If the NTSB issues a *safety* recommendation letter concerning any commission-regulated rail facility to the United States Department of Transportation, the Federal Transit Administration, to a commission-regulated rail operator, or to the commission, or if the Federal Transit Administration issues a *safety* advisory concerning any commission-regulated rail facility, the commission shall determine if implementation of the recommendation or advisory is appropriate. The basis for the commission's determination shall be detailed in writing and shall be approved by a majority vote of the commission.


(c) If the commission determines that a *safety* recommendation made by the NTSB is appropriate, or that action concerning a *safety* advisory is necessary, the commission shall issue orders or adopt rules to implement the *safety* recommendations or advisory as soon as practicable. In implementing the *safety* recommendation or advisory, the commission shall consider whether a more effective, or equally effective and less costly, alternative exists to address the *safety* issue that the recommendation or advisory addresses.

(d) Any action taken by the commission on a *safety* recommendation letter or *safety* advisory shall be reported annually, in detail, to the Legislature with the report required by Section 321.6. Any correspondence from the NTSB indicating that a recommendation has been closed following an action that the NTSB finds unacceptable shall be noted in the report required by Section 321.6.

**ATTACHMENT 2: RAIL TRANSIT SAFETY BRANCH INSPECTION FORM**

Report # 

**California Public Utilities Commission**  
**Rail Transit Safety Branch**  
**Inspection/Citation Form**



Print Form

Type Of Inspection

Joint Inspection

RTA

RTA Contact

Address

City  State CA Zip Code

Contacts E-mail Address

Unannounced     Scheduled

Date Field

Time Field

Personnel Present

Name	Title	E-mail

CPUC Representative

Submitted By

Inspection Location

Mile Post	CPUC or DOT Crossing #	Signal #	Switch #

Station or Facility Name

CPUC, RTSB Inspection Form  
Page 1 of 3

ATTACHMENT 2- RAIL TRANSIT SAFETY BRANCH INSPECTION FORM

-FINDINGS OF NON-COMPLIANCE-  
If findings are noted, RTSB requires a written Corrective Action Plan (CAP) be submitted to Staff within **30 days** of receiving the Inspection Report.

Documents Attached - Please click on the paperclip to the bottom left of the form to access documents.

<p>Finding #1 <input type="text"/></p> <p>Description</p> <p><input type="text"/></p> <p>Finding #1 Applicable Rule or Regulation</p> <p><input type="text"/></p> <p>Finding #1 Recommendation</p> <p><input type="text"/></p> <p><input type="checkbox"/> Finding #1 Closed      <input type="checkbox"/> Citation Recommended</p>	<p>Finding #2 <input type="text"/></p> <p>Description</p> <p><input type="text"/></p> <p>Finding #2 Applicable Rule or Regulation</p> <p><input type="text"/></p> <p>Finding #2 Recommendation</p> <p><input type="text"/></p> <p><input type="checkbox"/> Finding #2 Closed      <input type="checkbox"/> Citation Recommended</p>
<p>Finding #3 <input type="text"/></p> <p>Description</p> <p><input type="text"/></p> <p>Finding #3 Applicable Rule or Regulation</p> <p><input type="text"/></p> <p>Finding #3 Recommendation</p> <p><input type="text"/></p> <p><input type="checkbox"/> Finding #3 Closed      <input type="checkbox"/> Citation Recommended</p>	<p>Finding #4 <input type="text"/></p> <p>Description</p> <p><input type="text"/></p> <p>Finding #4 Applicable Rule or Regulation</p> <p><input type="text"/></p> <p>Finding #4 Recommendation</p> <p><input type="text"/></p> <p><input type="checkbox"/> Finding #4 Closed      <input type="checkbox"/> Citation Recommended</p>

CPUC, RTSB Inspection Form  
Page 2 of 3

ATTACHMENT 2- RAIL TRANSIT SAFETY BRANCH INSPECTION FORM

Comments/Risk Management			
Item #1	Left Blank	Item #2	Left Blank
Item #3	Left Blank	Item #4	Left Blank

CPUC, RTSB Inspection Form  
Page 3 of 3



**ATTACHMENT 3: STATE SAFETY AND SECURITY CERTIFICATION OVERSIGHT  
 PLAN DOCUMENT SUBMITTALS**

Transit Agency:		Project:			Designated RTSB Rep:
No.	Contract No.	Document Description	Date Received	Date Accepted	Comments

**SAFETY AND SECURITY CERTIFICATION OVERSIGHT PLAN  
 TEST OBSERVATIONS**

Transit Agency:		Project:			Designated RTSB Rep:
No.	Contract No.	Test Procedure	Description of Test or other Activity to be Observed	Date Completed	Comments

**ATTACHMENT 4: SAFETY AND SECURITY CERTIFICATION OVERSIGHT PLAN  
 RECORDS REVIEW**

SAFETY AND SECURITY CERTIFICATION OVERSIGHT PLAN RECORD REVIEWS						
Transit Agency:			Project:		Designated RTSB Rep:	
No.	Contract No.	Record ID Number	Description of the Record	Date Received	Date Accepted	Comments

## **ATTACHMENT 5: SAMPLE OF DAILY CALENDAR NOTICE**

### **Sample of Daily Calendar Notice for Resolutions**

#### **NOTICE OF DRAFT RESOLUTIONS**

#### **(Pursuant to PU Code § 311(g))**

#### **NOTE: (Body of text should be in 10 pt Times New Roman Font Normal with the following Text)**

The Name of Division has prepared Resolution xxxx for the Commission Meeting Date. Summary of Resolution.

Any questions or comments should be directed to name at email address

The web link is:

web link to the published document

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### **Sample 1**

The Rail Safety Division has prepared Resolution ST-206 for October 26, 2017. This Resolution grants the San Francisco Bay Area Rapid Transit District's request for approval of its *Safety* and *Security* Certification Plan for its Communications-Based Train Control project.

Any questions or comments should be directed to Jamie Lau at [Jamie.Lau@cpuc.ca.gov](mailto:Jamie.Lau@cpuc.ca.gov)

The web link is: <http://docs.cpuc.ca.gov/SearchRes.aspx?DaySearch=1>

**ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

**CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN**

Transit Agency:					Submittal Date:			
Plan Title:					Plan Date:			
Checklist Section	Checklist Item	Citation	Plan Requirements	Considerations from FTA's System Safety Program Plan (SSPP) to Agency Safety Plan (ASP) Roadmap and the preambles to 49 C.F.R. Part 673 and 49 C.F.R., Part 674	Included		Page Ref.	RTSB Questions/Comments
					Y	N		

A. Transit Agency Information	A-1: The RTA specifies transit agency name	§673.11(a)	A transit agency must, within one calendar year after July 19, 2019, establish an Public Transportation Agency Safety Plan (PTASP) that meets the requirements of this part.	The RTA may want to consider revising available text from its SSPP to explain that its PTASP responds to both FTA's requirements at 49 C.F.R. Part 673 and the State Safety Oversight (SSO) program established by the State with jurisdiction over the RTA.				
	A-2: The RTA specifies mode(s) of transit service covered by the PTASP.	§673.11(b)	A transit agency may develop one PTASP for all modes of service, or may develop a PTASP for each mode of service not subject to safety regulation by another Federal entity.	The RTA should review the SSOA's Program Standard to identify any requirements regarding the scope of the PTASP, and then, accordingly, should determine whether the PTASP will address multiple (if applicable) or single modes				
	A-3: The RTA specifies SSOA and authority for State Safety Oversight (SSO) program.	§673.13(a)	A SSOA must review and approve an PTASP developed by a RTA as authorized in 49 B.S.C. 5329(e) and its implementing regulations at 49 C.F.R. Part 674.	SSPPs also identify the SSOA and the authority for the State's oversight program.				
	A-4: The RTA identifies an Accountable	§673.23(d)(1)	The RTA must identify an Accountable Executive. The Accountable Executive may	<ul style="list-style-type: none"> <li>An Accountable Executive should be a transit operator's chief</li> </ul>				

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	Executive that is:		delegate specific responsibilities, but the ultimate accountability for the transit agency’s safety performance cannot be delegated and always rests with the Accountable Executive.	executive; this person is often the president, chief executive officer, or general manager;				
	A-4-a: Accountable for ensuring that the agency’s Safety Management System (SMS) is effectively implemented throughout the agency’s public transportation system.	§673.23(d)(1)	The Accountable Executive is accountable for ensuring that the agency’s SMS is effectively implemented, throughout the agency’s public transportation system.	<ul style="list-style-type: none"> <li>• Accountable Executive must sign the safety plan;</li> <li>• Board of Directors or an Equivalent Authority must approve the safety plan;</li> <li>• FTA defers to those systems in their designation of an Accountable Executive, so long as that single individual has the ultimate responsibility and accountability for:                             <ul style="list-style-type: none"> <li>• Implementation and maintenance of the SMS of a public transportation agency;</li> <li>• Responsibility for carrying out the agency's transit asset management plan; and</li> <li>• Has control or direction over the human and capital resources needed to develop and maintain both the agency's PTASP and the agency's Transit Asset Management (TAM) plan.</li> </ul> </li> <li>• For municipal government agencies, that individual could be:                             <ul style="list-style-type: none"> <li>• A county executive or a mayor;</li> <li>• Head of a city's department of transportation;</li> <li>• Head of a city's department of public works; or</li> </ul> </li> </ul>				
	A-4-b: Accountable for ensuring action is taken, as necessary, to address substandard performance in the agency’s SMS.	§673.23(d)(1)	The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency’s SMS.					

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				<ul style="list-style-type: none"> <li>• City manager.</li> </ul> <p>And while many individuals within a transit agency may be responsible for “implementing” SMS, the Accountable Executive is the individual with the ultimately responsibility for SMS implementation at the agency.</p> <p>FTA understands that at many smaller transit operators, roles and responsibilities are more fluid. However, FTA believes that, even in circumstances where responsibilities are either shared or delegated, there must be one primary decision-maker who is ultimately responsible for both safety and transit asset management.</p>				
	A-5-a: The RTA identifies a Chief Safety Officer (or SMS Executive) who: Is designated by the Accountable Executive.	§673.23(d)(2)	The Accountable Executive must designate a Chief Safety Officer or SMS Executive	<ul style="list-style-type: none"> <li>• FTA is deferring to each RTA and SSOA to determine the appropriate direct reporting relationship with the Accountable Executive.</li> <li>• FTA defers to the RTA and SSOA to determine the level of training that is adequate for the Chief Safety Officer.</li> <li>• FTA will not allow the Chief Safety Officers for rail transit agencies to have additional operational and maintenance responsibilities; FTA believes that this role should be a full-time responsibility at rail transit agencies, unless a rail transit agency petitions FTA to allow its</li> </ul>				
	A-5-b: Holds a direct line of reporting to the Accountable Executive.	§673.23(d)(2) and §674.29(b)	The Chief Safety Officer (SMS Executive) must hold a direct line of reporting to the Accountable Executive. A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer (SMS Executive).					
	A-5-c: Is adequately trained	§673.5 and §674.29(b)	-The Safety Plan identifies an adequately trained safety					

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	as defined by agency.		officer who reports directly to the general manager, president, or equivalent officer of the RTA. -Training shall comply with 49CFR672.13(a) and (c) requirements	Chief Safety Officer to serve multiple roles given administrative and financial hardships with having a single, dedicated, and full-time Chief Safety Officer.				
	A-5-d: Has the authority and responsibility for day-to-day implementation and operations of the agency's SMS.	§673.23(d)(2)	...who has the authority and responsibility for day-to-day implementation and operation of an agency's SMS.	<ul style="list-style-type: none"> <li>• see FTA CSO/SMS Executive Fact Sheet dated May 2019.</li> <li>• Staff shall look for references to 672.13(a) and 672.13(c)</li> </ul>				
	A-5-e: Does not serve in other operational or maintenance capacities.	§673.5	A Chief Safety Officer may not serve in other operational or maintenance capacities...					
<b>B. Plan Development, Approval, and Updates</b>	B-i: A policy statement is included in the Public Transportation Agency Safety Plan (PTASP) that describes the authority that establishes the PTASP. <ul style="list-style-type: none"> <li>• The purpose of the PTASP is defined.</li> </ul>			PTASP must include a policy statement and purpose. Policy statement and purpose do not have to be in the same section.				
	B-1: The RTA	§673.11(a)(	The Plan and subsequent	The RTA may amend or prepare				



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	provides the Accountable Executive's signature of the PTASP and date of signature.	1)	updates, must be signed by the Accountable Executive	signature blocks and any formal adoption memorandum or other documents that may need to be attached to the PTASP to demonstrate the required signature from the Accountable Executive.				
	B-2: The RTA provides the Board of Directors' or Equivalent Authority's approval of the PTASP and date of approval.	§673.11(a)(1) and §674.29(b)	The Plan and subsequent updates must be approved by the agency's Board of Directors or an equivalent entity.	The RTA may amend or prepare signature blocks and any formal adoption memorandum or other documents that may need to be attached to the PTASP to demonstrate the required approval from the Board of Directors or an Equivalent Entity.				
	B-3: The RTA provides certification of compliance with Part 673, including the name of the individual or entity that certifies the PTASP and date of certification.	§673.11(a)(4), §673.13, and §674.29(a)	The Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the public notice and comment process.	If the RTA chooses to address this requirement explicitly in the PTASP, the RTA may consider briefly describing the FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan and clarifying its intention to comply with any minimum safety performance standards authorized under 49 U.S.C.. 5329(b)(2)(C). This section can also explain that FTA has not yet issued any such standards, and that any future FTA standards will be established through the public notice and comment process. This section can also identify any reviews or assessments the RTA may conduct, independently or jointly with the SSOA to ensure compliance with FTA's regulations and the SSOA program standard.				
	B-4: The RTA provides certification of compliance with the Program Standard	§674.29(a), Procedures Manual	In determining whether to approve a PTASP for a rail fixed guideway public transportation system, an SSOA must evaluate whether the PTASP is in compliance					

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	<p>established by the SSOA, including the name of the individual or entity that certifies compliance with the SSOA's Program Standard and date of certification.</p>		<p>with the program standard set by the SSOA.</p>					
	<p>B-5: The RTA provides a process and timeline for conducting an annual review and update of the PTASP, including the PTASP version number and other relevant information. An annual assessment of whether the PTASP should be updated is specified.</p>	<p>§673.11(a)(5) and §674.29(b)</p>	<p>Each RTA must establish a process and timeline for conducting an annual review and update of its PTASP.</p>	<p>There may be many similarities between the process documented in the SSPP and the new process for the PTASP. The RTA may consider modifying its current SSPP text (or developing new text) to:</p> <ul style="list-style-type: none"> <li>• Reflect that the plan is now called a PTASP instead of an SSPP;</li> <li>• Update the content of existing processes;</li> <li>• procedures that will now guide the annual review and update of the PTASP;</li> <li>• Ensure coordination with the requirement to have the Board of Directors or Equivalent Entity review and approve the updated PTASP and the Accountable Executive sign the updated PTASP;</li> <li>• Ensure compliance with the annual review and update requirements specified by the SSOA in its program standard;</li> </ul>				
	<p>B-ii: The process used to control changes to the PTASP is described.</p>							

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				<ul style="list-style-type: none"> <li>• Specific departments and persons responsible for initiating, developing, approving, and issuing changes to the PTASP are identified; and</li> <li>• Required coordination regarding plan modification, revision, and approval, is addressed.</li> </ul>				
<b>C. Emergency Preparedness and Response Plan</b>	<p>C-1-a: The RTA provides or references an emergency preparedness and response plan or procedure that, at a minimum address:                  The assignment of employee responsibilities during an emergency.</p>	§673.11(a)(6)	<p>An RTA must include or incorporate by reference in its PTASP an emergency preparedness and response plan or procedures that addresses, at a minimum the assignment of employee responsibilities during an emergency,</p>	<p>Historically, FTA's SSO program has required RTAs to have emergency preparedness plans through 49 C.F.R. 659.19(k).</p> <ul style="list-style-type: none"> <li>• To address this section, the RTA may consider including as an appendix, or incorporating by reference, its emergency preparedness and response plan, which, at a minimum, defines employee roles and responsibilities during emergencies and documents coordination with Federal, State, regional and local officials.</li> </ul>				
	<p>C-1-b: Coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.</p>	§673.11(a)(6)	<p>coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.</p>	<ul style="list-style-type: none"> <li>• The RTA also should review the SSOA's Program Standard to identify any other requirements regarding how the PTASP should address the emergency preparedness and response plan or procedures, and also review its internal policies to identify any specific considerations that should be in place to manage Sensitive Security Information (SSI), as</li> </ul>				
	<p>C-1-c: The</p>							

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	description of the process used to evaluate emergency preparedness, such as annual emergency field exercises, is documented.			defined by Federal Regulation 49 C.F.R. Part 1520.				
	C-1-d: A description of the post drill evaluation and implementation of findings are documented.							
	C-1-e: The process to be used by the RTA for the revision and distribution of emergency response procedures is explained.							
	C-i: The RTA provides or references an Disaster Recovery Plan:	§673.11(a)(6)	at a minimum the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service					

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			area.					
<b>D. Safety Performance Targets</b>	D-1: The RTA specifies performance targets for fatalities (total number of reportable fatalities and rate per total vehicle revenue miles, by rail transit mode).	§673.11(a)(3) and National Safety Plan	The PTASP must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan [Version 1.0, dated January 18, 2017, Page 32).	<ul style="list-style-type: none"> <li>• Pursuant to 49 U.S.C. § 5329(d), a PTASP must include safety performance targets based on the safety performance measures in the National Safety Plan.</li> <li>• The safety performance measures (fatalities, injuries, safety events and system reliability) selected by FTA are intended to provide “state of the industry” high-level measures and help focus individual agencies on the development of specific performance indicators and measurable targets relevant to their operations.</li> <li>• These measures should also inform agencies as they identify actions they would take to improve their own safety outcomes.</li> <li>• Agencies should select performance targets that are appropriate to their operations and environment.</li> <li>• Successful performance targets are specific, measurable, attainable, relevant, and time-bound (SMART). As part of the annual review of a PTASP, each RTA should reevaluate its safety performance measures and determine how the measures should be refined, sub-measures</li> </ul>				
	D-2: The RTA specifies performance targets for injuries (total number of reportable injuries and rate per total vehicle revenue miles, by rail transit mode).							
	D-3: The RTA specifies performance targets for safety events (total number of reportable events and rate per total vehicle revenue miles, by rail transit mode).							
	D-4: The RTA specifies performance							

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<p>targets for system reliability (mean (or average) distance between major mechanical failures, by rail transit mode).</p>			<p>developed, and performance targets selected.</p> <ul style="list-style-type: none"> <li>FTA recognizes that each transit agency has its own operating policies that impact how performance is reported to the NTD. However, bringing greater attention to safety and reliability metrics will encourage more robust, consistent data reporting in the future.</li> </ul>				
<p>D-i: Stated management responsibilities are identified for the safety program to ensure that the goals and objectives are achieved.</p>							
<p>D-5: The RTA specifies or references documentation that specifies performance targets are made available to the State to aid in the planning process.</p>	<p>§673.15(a)</p>	<p>A State or RTA must make its safety performance targets available to States and Metropolitan Planning Organizations to aid in the planning process.</p>	<ul style="list-style-type: none"> <li>While many RTA may have voluntarily shared safety performance and state of good repair targets with local and State planning agencies, the requirement to do so is new. In addressing this new activity in the PTASP, the RTA may wish to document the process through which the transit agency shares its safety performance and state of good repair targets with its State and Metropolitan Planning Organizations.</li> </ul>				
<p>D-6-a: The RTA specifies, or references documentation that specifies, performance</p>	<p>§673.15(a)</p>						

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	<p>targets are made available to the Metropolitan Planning Organization(s) (MPO) to aid in the planning process.</p>			<ul style="list-style-type: none"> <li>The RTA should consider indicating if it has representation on the Metropolitan Planning Organization Board, either directly or indirectly (i.e., elected officials serving on both the Metropolitan Planning Organization board and the transit agency board), and briefly describing how this representation can support the agency’s process for making safety performance target available to the Metropolitan Planning Organization and State.</li> <li>The RTA also could reference relevant transportation planning documentation or legislation.</li> </ul>				
	<p>D-6-b: The RTA specifies, or references documentation that specifies, that the RTA coordinates with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets, to the maximum extent practicable.</p>	§673.15(b)	<p>To the maximum extent practicable, a State or RTA must coordinate with States and Metropolitan Planning Organizations in the selection of State and Metropolitan Planning Organization safety performance targets.</p>					
<p><b>E. Development and Implementation of SMS</b></p>	<p>E-1: The RTA specifies, or references documentation that specifies, its establishment and implementation of a Safety Management System (SMS).</p>	§673.11(a)(2) and §673.21	<p>Each transit agency must establish and implement a Safety Management System under this part. A transit agency Safety Management System must be appropriately scaled to the size, scope and complexity of the transit agency and include the following elements:</p>	<p>This requirement will be assessed through evaluation of the Safety Management Policy, Safety Risk Management, Safety Assurance and Safety Promotion sections below.</p>				

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	<p>E-2: The RTA specifies, or references documentation that specifies, that its SMS is appropriately scaled to the size, scope, and complexity of the RTA and includes: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion.</p>	<p>§673.21, §673.23, §673.25, §673.27, and §673.29</p>	<p>(a) Safety Management Policy as described in § 673.23;                  (b) Safety Risk Management as described in § 673.25;                  (c) Safety Assurance as described in § 673.27; and                  (d) Safety Promotion as described in § 673.29.</p>					
<p><b>F. Safety Management Policy</b></p>	<p>F-1-a: The RTA specifies, or references documentation that specifies, a written statement of safety management policy, including the agency's safety objectives.</p>	<p>§673.5, §673.21(a), and §673.23(a)</p>	<p>RTA's have a written statement of safety management policy that includes the agency's safety objectives.</p>	<ul style="list-style-type: none"> <li>• The safety management policy statement clearly states the organization's safety objectives and sets forth the policies, procedures, and organizational structures necessary to accomplish the safety objectives.</li> <li>• It clearly delineates management and employee responsibilities for safety throughout the organization.</li> <li>• Ensures that management is actively engaged in the oversight of the organization's safety performance by requiring regular review of the safety policy by a designated Accountable Executive</li> </ul>				



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				<p>(general manager, president, or other person with similar authority).</p> <ul style="list-style-type: none"> <li>• Within the context of the PTASP, an organization's safety objectives will be articulated through the setting of performance targets based on, at a minimum, the safety performance measures established in the National Public Transportation Safety Plan. See 49 U.S.C. 5329(d)(1)(E).</li> </ul>				
	<p>F-2-a: The RTA specifies, or references documentation that specifies, an Employee Safety Reporting Program that includes:                  A process that allows employees to report safety conditions to senior management.</p>	§673.23(b)	<p>A transit agency must establish and implement a process that allows employees to report safety conditions to senior management.</p>	<ul style="list-style-type: none"> <li>• Each RTA will need to review its current employee reporting systems and ensure that they meet FTA's employee safety reporting expectations, including comprehensiveness and accessibility, and address protections for employees who report safety conditions as well as identify behaviors that would result in disciplinary action.</li> <li>• In addition, the RTA will need to address any gaps related to the documentation and storage of the data, its retrieval and analysis, and any practices for communicating back to reporting employee.</li> <li>• In addressing any identified gaps, the RTA will want to establish and communicate criteria and procedures for employee safety reporting across the organization.</li> </ul>				
	<p>F-2-b: Protections for employees who report safety conditions to senior management.</p>	§673.23(b)	<p>Protections for employees who report safety conditions to senior management.</p>					
	<p>F-2-c: A description of</p>	§673.23(b)	<p>A description of employee behaviors that may result in</p>					

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	employee behaviors that may result in disciplinary action.		disciplinary action.	<ul style="list-style-type: none"> <li>Each RTA will need to specify in documentation the new or modified employee reporting program as a fundamental source for safety concerns and hazard identification.</li> </ul>				
	F-3: The RTA specifies, or references documentation that specifies, communication of the safety management policy throughout the organization.	§673.23(c)	The safety management policy must be communicated throughout the agency's organization.	Each RTA will need to implement the necessary provisions for ensuring that the Safety Management Policy Statement is communicated to all employees, with explicit support from senior management, including the means as well as the criteria establishing when the statement should be updated or revised.				
	F-4: The RTA specifies, or references documentation that specifies, necessary authorities, accountabilities, and responsibilities for the management of safety and the implementation of the RTA's SMS among the key safety roles within the organization:	§673.23(a) and §673.23(d)	A transit agency must establish its organizational accountabilities and responsibilities.	As a general action, each RTA will need to review and discuss authorities, accountabilities and responsibilities as they relate to the development and management (or operation) of the SMS, in addition to established safety responsibilities. Each RTA will need to revise current SSPP text based on those meetings for inclusion in the ASP. The Accountable Executive is ultimately responsible for ensuring these authorities, accountabilities and responsibilities are established.				

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	<p>F-4-a: Accountable Executive.</p>	<p>§673.5, §673.23(d)(1), and §674.7</p>	<ul style="list-style-type: none"> <li>• The transit agency must identify an Accountable Executive.</li> <li>• The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the transit agency’s safety performance cannot be delegated and always rests with the Accountable Executive.</li> <li>• The Accountable Executive is accountable for ensuring that the agency’s SMS is effectively implemented, throughout the agency’s public transportation system.</li> <li>• The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency’s SMS.</li> </ul>	<ul style="list-style-type: none"> <li>• Each RTA must identify an Accountable Executive within its organization who ultimately is responsible for carrying out and implementing its safety plan and asset management plan.                         <ul style="list-style-type: none"> <li>• An Accountable Executive should be a transit operator’s chief executive; this person is often the president, chief executive officer, or general manager.</li> <li>• As a preliminary matter, FTA distinguishes the role of the Accountable Executive from the role of a Board of Directors, or an Equivalent Authority. Pursuant to 49 C.F.R. 673.11(a)(1), the Accountable Executive must sign the safety plan; the Board of Directors or an Equivalent Authority must approve the safety plan in accordance with 49 U.S.C. 5329(d)(1)(A).</li> <li>• Given the varying sizes and natures of transit systems, FTA defers to those systems in their designation of an Accountable Executive, so long as that single individual has:                                 <ul style="list-style-type: none"> <li>• the ultimate responsibility and accountability for the implementation and maintenance of the SMS of a public transportation agency;</li> </ul> </li> </ul> </li> </ul>				
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				<ul style="list-style-type: none"> <li>• responsibility for carrying out the agency's transit asset management plan; and</li> <li>• control or direction over the human and capital resources needed to develop and maintain both the agency's public transportation agency safety plan and the agency's transit asset management plan.</li> <li>• For municipal government agencies, that individual could be a county executive or a mayor, or it could be the head of a city's department of transportation, the head of a city's department of public works, or a city manager.</li> <li>• FTA understands that at many smaller transit operators, roles and responsibilities are more fluid. However, FTA believes that, even in circumstances where responsibilities are either shared or delegated, there must be one primary decision-maker who is ultimately responsible for both safety and transit asset management. It is a basic management tenet that</li> </ul>				
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				accountabilities flow top-down.				
	F-4-b: Chief Safety Officer (or SMS Executive).	§673.5, §673.23(d)(2), and §674.29(b)	<ul style="list-style-type: none"> <li>• The Accountable Executive must designate a Chief Safety Officer (SMS Executive).</li> <li>• The Chief Safety Officer (SMS Executive) must hold a direct line of reporting to the Accountable Executive.</li> <li>• A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer (SMS Executive).</li> <li>• The Chief Safety Officer who has the authority and responsibility for day-to-day implementation and operation of an agency’s SMS.</li> <li>• The Safety Plan identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA.</li> </ul>	<ul style="list-style-type: none"> <li>• Given the different sizes of transit operators and given the varying operating environments of transit systems across the nation, FTA is deferring to each RTA and SSOA to determine the appropriate direct reporting relationship with the Accountable Executive.</li> <li>• FTA also defers to the RTA and SSOA to determine the level of training that is adequate for the Chief Safety Officer.</li> <li>• Given the more complex operating environments of rail transit systems and the increased safety risks in these environments, FTA will not allow the Chief Safety Officers for rail transit agencies to have additional operational and maintenance responsibilities; it is necessary to have a single individual wholly dedicated to ensuring safety.</li> <li>• FTA believes that this role should be a full-time responsibility at rail transit agencies, unless a rail transit agency petitions FTA to allow its Chief Safety Officer to serve multiple roles given administrative and financial hardships with having a single,</li> </ul>				

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				dedicated, and full-time Chief Safety Officer.				
	F-4-c: Agency Leadership and Executive Management.	§673.23(d)(3)	<ul style="list-style-type: none"> <li>A transit agency must identify those members of its leadership or executive management, other than an Accountable Executive or Chief Safety Officer (SMS Executive), who have authorities or responsibilities for day-to-day implementation and operation of an agency's SMS.</li> </ul>	Each RTA must identify agency leadership and executive management who would be responsible for the implementation of a transit agency's safety plan.				
	<p>F-4-d-i: Key Staff.                      An overview of the management structure of the rail transit agency is provided including an organization chart.                      Organizational structure is clearly defined and includes:</p> <ul style="list-style-type: none"> <li>History and scope of service;</li> <li>Physical characteristics, and</li> </ul>	§673.23(d)(4)	A transit agency may designate key staff, groups of staff, or committees to support the Accountable Executive or Chief Safety Officer (SMS Executive) in developing, implementing, and operating the agency's SMS (i.e. ORG Chart).	Each RTA must identify key staff, groups of staff, or committees who would support development, implementation and operation of the RTA's SMS.				

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	Operations and Maintenance.							
	F-4-d-ii: A description of how the safety function is integrated into the rest of the RTA organization is provided.							
	F-4-d-iii: Clear identification of the lines of authority used by the RTA to manage safety issues is provided.							
	F-5: The RTA specifies, or references documentation that specifies, adequate methods to ensure implementation of the PTASP by all employees, agents, and	§674.29(b)	The PTASP includes adequate methods to support the execution of the Plan by all employees, agents, and contractors for the rail fixed guideway public transportation system.	The SSOA must ensure that the RTA's PTASP is sufficiently detailed and provides adequate methods to be carried out by employees, agents and contractors.				

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	contractors.							
<b>G. Safety Risk Management</b>	G-1: The RTA specifies, or references documentation that specifies, a Safety Risk Management process for all system elements.	§673.21(b), §673.25, and §674.29(b).	<ul style="list-style-type: none"> <li>• A transit agency must develop and implement a Safety Risk Management process for all elements of its public transportation system.</li> <li>• The Safety Risk Management process must be comprised of the following activities: Safety hazard identification, safety risk assessment, and safety risk mitigation.</li> </ul>	<ul style="list-style-type: none"> <li>• In addressing these new requirements, the RTA can update its SSPP language describing its hazard management process to reflect the new approach to safety risk management, including definitions and criteria related to safety risk management terms and activities (to be consistent with SMS concepts and terms under 49 CFR Part 673.5).</li> <li>• The SSPP section also can be revised to include the new organizational and reporting structure developed for safety risk management, the new tools used to support safety risk analysis and evaluation, the new roles of the adequately trained and staffed safety or SMS department in supporting and conducting safety risk analysis, and any new requirements for coordinating with and reporting to the SSOA regarding the implementation and results of the safety risk management process.</li> </ul>				
	G-2: The RTA specifies, or references documentation that specifies, a process for hazard identification including	§673.25(a), §673.25(b)(1), §674.7	A transit agency must establish methods or processes to identify hazards and consequences of the hazards.	<ul style="list-style-type: none"> <li>• Pursuant to § 673.25(b)(1), each transit agency must establish a process for safety hazard identification, including the identification of the sources, both proactive and reactive, for identifying hazards and their associated consequences.</li> </ul>				



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	<p>identifying consequences of hazards.</p>			<ul style="list-style-type: none"> <li>• Activities for hazard identification could include formalized processes where a transit agency identifies hazards throughout its entire system, logs them into a database, performs risk analyses, and identifies mitigation measures.</li> <li>• These activities also could include safety focus groups, reviews of safety reporting trends, meetings with employees, scenario-based assessments, and What If? Analysis.</li> <li>• A transit agency must apply its process for safety hazard identification to all elements of its system, including but not limited to its operational activities, system expansions, and state of good repair activities.</li> <li>• FTA encourages transit agencies to take into account bicycle and pedestrian safety concerns, along with other factors, as agencies are conducting Safety Risk Management.</li> <li>• A transit agency also should consider the results of its asset condition assessments when performing safety hazard identification activities within its SMS. The results of the condition assessments, and subsequent SMS analysis, will inform a transit agency's determination as to</li> </ul>				
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				whether an asset meets the state of good repair standards under 49 C.F.R. part 625.				
	G-3: The RTA specifies, or references documentation that specifies, a process to include FTA, the SSOA, and other oversight authorities as sources for hazard information.	§673.25(b)(2) SSOA Procedures Manual	A transit agency must consider, as a source for hazard identification, data and information provided by an oversight authority and the FTA.	<ul style="list-style-type: none"> <li>• If there is available SSPP text, SSPP language describing this process can be updated to explain how information from the SSOA or FTA will be received and assessed by the RTA, and how the RTA may report back to the SSOA and/or FTA if requested/required regarding the results of any activities or analysis performed.</li> <li>• If there is no available SSPP text, then the RTA can consider drafting new text that includes both FTA and its SSOA as a source for hazard identification and describes key interfaces and processes for reviewing and assessing this information and reporting back if required or requested.</li> <li>• The RTA should also review SSOA requirements in the Program Standard (and perhaps also meet with its SSOA) to clarify how hazard identification, data, and information from an SSOA will be received and managed by the through its safety risk management process.</li> </ul>				
	G-i: Requirements for on-going	GO 164 Series						

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	<p>reporting to the oversight agency relating to hazard management activities and status are specified.</p>							
	<p>G-ii: RTA will also submit any CAPs developed to minimize, mitigate, control, correct, or eliminate the identified risks and hazards. The CAPs will include description, immediate mitigation (if needed), origin of hazard, the proposed actions, permanent hazard resolution, or temporary mitigation if necessary, the responsible individual or department, and the schedule for implementing those actions for the identified hazard, including</p>	<p>GO 164 Series</p>						

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	<p>date the hazard was identified and closed, and hazard resolution verification/follow-up activities, all in accordance with Commission GO 164 series, Section 9.</p>							
	<p>G-4: The RTA specifies, or references documentation that specifies, a process for assessing the safety risks associated with identified safety hazards, including an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations.</p>	<p>§673.7, §673.25(c), and §674.7</p>	<ul style="list-style-type: none"> <li>• A transit agency must establish methods or processes to assess the safety risks associated with identified safety hazards.</li> <li>• A safety risk assessment includes an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations.</li> </ul>	<ul style="list-style-type: none"> <li>• The RTA can review the SSPP sections devoted to § 659.19(f)(2) and § 659.19(f)(3), and update, as appropriate, to describe the methods or processes, including the activities, roles, and participation of different agency departments, used in the assessment and prioritization of safety risks. This includes the identification of when SMEs will be involved in the safety risk assessment process.                         <ul style="list-style-type: none"> <li>• May reference or explain the levels of management that have authority to make decisions as a function of the level of safety risk(s) evaluated, including when decisions should be elevated.</li> <li>• In § 673.25(c)(2), each transit agency must assess safety risks in terms of probability (the likelihood of the hazard producing the potential consequences) and severity (the damage, or the potential</li> </ul> </li> </ul>				

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				<p>consequences of a hazard, that may be caused if the hazard is not eliminated or its consequences are not successfully mitigated), and must assess existing mitigations, to support the prioritization of hazards based on safety risks.</p> <ul style="list-style-type: none"> <li>• The RTA can use existing SSPP text to address many of the requirements of this section. When reviewing and potentially updating this text, the RTA should consider how well the existing SSPP text ensures:                     <ul style="list-style-type: none"> <li>• Potential consequences for hazards are identified;</li> <li>• Existing mitigations – or defenses – are identified and assessed for the current effectiveness in addressing the potential consequences (note: it is possible that existing mitigations may not be working as intended); and</li> <li>• Both the likelihood and severity of the potential consequences of the hazard are established (with current mitigations included).</li> </ul> </li> </ul>				
	G-5: The RTA specifies, or references documentation that specifies, a process to	§673.25(c)(2)	A safety risk assessment includes...prioritization of the hazards based on the safety risk.					

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	<p>prioritize hazards based on the safety risk.</p>							
	<p>G-6: The RTA specifies, or references documentation that specifies, a process to identify mitigations or strategies necessary as a result of the safety risk assessment to reduce the likelihood and severity of the consequences of hazards.</p>	<p>§673.25(a) and §673.25(d)</p>	<p>A transit agency must establish methods or processes to identify mitigations or strategies necessary as a result of the agency's safety risk assessment to reduce the likelihood and severity of the consequences.</p>	<ul style="list-style-type: none"> <li>• In § 673.25(d), each transit agency must establish criteria for the development of safety risk mitigations that are necessary based on the results of the agency's safety risk assessments. 49 C.F.R. Part 659 is more narrowly focused on the control and elimination of individual hazards that may be identified as opposed to establishment of "methods or processes" to manage safety risk agency wide.</li> <li>• The RTA should consider reviewing its existing SSPP language and potentially updating or expanding it to describe how it identifies when mitigations or strategies may be necessary to reduce the likelihood of severity of consequence.</li> <li>• For example, the RTA may decide that the criteria for developing safety risk mitigations could be the identification of a safety risk, benefit-cost analysis, a system level change (such as the addition of new technology on a vehicle), a change to operational procedures, or the expansion of service. To further illustrate these examples, the RTA may color code different levels of safety risk</li> </ul>				

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				<p>(“red” as high, “yellow” as medium, and “green” as minor) and develop different types of safety risk mitigations to correspond to those levels.</p> <ul style="list-style-type: none"> <li>• Also, the RTA should review how the existing SSPP text describes its activities for evaluating existing versus proposed mitigations to ensure the agency is not unknowingly assuming increased safety risk or misallocating safety resources in the case that similar mitigations exist.</li> <li>• The RTA also may wish to consider reviewing and/or revising, as appropriate, current text to ensure it defines participation by SMEs during mitigation development. This review should include descriptions of how the agency makes decisions to prioritize and assign resources to address safety risks.</li> <li>• In addition, the RTA should ensure that the PTASP documents how mitigations will be implemented and monitored, including:             <ul style="list-style-type: none"> <li>• Mitigation to be implemented;</li> <li>• Responsible party (individual and/or department);</li> </ul> </li> </ul>				
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				<ul style="list-style-type: none"> <li>• Timeframe for implementation;</li> <li>• Safety performance indicator; and</li> <li>• Safety performance target.</li> </ul> <ul style="list-style-type: none"> <li>• This information will directly support mitigation monitoring for effectiveness under 49 C.F.R. 673.27(b)(2).</li> </ul>				
	<p>G-iii: Safety Certification Process</p> <p>A description of the safety certification process required by the RTA to ensure that safety concerns and hazards are adequately addressed prior to the initiation of passenger operations for Major Projects and subsequent major projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and</p>							



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	equipment. G-7: The RTA specifies, or references documentation that specifies, a process for safety risk management with adequate means of risk mitigation.	§674.25 and §674.29(b)	In determining whether a PTASP is compliant with 49 C.F.R. part 673, an SSOA must determine, specifically, whether the PTASP sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail fixed guideway public transportation system.	The SSOA must ensure that the safety risk management process laid out in the RTA's PTASP is sufficiently detailed and provides adequate methods to identify, assess and mitigate safety risks.				
<b>H. Safety Assurance</b>	H-1: The RTA specifies, or references documentation that specifies, its methods or processes to develop and implement a safety assurance process covering Safety Performance Monitoring and Measurement, Management of Change, and Continuous Improvement.	§673.27	<ul style="list-style-type: none"> <li>• A transit agency must develop and implement a safety assurance process, consistent with this subpart.</li> <li>• A rail fixed guideway public transportation system, and a recipient or subrecipient of Federal financial assistance under 49 U.S.C. Chapter 53 that operates more than one hundred vehicles in peak revenue service, must include in its safety assurance process each of the requirements in paragraphs (b), (c), and (d) of this section.</li> <li>• A small public transportation provider</li> </ul>	<ul style="list-style-type: none"> <li>• Each RTA must develop and implement processes for Safety Assurance, including (1) safety performance monitoring and measurement, (2) management of change, and (3) continuous improvement.</li> <li>• Each RTA's safety assurance activities should be scaled to the size and complexity of its operations. Through these activities, each transit agency should accurately determine whether it is meeting its safety objectives and safety performance targets, as well as the extent to which it is effectively implementing its SMS.</li> <li>• Each RTA will need to establish its process for developing safety performance indicators and safety performance targets that are aligned with RTA safety objectives and represent the</li> </ul>				

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			<p>only must include in its safety assurance process the requirements in paragraph (b) of this section.</p>	<p>milestones that allow to track progress towards achievement of safety objectives.</p> <ul style="list-style-type: none"> <li>• Each RTA will also need to revise its approach to the identification of the sources of safety data from service delivery-related functions, necessary to support safety performance monitoring. This will include the development of safety performance indicators and targets related not only to operational situations, but also related to effectiveness of mitigation strategies resulting from safety risk evaluation activities.</li> <li>• Finally, each RTA will need to establish activities and criteria for analyzing data regarding remedial action for shortcomings in meeting safety performance targets, such that safety performance indicators and targets can be revised, as necessary.</li> <li>• The SSPP does not discuss the nexus between safety performance and the condition of transit assets or compliance with operating rules. Instead, inspection and monitoring activities are documented as separate programs managed by different departments (i.e., track</li> </ul>				
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				<p>inspections by the track department, rules compliance reviews by the operations department). Results of these programs are only considered from a safety perspective when they are “entered into the hazard management process.” In opening this section of its PTASP, the RTA should consider developing text to address the role of safety assurance in ensuring ongoing, integrated assessment of the agency’s safety performance across departments and functions.</p>				
	<p>H-2: The RTA specifies, or references documentation that specifies, its methods or processes to monitor system for compliance with, and sufficiency of, the agency’s procedures for operations and maintenance.</p>	<p>§673.27(b)(1)</p>	<p>A transit agency must establish activities to monitor its system for compliance with, and sufficiency of, the agency’s procedures for operations and maintenance.</p>	<p>Each RTA will need to review and revise its current SSPP text to ensure that its PTASP addresses the following items related to monitoring compliance with and sufficiency of established procedures for operations and maintenance:</p> <ul style="list-style-type: none"> <li>• Identification of all safety standards and requirements, both internal to the agency as well as in recognition of any SSOA or FTA safety standards and requirements that must be complied with and assessed for sufficiency;</li> <li>• Activities for reviewing safety standards and requirements to ensure they are current;</li> <li>• Activities the RTA will implement to monitor compliance</li> </ul>				

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				with documented safety standards and requirements; <ul style="list-style-type: none"> <li>• Activities to monitor compliance with its safety policies, procedures and protocols related to service delivery;</li> <li>• Methods for collecting and compiling information regarding compliance monitoring activities;</li> <li>• Criteria for documenting and reporting non-compliance; and</li> <li>• Criteria for when non-compliance findings would be evaluated through the Safety Risk Management process</li> </ul>				
	H-i: Operating and maintenance rules and procedures that affect safety are identified.							
	H-ii: Operating and maintenance rules and procedures that affect safety are reviewed for their effectiveness and determinations are made regarding their need to be updated.							
	H-iii: Description of process for developing,							

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	maintaining, and ensuring compliance with operating and maintenance rules and procedures.							
	H-iv: Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing/compliance checks.							
	H-v: Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules.							
	H-3: The RTA specifies, or references documentation that specifies, its methods or processes to monitor operations to	§673.27(b)(2)	A transit agency must establish activities to monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.	<ul style="list-style-type: none"> <li>• Each RTA must identify the data and information that it will collect from its operations, maintenance, and public transportation services so that it may monitor the agency's safety performance as well as the effectiveness of its SMS and safety risk mitigations.</li> </ul>				

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<p>identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended.</p>			<ul style="list-style-type: none"> <li>Each transit agency must monitor its operations and maintenance protocols and procedures, and any safety risk mitigations, to ensure that it is implementing them as planned and that mitigations are performing as intended.</li> </ul> <p>Safety Data Acquisition</p> <ul style="list-style-type: none"> <li>The process used to collect, maintain, analyze, and distribute safety data is clearly defined.</li> <li>The management process for ensuring that the safety function within the RTA organization receives the necessary information to support implementation of the system safety program is clarified.</li> </ul>				
<p>H-4: The RTA specifies, or references documentation that specifies, its methods or processes to conduct investigations of safety events to identify causal factors and that address:</p>	<p>§673.27(b)(3)</p>	<p>A transit agency must establish activities to conduct investigations of safety events to identify causal factors.</p>	<ul style="list-style-type: none"> <li>Each RTA must investigate safety events (as defined in Part 673 and Part 674) and any reports of non-compliance with applicable regulations, standards, and legal authority.</li> <li>FTA expects each RTA to establish procedures for conducting investigations and to ensure that these procedures address the requirements in the SSOA program standard, including requirements for:                         <ul style="list-style-type: none"> <li>The RTA to notify the SSOA of accidents on the RTA’s rail fixed guideway public transportation system;</li> </ul> </li> </ul>				
<p>H-4-a: SSOA requirements for notifying the SSOA of accidents</p>	<p>§674.27(a)(6) and §674.33(a)</p>	<ul style="list-style-type: none"> <li>The SSO program standard must establish requirements for an RTA to notify the SSOA of</li> </ul>	<ul style="list-style-type: none"> <li>The RTA to notify the SSOA of accidents on the RTA’s rail fixed guideway public transportation system;</li> </ul>				

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	<p>including time limits for and methods of notification and what information the RTA must submit to the SSOA.</p>		<p>accidents on the RTA’s rail fixed guideway public transportation system.</p> <ul style="list-style-type: none"> <li>• In addition to the requirements for accident notification set forth in an SSOA program standard, an RTA must notify both the SSOA and the FTA within two hours of any accident occurring on a rail fixed guideway public transportation system.</li> </ul>	<ul style="list-style-type: none"> <li>• The time limits for notification, methods of notification, and the nature of the information the RTA must submit to the SSOA;</li> <li>• Thresholds for accidents that require the RTA to conduct an investigation;</li> </ul>				
	<p>H-4-b: FTA requirements to notify the SSOA and FTA within two hours of any accident occurring on the RTA system. Accident is defined as any instance involving a fatality occurring at the scene or within 30 days following the accident, one or more persons suffering serious injury, property damage resulting from a collision involving a rail transit vehicle, or any derailment of a rail transit vehicle.</p>	<p>§673.5, §674.33(a), §674.7, and §674 Appendix</p>	<ul style="list-style-type: none"> <li>• The criteria and thresholds for accident notification and reporting are defined in a reporting manual developed for the electronic reporting system specified by FTA as required in § 674.39(b), and in appendix A.</li> <li>• Within a reasonable time, an SSOA must issue a written report on its investigation of an accident or review of an RTA’s accident investigation in accordance with the reporting requirements established by the SSOA. The report must describe</li> </ul>	<ul style="list-style-type: none"> <li>• How the SSOA will oversee an RTA’s internal investigation;</li> <li>• The role of the SSOA in supporting any investigation conducted or findings and recommendations made by the NTSB or FTA; and</li> <li>• Procedures for protecting the confidentiality of the investigation reports (as appropriate).</li> </ul> <p>FTA may conduct an independent investigation of any accident or an independent review of an SSOA's or an RTA's findings of causation of an accident. Based on the SSOA program standard, RTA's may choose to address these requirements in their PTASP or in separate procedures referenced in the PTASP.</p>				

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			the investigation activities; identify the factors that caused or contributed to the accident; and set forth a corrective action plan, as necessary or appropriate. The SSOA must formally adopt the report of an accident and transmit that report to the RTA for review and concurrence.					
	H-4-c: What must be included in any investigation report developed on behalf of the SSOA, including, at a minimum, identification of factors that caused or contributed to the accident and setting forth a Corrective Action Plan (CAP) as appropriate.	§674.35(b)	<ul style="list-style-type: none"> <li>• If an SSOA requires an RTA to investigate an accident, the SSOA must conduct an independent review of the RTA’s findings of causation.</li> <li>• In any instance in which an RTA is conducting its own internal investigation of the accident or incident, the SSOA and the RTA must coordinate their investigations in accordance with the SSO program standard and any agreements in effect.</li> </ul>					
	H-4-d: How the RTA will work with the SSOA when conducting its own internal investigation of a	§674.35(a)	If the RTA does not concur with an SSOA’s report, the SSOA may allow the RTA to submit a written dissent from the report, which may be included in the report, at the					



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	safety event.		discretion of the SSOA.					
	H-4-e: The process through which the RTA will review investigation reports developed by the SSOA, and submit written dissent, as appropriate.	§674.35(b) GO 164 series Program Standard	All personnel and contractors that conduct investigations on behalf of an SSOA must be trained to perform their functions in accordance with the Public Transportation Safety Certification Training Program.	Under GO 164 Section 8, describes the requirements for conducting accident investigation and in the event of a disagreement, how to submit written dissent to the Commission.				
	H-4-f: Training requirements for all personnel and contractors that conduct investigations on behalf of an SSOA in accordance with the Public Transportation Safety Certification Program.	§674.35(c)	The Administrator may conduct an independent investigation of any accident or an independent review of an SSOA's or an RTA's findings of causation of an accident.					
	H-5: The RTA specifies, or references documentation that specifies, its methods or processes to monitor information reported through any internal safety	§673.27(b)(4)	A transit agency must establish activities to monitor information reported through any internal safety reporting programs.	<ul style="list-style-type: none"> <li>• Internal safety reporting programs and activities provide each RTA with additional information for identifying safety concerns.</li> <li>• Internal safety reporting programs include the Employee Safety Reporting Program and other internal reporting programs that may provide safety data or information to support the SMS.</li> </ul>				

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	reporting programs.			<ul style="list-style-type: none"> <li>• The number and types of internal safety reporting systems will vary based on the size and complexity of the agency. Most agencies likely have several relevant programs, although they may not currently term these programs as “safety reporting” programs.</li> <li>• These programs could include drug and alcohol testing programs, fitness for duty programs, hours of service programs, customer complaints, or operations or maintenance compliance or inspection programs</li> </ul>				
	H-6: The RTA specifies, or references documentation that specifies, its methods or processes to identify and assess changes that may introduce new hazards or impact the RTA's safety performance.	§673.27(c)(1)	A transit agency must establish a process for identifying and assessing changes that may introduce new hazards or impact the transit agency's safety performance.	RTAs must develop processes for identifying and assessing changes that may introduce new hazards or impact safety performance. If an RTA determines that a change might impact safety, then the transit agency would need to evaluate the change using Safety Risk Management activities established under § 673.25. These changes would include changes to operations or maintenance procedures, changes to service, the design and construction of major capital projects (such as New Starts and Small Starts				

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	<p>H-vi:                  Procurement: A description of the measures, controls, and assurances in place to ensure that safety principles, requirements, and the Designated Representatives are included in the RTA procurement process.</p>			<p>projects and associated certifications), organizational changes, and any other changes to a transit agency's system that may impact safety performance. Each rail transit agency should include a description of the safety certification process that it uses to ensure that safety concerns and hazards are adequately addressed prior to the initiation of passenger operations for News Starts and other major capital projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and equipment. To document this process, Each RTA will need to review, and revise as necessary, text that addresses a comprehensive approach to change identification. Revisions will typically include:</p> <ul style="list-style-type: none"> <li>• Identification of internal and external sources of change;</li> <li>• Documentation of communication and coordination activities to ensure appropriate departments and/or individuals receive notifications of change;</li> <li>• Use of documented field activities to help identify changes in the operational environment that may not have been planned;</li> <li>• Development and use of criteria to identify and determine the extent of changes in the operational environment that</li> </ul>				
	<p>H-vii: System Modifications:                  The process used by the RTA to ensure that safety concerns are addressed in modifications to existing systems, vehicles, and equipment, which do not require formal safety certification, but which may have safety impacts, is described.</p>			<p>• Identification of internal and external sources of change;</p> <p>• Documentation of communication and coordination activities to ensure appropriate departments and/or individuals receive notifications of change;</p> <p>• Use of documented field activities to help identify changes in the operational environment that may not have been planned;</p> <p>• Development and use of criteria to identify and determine the extent of changes in the operational environment that</p>				
	<p>H-7: The RTA specifies, or references documentation</p>	<p>§673.27(c)(2)</p>	<p>If a transit agency determines that a change may impact its safety performance, then the transit</p>					

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	<p>that specifies, its methods or processes to evaluate any changes that may introduce new hazards or impact the agency's safety performance through the RTA's Safety Risk Management process.</p>		<p>agency must evaluate the proposed change through its Safety Risk Management process.</p>	<p>would trigger the initiation of management of change activities;</p> <ul style="list-style-type: none"> <li>• Use of documented criteria to ensure that information regarding management of change activity is distributed to all relevant service delivery functions.</li> </ul> <p>Each RTA will need to review, and revise as necessary, language to address the use of documented criteria for determining when changes must be assessed through the Safety Risk Management process, prior to implementation, to ensure that</p>				
	<p>H-viii: Authority to make configuration changes is described and assurances are provided for formal notification of all involved departments.</p>			<p>accepted levels of safety performance are not jeopardized or diminished. This includes the development of criteria such that in principle, no operations under changed conditions that may pose a safety impact may continue until a safety risk evaluation is conducted.</p> <p>In addition, each RTA will need to identify and document how monitoring activities will be updated, as necessary, to address changes that do not go through the Safety Risk Management process, thus ensuring the change and related mitigations perform as intended so as not to negatively impact safety performance.</p>				
	<p>H-8: The RTA specifies, or references documentation that specifies, its</p>	<p>§673.27(d)(1)</p>	<p>A transit agency must establish a process to assess its safety performance.</p>	<ul style="list-style-type: none"> <li>• Each RTA must conduct a safety performance assessment annually.</li> </ul>				

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	methods or processes to assess safety performance, including:			<ul style="list-style-type: none"> <li>The safety performance assessment can be completed in conjunction with the annual review and update to its overall safety plan as required by 49 U.S.C. 5329(d)(1)(D) and 49 C.F.R. 673.11(a)(5).</li> </ul>				
	H-8-a: Notifying the SSOA before conducting any internal safety review, following the process specified in the SSOA's Program Standard.	§674.27(a)(4) Procedures Manual	<ul style="list-style-type: none"> <li>The SSO program standard must explain the role of the SSOA in overseeing an RTA's execution of its PTASP and any related safety reviews of the RTA's fixed guideway public transportation system.</li> <li>The program standard must describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA's accountable executive.</li> </ul>	<ul style="list-style-type: none"> <li>FTA does not prescribe the format or content of the annual assessment and leaves it up to the RTA to design an approach that is appropriate for its size and complexity.</li> <li>The RTA can assess the performance of an SMS through audits, reviews, assessments, and other verification and follow-up actions.</li> </ul>				
	H-8-b: Submitting materials regarding the conduct and results of internal safety reviews to the SSOA under the Accountable Executive's signature.	§674.27(a)(4) Procedures Manual	<ul style="list-style-type: none"> <li>The program standard must establish a procedure whereby an RTA will notify the SSOA before the RTA conducts an internal review of any aspect of the safety of its rail fixed guideway public transportation system.</li> </ul>	<ul style="list-style-type: none"> <li>To document activities to address this requirement in the PTASP, the RTA will need to update its internal safety review process and associated procedures and criteria to ensure consistency with PTASP SMS requirements and the comprehensive review of safety management processes and activities, as well as those safety programs established to deliver on outputs of SMS activities.</li> <li>The RTA will also need to lay out its approach to addressing any safety deficiencies under the direction of the Accountable Executive.</li> </ul>				
	H-9: The RTA specifies, or references documentation	§673.27(d)(2)	If a transit agency identifies any deficiencies as part of its safety performance assessment, then the transit					

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	that specifies, its methods or processes to develop and carry out a plan, under the direction of the Accountable Executive, to address safety deficiencies identified as part of the safety performance assessment.		agency must develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.	<ul style="list-style-type: none"> <li>Finally, the RTA should consider updating its text to document how it will communicate with SSOA regarding safety performance reviews, activities and results.</li> </ul>				
	H-ix: The ISRP process and reporting must be coordinated with the state	GO 164 Section 5						
<b>I. Safety Promotion</b>	I-1: The RTA specifies, or references documentation that specifies, its methods or processes to establish and implement a comprehensive safety training program for all personnel directly responsible for RTA safety that:	§673.29(a), GO 175	A transit agency must establish and implement a comprehensive safety training program for all agency employees and contractors directly responsible for safety in the agency's public transportation system. The training program must include refresher training, as necessary.	<ul style="list-style-type: none"> <li>FTA's requirements for a comprehensive safety training program address a statutory requirement under 49 U.S.C. 5329(d)(1)(G), which requires each operator of a public transportation system to establish "a comprehensive staff training program for the operations personnel and personnel directly responsible for safety" and includes "completion of a safety training program" and "continuing safety education and training."</li> </ul>				
	I-i: Drug and Alcohol Program							

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	<p>A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with the program requirements is provided.</p>			<ul style="list-style-type: none"> <li>• Each transit agency should determine for themselves the classes of employees who are directly responsible for safety in that unique system.</li> </ul>				
	<p>I-ii: Training and Certification Program                  A description of the training and certification program for employees and contractors is provided, including complying with the Public Transportation Safety Certification Training Program.</p>			<ul style="list-style-type: none"> <li>• These employees could include vehicle operators, maintenance staff, dispatchers, the Chief Safety Officer, the Accountable Executive, and other agency staff and management who have direct responsibility for safety.</li> <li>• The training program should cover all levels of employees and contractors.</li> <li>• Through the safety training program, each transit agency must require each employee and contractor, as applicable, to complete training to enable the individual to meet his or her role and responsibilities for safety, and to complete refresher training, as necessary, to stay current with the agency's safety practices and procedures.</li> </ul>				
	<p>I-iii: Categories of safety-related work requiring training and certification are identified, including Roadway Worker Protection</p>			<ul style="list-style-type: none"> <li>• To address this requirement, each RTA will need to review PTASP requirements, including its development of SMS processes and activities to identify where it needs new training developed or where current training must be revised and updated.</li> </ul>				

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	Training, per Commission GO 175 series.			<ul style="list-style-type: none"> <li>• Each RTA will need to develop a plan for updating job descriptions and training requirements appropriate for each employee, for example, front line employees, managers and supervisors and senior managers.                             <ul style="list-style-type: none"> <li>• For each, the RTA will need to establish a plan to deliver the training as well as identify and deliver on refresher training requirements.</li> <li>• Each RTA will also need to address training requirements, including updates to current training, for contractors.</li> <li>• In addition, each RTA will need to ensure compliance with FTA safety training provisions.</li> <li>• Finally, as necessary, the RTA will need to integrate SMS responsibilities training into skills-based training for appropriate operational personnel.</li> </ul> </li> </ul>				
	I-iv: Description of the training and certification program for employees and contractors in safety-related positions is provided.							
	I-v: The process used to maintain and access employee and contractor training records is described.							
	I-vi: The process used to assess compliance with training and certification requirements is described.							
	I-1-a: Includes employees and contractors.	§673.29(a),						
	I-1-b: Includes refresher training, as necessary.	§673.29(a),						
	I-2: The RTA specifies, or references	§673.29(b)	A transit agency must communicate safety and safety performance		<ul style="list-style-type: none"> <li>• To address § 673.29(b), each RTA must ensure that all</li> </ul>			



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	documentation that specifies, its methods or processes to communicate safety and safety performance information throughout the agency's organization.		information throughout the agency's organization.	employees are aware of any policies, activities, and procedures that are related to their safety-related roles and responsibilities. <ul style="list-style-type: none"> <li>• Safety communications may include information on hazards and safety risks that are relevant to the employee's role and responsibilities</li> <li>• FTA expects that each transit agency would define the means and mechanisms for effective safety communication based on its organization, structure, and size of operations.</li> </ul>				
	I-3: The RTA specifies, or references documentation that specifies, its methods or processes to convey information on hazards and safety risks relevant to employees' roles and responsibilities.	§673.29(b)	A transit agency must convey information on hazards and safety risks relevant to employees' roles and responsibilities.	Therefore, to address this requirement in the PTASP, each RTA will need to document its approach to safety communication. <ul style="list-style-type: none"> <li>• Each RTA may consider the following as it documents its safety communication policies and activities:                             <ul style="list-style-type: none"> <li>• Documentation of how safety and safety performance information will be communicated throughout the organization.</li> </ul> </li> </ul>				
	I-4: The RTA specifies, or references documentation that specifies, its methods or processes to inform employees of safety actions taken in response to reports	§673.29(b)	A transit agency must inform employees of safety actions taken in response to reports submitted through an employee safety reporting program.	<ul style="list-style-type: none"> <li>• Documented criteria to trigger the communication of safety and safety performance information throughout the organization.</li> <li>• Documented policies and/or procedures to</li> </ul>				

ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

	<p>submitted through an employee safety reporting program.</p>			<p>communicate information related to SMS activities to appropriate personnel throughout the agency.</p> <ul style="list-style-type: none"> <li>• Employees are made aware of safety management priorities and safety concerns at the organizational level and as they relate to their own duties and responsibilities.</li> <li>• Communication of safety concerns and hazards to appropriate groups and individuals as it relates to their responsibilities.</li> <li>• Communication of actions taken by the RTA to address safety concerns and hazards reported by employees through the employee safety reporting program.</li> <li>• Communication of safety concerns, safety risks and safety performance to executive management.</li> <li>• Documented policies and/or procedures for communicating safety performance and SMS information to FTA and the SSOA.</li> <li>• How to ensure communication, and the means, are effective.</li> </ul>				
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<b>J. Corrective Action Plans</b>	J-1: The RTA specifies, or references documentation that specifies, when the RTA must develop and carry out a CAP.	§674.37(a)	-In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan, however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. -See also GO 164 section 9.7	<ul style="list-style-type: none"> <li>• As specified in FTA’s SSO rule, a CAP is “a plan developed by an RTA that describes the actions the RTA will take to minimize, control, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either an SSOA, FTA or an RTA may require that RTA to develop and carry out a CAP.”</li> <li>• While FTA does not believe it is the responsibility of the SSOA to develop CAPs for an RTA, ultimately it is the responsibility of the SSOA, as the oversight agency, to ensure that RTAs are developing and implementing appropriate CAPs.</li> <li>• This process must be documented and implemented by the RTA and overseen by the SSOA. It includes:                             <ul style="list-style-type: none"> <li>• Establishing when the RTA must develop and carry out a CAP reviewed and approved by the SSOA.</li> <li>• Establishing that the SSOA must review and approve each CAP before the RTA carries it out, unless it is an immediate or emergency CAP, which must be subsequently reviewed and approved by the SSOA following the process</li> </ul> </li> </ul>					
	J-2: The RTA specifies, or references documentation that specifies, how the RTA will submit CAPs to the SSOA for review and approval.	§674.37(a)							
	J-3: The RTA specifies, or references documentation that specifies, how the RTA will manage immediate or emergency corrective actions.	§ 674.37(a) GO 164							
	J-4: The RTA specifies, or references documentation that specifies, the required contents of a CAP, including	§ 674.37(a) Procedures Manual	A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals						

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	describing the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions.		responsible for taking those actions.	outlined in the SSOA’s program standard. <ul style="list-style-type: none"> <li>Establishing that each CAP to be reviewed and approved by the SSOA must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions.</li> </ul> Establishing that the RTA must periodically report to the SSOA on its progress in carrying out CAPs as specified in the SSOA program standard.				
	J-5: The RTA specifies, or references documentation that specifies, how the RTA must periodically report to the SSOA on its progress in carrying out CAPs.	§ 674.37(a)	The RTA must periodically report to the SSOA on its progress in carrying out the CAP.	Establishing that the SSOA may monitor the RTA’s progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate. <ul style="list-style-type: none"> <li>Establishing that</li> </ul>				
<b>K. Documentation, Definitions and Acronyms</b>	K-1: The RTA specifies, or references documentation that specifies, how the RTA will document key processes and	§673.31	At all times, a transit agency must maintain documents that set forth its Public Transportation Agency Safety Plan, including those related to the implementation of its SMS, and results from SMS	<ul style="list-style-type: none"> <li>Part 673 requires each transit agency to keep records of its documents that are developed in accordance with this part.</li> <li>FTA expects a transit agency to maintain documents that set forth its PTASP, including those</li> </ul>				

ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

	procedures required to carry out the SMS that are not included or referenced elsewhere in the PTASP.		processes and activities	related to the implementation of its SMS such as the results from SMS processes and activities.				
	K-2: The RTA specifies, or references documentation that specifies, how the RTA will maintain SMS documentation and ensure that all SMS documentation will be maintained for a period of no less than four years after they are created.	§673.31	A transit agency must maintain documents that are included in whole, or by reference, that describe the programs, policies, and procedures that the agency uses to carry out its Public Transportation Agency Safety Plan...A transit agency must maintain these documents for a minimum of four years after they are created. (to be consistent with GO requirements for record retention)	<ul style="list-style-type: none"> <li>For the purpose of reviews, investigations, audits, or other purposes, this section requires each transit agency to make these documents available to FTA, SSOAs, and other Federal agencies as appropriate.</li> <li>A transit agency must maintain these documents for a minimum of three years.</li> <li>In addressing this new requirement, the RTA could identify the gaps between current safety program documentation and the PTASP rule requirements.</li> <li>The RTA could also review and revise (or develop new), as appropriate, policies and/or procedures that pertain to the documentation of PTASP and the results of its SMS processes and activities, as well as the control of these documents.</li> </ul>				
	K-3: The RTA specifies, or references documentation that specifies, how the RTA will ensure that FTA, any other Federal entity, and the SSOA have access to review any SMS documentation	§673.31	These documents must be made available upon request by the Federal Transit Administration or other Federal entity, or a State Safety Oversight Agency having jurisdiction.	<ul style="list-style-type: none"> <li>Finally, the RTA could include information explaining how it ensures that documents are maintained, as required, and providing documents requested by the FTA or its SSOA.</li> </ul>				

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	maintained by the RTA upon request.							
	K-4: The RTA specifies, or references documentation that specifies, applicable definitions from Part 673, Part 674, and the SSOA Program Standard	§673.5 and §674.7	See definitions in § 673.5 and §674.7.					
	K-5: The RTA specifies, or references documentation that specifies, applicable acronyms from Part 673, Part 674, and the SSOA Program Standard.	§673.5 and §674.7	See acronyms in § 673.5 and §674.7					
<b>L. SSOA Compliance Assessment</b>	L-1: The PTASP is consistent with the FTA's regulations implementing such plans and the National Public Transportation Safety Plan.	§674.29(a)	In determining whether to approve the RTA's PTASP, an SSOA must evaluate whether the PTASP is: <ul style="list-style-type: none"> <li>• Consistent with the FTA's regulations implementing such Plans;</li> <li>• Consistent with the National Public</li> </ul>	One of the most significant changes in the SSO program for SSOAs and RTAs is the transition from the simple review and approval of an RTA's SSPP under 49 C.F.R. Part 659 to the more hands-on, proactive role required for SSOAs in evaluating the effectiveness of an RTA's safety program and SMS.				
	L-2: The	§674.29(a)		This means that SSOAs will need to				

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<p>PTASP is in compliance with the SSOA's Program Standard.</p>			<p>Transportation Safety Plan; and</p> <ul style="list-style-type: none"> <li>• In compliance with the program standard set by the SSOA.</li> </ul>	<p>make determinations based on their own expertise and authority. Rather than working from a set of prescriptive Federal standards, SSOAs must develop their own locally-</p>				
<p>L-3: The PTASP and subsequent updates is approved by the RTA's board of directors or equivalent entity.</p>	<p>§674.29(b) §673.11(a)(1)</p>		<p>In determining whether the PTASP is compliant with 49 CFR part 673, an SSOA must determine, specifically, whether the PTASP:</p> <ul style="list-style-type: none"> <li>• Is approved by the RTA's board of directors or equivalent entity;</li> </ul>	<p>developed state safety program standards and hold RTAs accountable to those standards. Above all, SSOAs must ensure that the PTASP and the SMS it documents is appropriate for the size and complexity of the RTA.</p>				
<p>L-4: The PTASP sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail transit system.</p>	<p>§674.29(b)</p>		<ul style="list-style-type: none"> <li>• Sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail transit system;</li> </ul>	<p>For L-8, completion of this checklist will determine sufficiency of PTASP. Ultimately, the answer should be yes after working through the PTASP review process.</p>				
<p>L-5: The PTASP includes a process and timeline for annually reviewing and updating the PTASP.</p>	<p>§674.29(b)</p>		<ul style="list-style-type: none"> <li>• Includes a process and timeline for annually reviewing and updating the safety plan;</li> <li>• Includes a comprehensive staff training program for the operations personnel directly responsible for the safety of the RTA;</li> </ul>					
<p>L-6: The PTASP includes a comprehensive staff training program for the</p>	<p>§674.29(b)</p>		<ul style="list-style-type: none"> <li>• Identifies an adequately trained safety officer who reports directly to the general manager, president, or</li> </ul>					

ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

	operations personnel directly responsible for the safety of the RTA.		equivalent officer of the RTA; <ul style="list-style-type: none"> <li>• Includes adequate methods to support the execution of the Agency Safety Plan by all employees, agents, and contractors for the rail transit system; and</li> <li>• Sufficiently addresses other requirements under the regulations at 49 CFR part 673.</li> </ul>				
	L-7: The PTASP identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA.	§674.29(b)					
	L-8: The PTASP includes adequate methods to support its execution by all employees, agents, and contractors for the rail transit system.	§674.29(b)					
	L-9: The PTASP sufficiently addresses other requirements under the regulations at 49 C.F.R. Part 673.	§674.29(b)					
<b>M: Commission General Orders</b>	M-i: Personal Electronic Devices A description	GO 172					



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	<p>of the process used to ensure knowledge of and compliance with the program requirements governing the use of personal electronic devices (PED) is provided, as governed by Commission General Order 172, including prohibited use of a PED; in-cab cameras and other technology; requirements to implement and include in their PTASP, a Zero-Tolerance Policy And Program, regarding prohibited PED usage; requirements for monitoring and enforcement; and requirements for emergency contact procedures.</p>							
	M-ii: Roadway	GO 175						

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	<p>Worker Protection                  A description of the program and policy in the PTASP regarding the assurance of a safe working environment for RTA roadway workers in compliance with the rules and regulations in Commission General Order 175 which contains specific rules for protecting these workers from the danger of being struck by trains or other on-track equipment, with inclusion of a near-miss program, and a Roadway Worker Protection training.</p>							
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**The Public Transportation Agency Safety Plan is:**

ATTACHMENT 6: CPUC CHECKLIST FOR REVIEW OF PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

**Acceptable**

**Unacceptable. Revise and Resubmit**

**Reviewed by:**

*Signature*

Name and Title

**Date:**

**Approved by:**

*Signature*

Name and Title

**Date:**

**ATTACHMENT 7: CPUC CHECKLIST FOR REVIEWING THE SYSTEM SECURITY PLAN**

<b>CPUC Checklist for Reviewing the System Security Plan</b>						
Rail Transit Agency: _____				Rev. No.: _____		
Plan Title: _____				Plan Date: _____		
No.	CHECKLIST ITEM	PLAN REQUIREMENTS Does the plan contain or provide for the following:	INCLUDED		PAGE REF.	COMMENTS
			Y	N		
1	Policy Statement	a. A policy statement should be developed for the System Security and Emergency Preparedness Plan.				
		b. The policy statement should describe the authority that establishes the SSP, including statutory requirements. Recognition of the CPUC Staff's authority and responsibility for overseeing implementation of the security and emergency preparedness program.				
		c. The policy statement is signed and endorsed by the RTA's accountable executive.				
2	Purpose	a. The SSP should identify the purpose of the security program endorsed by the RTA's accountable executive.				
		b. The SSP should introduce the concept of "system security."				
		c. The SSP introduces the concept of "emergency preparedness."				
3	Goals and Objectives	a. The SSP should identify the goals of the SSP program endorsed by the RTA's accountable executive.				
		b. The SSP should identify the objectives of the SSP program endorsed by the RTA's accountable				

ATTACHMENT 7: CPUC CHECKLIST FOR REVIEWING THE SYSTEM SECURITY PLAN

		executive.				
4	Scope	Describe the scope of the SSP.				
5	Security and Law Enforcement	Describe the security and law enforcement agency functions that manage and support implementation of the SSP.				
6	Management Authority and Legal Aspects	Describe the authority, which oversees the operation and management of the RTA, including its security/police function.				
7	Government Involvement	Describe how the SSP interfaces with local, state and federal authorities to ensure security and emergency preparedness for the system.				
8	Security Acronyms and Definitions	Provide a listing of acronyms and definitions used in the SSP.				
9	Background and History	A description of the RTA including general overview, a brief history and scope of rail transit services provided.				
10	Organizational Structure	Organizational charts showing the lines of authority and responsibility as they relate to security and emergency preparedness.				
11	Human Resources	Provide a categorization and breakdown of all employees and contractors who work for/on the rail transit agency.				
12	Passengers	Provide a description of the RTA's ridership.				
13	Services and Operations	Describe the RTA's operations and services.				
14	Operating Environment	Describe the RTA's operating environment.				

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15	Integration with Other Plans	Describe how the SSP integrates with other plans and programs maintained by the RTA.				
16	Integration with Safety Certification Process	Description of how security related issues such as the threat and vulnerability assessment process is integrated with the safety certification process.				
17	Current Security Conditions	Description of the current security conditions at the RTA and the types of security incidents experienced by the transit system and their frequency of occurrence.				
18	Capabilities and Practices	Summary description of methods and procedures, devices, and systems utilized to prevent or minimize security breaches, including passenger education, campaigns, and delay, detection, and assessment devices.				
19	Responsibility for Mission Statement	Identification of the person(s) responsible for establishing transit system security and emergency preparedness policy and for developing and approving the SSP.				
20	Management of the SSP Program	Identification of the person(s) with overall responsibility for transit security and emergency preparedness, including day-to-day operations, SSP-related internal communications, liaison with external organizations, and identifying and resolving SSP-related concerns.				
21	Division of Security Responsibility	a. Listing of SSP related responsibilities of the personnel who work within the RTA security/police function.				
		b. Listing of SSP related responsibilities of other departments/functions, including their relationship to the security/police function.				
		c. Listing of security-related responsibilities for other (non-				

ATTACHMENT 7: CPUC CHECKLIST FOR REVIEWING THE SYSTEM SECURITY PLAN

		security/police) RTA employees, including their relationship to the employee's other duties.				
		d. A SSP Program Roles and Responsibilities Matrix should be developed showing interfaces with other transit system departments/functions and the key reports or actions required.				
		e. The responsibilities of external agencies for supporting SSP development and implementation should be identified.				
		f. The committees developed by the RTA to address security issues should be identified.				
22	Planning	Identification of SSP activities and programs in place at the RTA to support planning for system security and emergency preparedness.				
23	Organization	Identification of the organization of SSP related activities and programs and the ability to coordinate with external response agencies.				
24	Equipment	Description of the equipment used to support implementation of the SSP program.				
25	Training and Procedures	Description of SSP related training and procedures available to ensure employee proficiency.				
26	Exercises and Evaluation	Description of SSP related activities to ensure the conduct of emergency exercises and evaluation.				
27	Threat and Vulnerability Identification	Description of the RTA's activities to identify security and terrorism related threats and vulnerabilities.				
28	Threat and Vulnerability	Description of the RTA's activities to assess the likely impacts of identified				

ATTACHMENT 7: CPUC CHECKLIST FOR REVIEWING THE SYSTEM SECURITY PLAN

	Assessment	threats and vulnerabilities on the system and to identify particular vulnerabilities which require resolution.				
29	Threat and Vulnerability Resolution	Description of how response strategies (both short- or long-term strategies) are developed for prioritized vulnerabilities, including the decision process used to determine whether to eliminate, mitigate, or accept security problems.				
31	Required Tasks for Goals and Objectives	Identification of tasks to be performed to implement the goals and supporting objectives required to implement the SSP.				
31	Task Schedule	General schedule with specific milestones for implementation of the security program, threat and vulnerability analyses, RTA staff security training, and regular program reviews during the implementation process.				
32	Evaluation	Description of the types of internal management reviews to be conducted, the frequencies of the reviews, and the person(s) responsible.				
33	Initiation of SSP Revisions	Description of process used to initiate revisions to the security plan, gather input for the revisions, procedures for updating the security plan, and identification of responsible person(s).				
34	Review Process	Description of the process used to review and revise the security plan as necessary, including frequency of reviews, and responsible person(s).				
35	Implement Modifications	Description of process used to communicate and disseminate new and revised procedures and other elements of the security plan to appropriate RTA staff.				



ATTACHMENT 7: CPUC CHECKLIST FOR REVIEWING THE SYSTEM SECURITY PLAN

The System Security Plan is		
<input type="checkbox"/>	Acceptable	
<input type="checkbox"/>	Unacceptable. Revise and resubmit.	
Reviewed by	<u>Signature</u> Name and Title	Date: _____
Approved by	<u>Signature</u> Name and Title	Date: _____

**ATTACHMENT 8: CPUC SYSTEM SAFETY AND SECURITY REVIEW CHECKLIST FOR RTA**

<b>(SAMPLE)</b>			
<b>CPUC SYSTEM SAFETY AND SECURITY REVIEW CHECKLIST FOR</b>			
<b>** RTA **</b>			
Checklist No.		Element	
Date of Audit		Department(s)	
Auditors/ Inspectors		Persons Contacted	
<b>REFERENCE CRITERIA</b>			
<b>ELEMENT/CHARACTERISTICS AND METHOD OF VERIFICATION</b>			
<b>FINDINGS AND RECOMMENDATIONS</b>			
<b><u>Activities:</u></b>			
<b><u>Findings:</u></b>			
<b><u>Comments:</u></b>			
<b><u>Recommendations:</u></b>			

**ATTACHMENT 9: CPUC CHECKLIST FOR REVIEWING AND APPROVING A RAIL TRANSIT AGENCY'S ANNUAL INTERNAL SAFETY AND SECURITY REVIEW REPORT**

CPUC CHECKLIST FOR REVIEWING AND APPROVING A RAIL TRANSIT AGENCY'S ANNUAL INTERNAL SAFETY AND SECURITY REVIEW REPORTS				
<u>Rail Transit Agency</u>		<u>Title of Report</u>		<u>Dated</u>
No.	DOES THE REPORT:	S	U	REMARKS
1	The report is accompanied by a formal letter of certification signed by the RTA's accountable executive, or designee, indicating that the RTA is in compliance with its PTASP and SSP.			
2	Indicate that the required elements scheduled to be reviewed during the past year were reviewed?			
3	Show that the RTA is on schedule to review the full scope of required elements within a 3-year period?			
4	Show that the persons who conducted the review were independent from the department being reviewed?			
5	State the results of the reviews in terms of evaluating the adequacy and effectiveness of the system safety and security program plan?			
6	Include completed review checklists that show the activity reviewed, the method of verification, review findings, and recommendations for appropriate corrective action?			
7	Include corrective action plans and schedules that are responsive to the review findings?			
8	Identify the person / department responsible for performing the required corrective action?			
9	Describe the follow-up controls that will be used to track implementation of all findings, recommendations, and corrective actions developed as a result of the internal safety and security review process?			

Column Definitions:

**S** Satisfactory

**U** Unacceptable. Procedure must be corrected and resubmitted.

The Rail Transit Agency's Annual Internal Safety and Security Review Report is:

Acceptable

Unacceptable, Revise and Resubmit

Reviewed by: Signature Date: \_\_\_\_\_  
 Name and Title

Approved by: Signature Date: \_\_\_\_\_  
 Name and Title

**ATTACHMENT 10: TRANSIT ACCIDENT INITIAL NOTICE**

<b>Initial Notice Subject</b>			
<b>Record ID</b>		<b>Reporting Transit Agency</b>	
<b>Date of Accident</b>		<b>County</b>	
<b>Time of Accident</b>		<b>City or Town</b>	
<b>Location Type</b>		<b>Mainline or Yard</b>	
<b>Near Station Platform</b>		<b>Crossing Accident</b>	
		<b>RSSIMS Crossing ID</b>	
<b>Initial Description</b>			
<b>Details</b>			
<b>Total Fatalities</b>		<b>Emergency Response Agencies</b>	
<b>Total Serious Injuries</b>			
<b>Total Other Injuries</b>			
<b>Reported By</b>		<b>Received by CPUC</b>	
<b>Person Reporting (from Reporting Agency)</b>		<b>Date reported to the CPUC</b>	
<b>Contact Phone of Person Reporting (from Reporting Agency)</b>		<b>Time reported to the CPUC</b>	
<b>Received Notification Within 2 Hours</b>			
<b>If NOT reported within 2 hours of the event, reason provided for late reporting</b>			
<b>GO 164-E Reporting Category</b>			
<b>a) Fatality</b>		<b>g) A runaway train</b>	

ATTACHMENT 10: TRANSIT ACCIDENT INITIAL NOTICE

<b>b) One or more serious injury</b>		<b>h) FRA Reportable</b>	
<b>c) Collision between rail transit vehicles</b>		<b>i) Collision-no serious inj/fatality/substnl prprty dmg</b>	
<b>d) Other collision with substantial property damage</b>		<b>j) Hazardous condition</b>	
<b>e) A derailment</b>		<b>k) Courtesy notice</b>	
<b>f) Evacuation for life safety reasons</b>			

**ATTACHMENT 11: CPUC MONTHLY SERVICE RECORD, EVENTS AND/OR HAZARD AND CORRECTIVE ACTION PLAN SUMMARY REPORT**

**CALIFORNIA PUBLIC UTILITIES COMMISSION  
 MONTHLY SERVICE RECORD, EVENTS AND/OR HAZARD  
 AND CORRECTIVE ACTION PLAN SUMMARY REPORT**

Rail Transit Agency: \_\_\_\_\_ Month/Year: \_\_\_\_\_

**A. Monthly Transit Service Records**

	This Month	Year to Date		This Month	Year to Date
Train Miles:			Passenger Count:		
Vehicle Revenue Miles:			Vehicle Revenue Hours:		
Unlinked Passenger Trips:			Passenger Miles:		

**B. Number of Reportable Events and Hazards**

	Accidents	Other Injuries	Serious Injuries	Fatalities	Hazards
This Month					
Year to Date					

**C. Corrective Action Plans resulting from Events and Hazard Investigation**

Short Description of Corrective Action Plans	
Closed This Month	1) .....
	2) .....
	3) .....
	4) .....
Pending This Month	1) .....
	2) .....
	3) .....
	4) .....
New This Month	1) .....
	2) .....
	3) .....
	4) .....
<b>Total Number of Open Corrective Action Plans This Month</b>	

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

I certify that to the best of my knowledge and belief this report is true and correct and contains all reportable accidents that occurred during the month stated.

## **ATTACHMENT 11a: WEBFORM FOR MONTHLY SUMMARY REPORT OF ACCIDENTS, HAZARDS, AND CORRECTIVE ACTION PLANS**

### **Monthly Summary Report of Accidents, Hazards, and Corrective Action Plans**

Report must be submitted within 30 calendar days from the last day of the month covered

Please fill in the required fields below and then click Submit.

\* Denotes required field to be answered.

\* First Name

\* Last Name

\* Your Email

\* Position Title

\* Phone Number:

\* RTA Name

#### Reporting Period

\* Year

\* Month

#### Transit Service Record (All Rail Transit Agencies, Except for Automated People Movers and Funiculars)

Train Miles:

Vehicle Revenue Miles:

Unlinked Passenger Trips:

Vehicle Revenue Hours:

Passenger Miles Traveled:

#### Transit Service Record (Only Automated People Movers and Funiculars)

Number of Trips:

Passenger Count (actual or estimated):

#### Number of Reportable Accidents and Hazards

Accidents:

Fatalities:

Serious Injuries:

Other Injuries:

Hazards:

ATTACHMENT 11a: WEBFORM FOR MONTHLY SUMMARY REPORT OF ACCIDENTS, HAZARDS,  
AND CORRECTIVE ACTION PLANS

**Corrective Action Plans resulting from Events and Hazard Investigations**

Note: For each corrective action plan enter the RTSB assigned record number (such as TCAP 2021010001) OR RTA's internal record number that RTA has shared with RTSB OR a very brief description

Pending/Open Beginning of this Month (Same as at End of Last Month):

Closed this Month:

New this Month:

Total Number of Pending/Open Corrective Action Plans at End of this Month = (Pending/Open at Beginning of this Month) - (Closed this Month) + (New this Month)

Submit

**Authority:**

Commission General Order 164-E, Section 7.7 provides the following: Each RTA shall file a monthly accident corrective action summary report. Each RTA shall file this report in a format acceptable to Staff within 30 calendar days from the last day of the month covered. Each RTA shall file the monthly summary report whether or not any reportable accident occurred during the month.

**Definitions:**

**Accident:**

An Event that involves any of the following:

- A loss of life;
- a report of a serious injury to a person;
- a collision involving a rail transit vehicle;
- a runaway train;
- an evacuation for life safety reasons; or
- any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

**Hazard**

Any real or potential condition 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.

**Number of Trips (for Automated People Movers):**

Number of times Automated People Movers (APM) traveled from one end of the system to the other. For systems with a continuous loop, number of times APMs completed a loop. Exclude maintenance testing trips.

**Passenger Miles Traveled:**

The cumulative sum of the distances ridden by each passenger.

**Serious injury:**

Any injury which:

- Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
- Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- Causes severe hemorrhages, nerve, muscle, or tendon damage;



ATTACHMENT 11a: WEBFORM FOR MONTHLY SUMMARY REPORT OF ACCIDENTS, HAZARDS,  
AND CORRECTIVE ACTION PLANS

- Involves any internal organ; or
- Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

**Train Miles:**

Train Miles: The miles that trains are scheduled to or actually travel while in revenue service (actual train revenue miles) plus deadhead miles. Actual train miles exclude:

- Miles for charter services;
- Operator training; and
- Vehicle maintenance testing.

**Unlinked Passenger Trips:**

The number of passengers who board public transportation vehicles. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to their destination.

**Vehicle Revenue Hours**

The hours that vehicles are scheduled to or actually travel while in revenue service.

Include:

- Layover / recovery time

Exclude:

- Deadhead
- Operator training
- Vehicle maintenance testing

**Vehicle Revenue Miles:**

The miles that vehicles are scheduled to or actually travel while in revenue service.

Include:

- Layover / recovery time

Exclude:

- Deadhead
- Operator training
- Vehicle maintenance testing

**ATTACHMENT 12: CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES**

<b>CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES</b>					
<u>Rail Transit Agency</u>		<u>Title of Procedure</u>		<u>Rev. No.</u>	<u>Dated</u>
<b>No.</b>	<b>DOES THE PROCEDURE:</b>	<b>Y</b>	<b>N</b>	<b>REMARKS</b>	
1	Include signature approval by the person with management authority over all departments involved in accident investigations?				
2	Have an "effective" or "issued for use" date and revision number?				
3	Establish threshold values for conducting investigations that are consistent with the requirements of CPUC GO 164 Series, Section 7.2?				
4	Recognize that accident investigations are conducted by the RTA on behalf of the Commission?				
5	Contain provisions to facilitate RTSB Staff participation to the fullest extent possible in all aspects of the investigation?				
6	Designate a single person or department with overall management responsibility for conducting investigations and preparing investigation reports?				
7	Identify the division of responsibility between different departments engaged in accident investigations?				
8	Describe the role of the safety department in conducting or overseeing accident investigations?				
9	Name the rail transit agency's principal investigators and require that they be notified of accidents within a given time period?				
	Describe the process for requiring the training and qualifications of the accident investigation team, including subject matter experts and personnel qualified to access the relevant RFTGPTS facilities				
	Do all the personnel and contractors that conduct investigation on behalf of RTA, have training to perform their function in accordance with the Public Transportation Safety Certification Program?				

ATTACHMENT 12: CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES

<b>CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES</b>					
<u>Rail Transit Agency</u>		<u>Title of Procedure</u>		<u>Rev. No.</u>	<u>Dated</u>
<b>No.</b>	<b>DOES THE PROCEDURE:</b>	<b>Y</b>	<b>N</b>	<b>REMARKS</b>	
10	Address aspects or considerations that may be included in an accident investigation, as appropriate, including: <ul style="list-style-type: none"> <li>a. Prompt preservation of evidence?</li> <li>b. Documenting the accident scene (position and status of vehicles, cab controls, brakes, signals, cutout switches, annunciators, rail, weather conditions, and other pertinent elements)?</li> <li>c. Interviews of witnesses and others with technical or operational expertise relevant to the investigation?</li> <li>d. Review of relevant rules and procedures, maintenance records, training records and certifications, data/event recorder logs, and other pertinent files and records?</li> <li>e. Review of reports by external agencies (for example: law enforcement, fire department, coroner, etc.)?</li> <li>f. Conducting follow-up inspections, tests, and reenactments?</li> <li>g. Evaluating possible contributing factors such as fatigue, work schedule and hours of service, and drug and alcohol effects?</li> <li>h. Identifying underlying risks associated with the accident type or location?</li> <li>i. Formation of an accident investigation team or review board?</li> <li>j. Acquisition of outside experts or specialists?</li> <li>k. Security considerations?</li> </ul>				

ATTACHMENT 12: CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES

<b>CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES</b>					
<u>Rail Transit Agency</u>		<u>Title of Procedure</u>		<u>Rev. No.</u>	<u>Dated</u>
<b>No.</b>	<b>DOES THE PROCEDURE:</b>	<b>Y</b>	<b>N</b>	<b>REMARKS</b>	
11	Require the preparation of an accident investigation report that includes the following: <ul style="list-style-type: none"> <li>a. A description of the accident, with photographs and sketches if appropriate?</li> <li>b. Number and severity of injuries/fatalities, if any, and estimate of property damage?</li> <li>c. Relevant steps taken to investigate the accident?</li> <li>d. Results/findings of the investigation?</li> <li>e. Identification of the most probable cause?</li> <li>f. Identification of contributing factors?</li> <li>g. Recommendations, if appropriate, to prevent reoccurrence?</li> </ul>				
12	Require preparation of a corrective action plan and schedule to implement investigation report recommendations, if any?				
13	Require approval of the accident investigation report by appropriate authority, and require identification of the RTA department responsible for each corrective action plan and implementation schedule?				
14	Require submittal of: <ul style="list-style-type: none"> <li>a. Final accident investigation report, corrective action plan and implementation schedule to RTSB Staff within 60 days of the occurrence of</li> </ul>				

ATTACHMENT 12: CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES

CPUC CHECKLIST FOR REVIEWING AND APPROVING RAIL TRANSIT AGENCY'S ACCIDENT INVESTIGATION PROCEDURES					
<u>Rail Transit Agency</u>		<u>Title of Procedure</u>		<u>Rev. No.</u>	<u>Dated</u>
No.	DOES THE PROCEDURE:	Y	N	REMARKS	
	the accident? The corrective action plan may be part of the accident investigation report or submitted separately. b. Interim status reports every 30 calendar days if the investigation takes longer than 60 calendar days to complete? c. Include process for revisions based on Commission comments/requests?				

The Rail Transit Agency Accident Investigation Procedure is:

- Acceptable
- Unacceptable, Revise and Resubmit

Reviewed by: Signature Date: \_\_\_\_\_

*Name and Title*

Approved by: Signature Date: \_\_\_\_\_

RTSB Program Manager

## **ATTACHMENT 13: ACCIDENT SCENE GUIDELINES**

### **Accident Scene Guidelines**

Staff will go to the accident scene as soon as possible in order to preserve perishable evidence (physical and non-physical evidence that may not exist or be available at a later time.) Preservation of perishable evidence will include:

1. A master field sketch or chart with positions of witnesses and the direction they were facing; position of victim if applicable; proximity of nearby structures and any nearby hazards.
2. If the accident occurred at a crossing, the Rail Crossing and Engineering Branch should be informed.
3. Weather conditions.
4. Take photographs including any wheel marks, other markings caused by the accident, position of vehicle, position of debris, fluids, road signs, and signals.
5. Photograph interior of operator cab and operator viewpoint out front and side windows. Note and photograph operator's personal belongings including any personal electronic devices.
6. Take photographs showing overall relationship between multiple objects such as crosswalk in relation to vehicle.
7. Take photographs of sight lines.
8. Do not take pictures of any critically injured person or a fatality.
9. Note and photograph lighting and visibility conditions. Note time of day, glare on windshield, night street lighting.
10. Photograph mechanical system damage.
11. If mechanical failure is a possible factor, arrange with RTA to hold vehicle in evidence until CPUC mechanical inspector can inspect the vehicle.

If there is suspected cell phone usage in the case subpoena cell phone records. The cell phone number and provider (Verizon, AT&T, etc.) will be needed and can be sent to Legal for processing. Cell phone records may also be required for Accident investigation reports generated by Staff.

## **ATTACHMENT 14: TECHNIQUES TO ASSIST THE INVESTIGATION**

### **Interviews: Techniques to Assist the Investigation**

1. Arrange Operator Interview to take place as soon as possible, optimally within 48 hours.
2. Inform Accident Investigation team members of date and time of interview.
3. Conduct the interview at the earliest possible time. Testimony is perishable.
4. Prepare and review questions. Know what information you are trying to obtain. For example the NTSB investigators often start the interview by asking “what happened.” Let the interviewee do most of the talking. To subpoena cell phone records ask for cell phone number and provider (Verizon, AT&T, etc..). Send this information to legal in order to subpoena the records.
5. No more than two (2) RTSB representatives should be present at the interviews.
6. Conduct the interview in a mutually agreeable area.
7. Try to sit next to interviewee without barriers such as desks and tables between you.
8. Be non-adversarial and define your role as a fact-finder. Do not interrogate or browbeat a witness.
9. Do not argue with the witness regarding moral responsibility of the rail transit agency, the operator, the crew.
10. It is best not to allow the RTA representative to be present. A union representative is acceptable at an interview.
11. Avoid “yes” and “no” type questions.
12. Take notes even if taping the interview.
13. Tape the interview only with the consent of the witness.
14. If taping the interview, at the beginning of the tape, state the names of all present at the interview, the date, the time, and the reason for the interview. Also, at the beginning of the tape, obtain verbal permission from the interviewee to tape the interview.
15. Obtain the names, phone numbers, and email addresses of all present. A sign-in sheet works well for this.
16. If necessary, use explanatory sketches to help the witness explain facts.
17. After the witness finishes telling their story, ask questions regarding areas that may need further explanation.
18. Use open ended questions: “What else could you add about that?”

Attempt to have the witnesses confine their statements to their actual observations, not hearsay or areas of which they have no personal knowledge.

## ATTACHMENT 15: SAMPLE DATA REQUEST LETTER

The following format is to be used on the CPUC's letterhead when requesting information from the involved RTA:

mm/dd/yyyy

TO: John Jones  
Manager or Title  
Your Rail Transit Agency Name  
RTA Address  
Anywhere, CA 94115

***Re: Document Request***

***Reference Number: File No. -T20080713***

The California Public Utilities Commission requests that you provide copies of the following documents:

### **LIST requested documents here.**

Copies of the requested documents should be provided to the undersigned as soon as reasonably possible but no later than 15 business days from the date this request is made. If you are unable or unwilling to provide the documents requested, please identify in writing what documents you cannot provide and the reason why the documents cannot be provided. Send your response to:

Jane Doe  
California Public Utilities Commission  
Rail Transit Safety Branch  
505 Van Ness Ave, 2-D  
San Francisco, CA 94102  
Phone: 415-703-1975

Thank you for your cooperation.

Person served: John Jones Title: Manager  
Date Served: emailed mm/dd/yyyy

by Jane Doe, UE





**ATTACHMENT 16: CPUC ACCIDENT DETAILS REPORT**

**Transit Accident Details Report**

(Post 5/1/2018)

California Public Utilities Commission  
 Rail Transit Safety Branch

<b>Record ID</b>		<b>Involved RTA</b>	
<b>Date of Accident</b>		<b>Assigned RTSB Investigator</b>	
<b>Time of Accident</b>		<b>Principal RTA Investigator</b>	
<b>Final Accident Summary</b>			
<b>Casualties</b>			
<b>Total Fatalities</b>		<b>Total Serious Injuries</b>	
<b>Passenger Fatalities</b>		<b>Passenger Serious Injuries</b>	
<b>Patron Fatalities</b>		<b>Patron Serious Injuries</b>	
<b>RTA Worker Fatalities</b>		<b>RTA Worker Serious Injuries</b>	
<b>Public Fatalities</b>		<b>Public Serious Injuries</b>	
<b>GO 164-E Reporting Category</b>			
<b>a) Fatality</b>		<b>g) A runaway train</b>	
<b>b) One or more serious injury</b>		<b>h) FRA Reportable</b>	
<b>c) Collision between rail transit vehicles</b>		<b>i) Collision-no serious inj/fatality/substnl prpty dmg</b>	
<b>d) Other collision with substantial property damage</b>		<b>j) Hazardous condition</b>	
<b>e) A derailment</b>		<b>k) Courtesy notice</b>	
<b>f) Evacuation for life safety reasons</b>			
<b>Location</b>		<b>Final Categorization</b>	
<b>Location Type</b>		<b>Second Party</b>	

ATTACHMENT 16: CPUC ACCIDENT DETAILS REPORT

<b>Near Station or Platform</b>		<b>Fixed Guideway Mode</b>	
<b>Main or Yard</b>			
<b>County</b>			
<b>Accident Transit Location</b>			
<b>Rail System</b>		<b>Division or Line</b>	
<b>Subdivision or Line</b>		<b>Lead or Line</b>	
<b>Milepost</b>		<b>Description</b>	
<b>Latitude</b>		<b>Longitude</b>	
<b>Crossing</b>			
<b>Crossing Accident</b>		<b>RSSIMS Crossing ID</b>	
		<b>Traffic Control Device</b>	
<b>Investigation</b>			
<b>Status</b>		<b>FTA Most Probable Cause</b>	
<b>Date Investigation Completed (Closed Out)</b>			
<b>Reason for Withdrawal</b>			
<b>Primary Causes</b>			
<b>Contributory Causes</b>			
<b>Comments</b>			

ATTACHMENT 16: CPUC ACCIDENT DETAILS REPORT

<b>Intentional Act</b>		<b>Intentional Act Description</b>	
<b>Train Details</b>			
<b>Car Numbers</b>		<b>Number of Rail Cars</b>	
<b>Train ID Number</b>		<b>Train Speed</b>	
<b>Direction of Travel</b>		<b>Transit Direction</b>	

<b>RTSB Investigation Status</b>		<b>NTSB Involvement</b>	
<b>Investigation Summary Review</b>		<b>NTSB Investigating</b>	
		<b>NTSB Reportable</b>	
<b>RTSB Investigation Summary</b>			
<b>RTSB Position Summary</b>			
<b>RTSB Recommendation Summary</b>			
<b>Accept RTA Report</b>		<b>"SOP, Bulletin, Notice, and Rule Violations"</b>	
<b>CAPs</b>			
<b>CAP Records</b>		<b>Corrective Action Plan Required</b>	
<b>Police or Law Enforcement Report</b>		<b>Coroner Report</b>	
<b>Police Report Status</b>		<b>Coroner Report Status</b>	
<b>Date of Police Report Review</b>		<b>Date of Coroner Report Review</b>	
<b>Police Report Comment</b>		<b>Coroner Determination</b>	
		<b>Coroner Report Comment</b>	

ATTACHMENT 16: CPUC ACCIDENT DETAILS REPORT

<b>Close-Out Checklist</b>			
<b>ACTIVITY DESCRIPTION</b>	<b>ACTION</b>	<b>DATE</b>	<b>COMMENTS</b>
Event Recorder Data			
Audio/Video Recordings			
System Maintenance			
Post-Accident Equipment Testing			
Drug and Alcohol Testing			
Hours of Service			
Performance Evaluations			
Training Records			
Interviews and Statements			

**ATTACHMENT 17: Accident Report Acceptance Letter**

STATE OF CALIFORNIA

GAVIN NEWSOME, *Governor*

PUBLIC UTILITIES COMMISSION

320 W. FOURTH STREET, SUITE 500  
LOS ANGELES, CA 90012



(Electronically Transmitted – No hard copy will follow)

[DATE]

**[RTA Contact Name]**

**[RTA Contact Address]**

**Subject: Acceptance of [RTA Name] Accident Report**

**Dear [RTA Contact Name]:**

Staff has reviewed and adopted the accident report for the following incident:

[INCT Record Number] [Location of Accident] [ Date of Accident]

If you have any further questions, please feel free to contact me at [RTSB Rep Phone number and email address].

Sincerely,

[RTSB Rep's Name]  
Rail Transit Safety Branch  
Rail Safety Division

Cc: [RTSB Rep's Supervisor's Name]

**ATTACHMENT 18: Minor Event Report**

**Minor Event Report  
 (3-15-2022)**

**CALIFORNIA PUBLIC UTILITIES COMMISSION  
 MINOR EVENT REPORT  
 (Not to be used for Fatalities or Serious Injuries<sup>1</sup>)**

**REPORTED TO TOC (Yes  / No )**

**REPORTED TO NTD (Yes  / No ) (NTD # \_\_\_\_\_)**

RAIL TRANSIT AGENCY:					
LOCATION:		TRAIN/CARS #:	TRAIN DIRECTION OF TRAVEL:		NO. OF NON-SERIOUS INJURIES:
LIGHTING (DAY/NIGHT/DUSK/DAWN):	WEATHER:	DATE:	TIME:	DESIGN SPEED:	ESTIMATED SPEED AT TIME OF EVENTS:
CPUC HIGHWAY-RAIL GRADE CROSSING NUMBER (IF APPLICABLE):					
COLLISION WITH A MOTOR VEHICLE		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
COLLISION WITH AN OBJECT		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
COLLISION WITH A PERSON		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
YARD DERAILMENT		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
OPERATOR'S REPORT AVAILABLE		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
SUPERVISOR'S REPORT AVAILABLE		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
GRADE CROSSING COLLISION		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
GATED CROSSING		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
TRAFFIC SIGNAL CONTROLLED CROSSING		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
UNCONTROLLED CROSSING		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
PEDESTRIAN CROSSING		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
OPERATOR TESTED FOR D&A		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
TRANSIT VEHICLE OUT OF SERVICE		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
SUBSTANTIAL DAMAGE <sup>2</sup>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
VIDEO/AUDIO AVAILABLE FOR REVIEW		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
RULE(S) VIOLATION		YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>	
TOW AWAY		TRAIN <input type="checkbox"/>	VEHICLE <input type="checkbox"/>	N/A <input type="checkbox"/>	

<sup>1</sup> Serious injury means any injury which: (1) requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second or third-degree burn(s), or any burns affecting more than 5 percent of the body surface.

<sup>2</sup> Substantial damage is any physical damage to transit or non-transit property including vehicles, facilities, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation.

Substantial damage includes damage which adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation.

ATTACHMENT 18: Minor Event Report

**DESCRIPTION OF THE EVENTS / INVESTIGATION FINDINGS (INCLUDE PHOTOGRAPHS IF APPLICABLE):**

**PROBABLE CAUSE:**

**CONTRIBUTING FACTORS:**

**RECOMMENDATIONS:**

<b>CORRECTIVE ACTION PLAN:</b>	ACTION	SCHEDULE	DEPARTMENT/INDIVIDUAL RESPONSIBLE
(YES <input type="checkbox"/> NO <input type="checkbox"/>  RTA's CAP #:			

**PHOTOGRAPHS (IF APPLICABLE):**

**ATTACHMENT 19: CPUC CHECKLIST FOR REVIEW OF A SAFETY CERTIFICATION PLAN**

CPUC CHECKLIST FOR REVIEW OF A SAFETY CERTIFICATION PLAN					
Transit Agency: _____		Submittal Date: _____			
Plan Title: _____		Plan Date: _____			
No.	SC Plan Requirements Does the PLAN contain or provide for the following:	included		Page Ref.	Comments
		Y	N		
1	<u>SC Plan Submittal</u>				
	<ul style="list-style-type: none"> <li>• A Project specific SC Plan is submitted to Staff for review and Commission approval during the preliminary engineering phase.</li> </ul>				
	<ul style="list-style-type: none"> <li>• Any significant revisions to the SC Plan have been made since initial submission.</li> </ul>				
1	<ul style="list-style-type: none"> <li>• A revised SC Plan has been submitted.</li> </ul>				
	<u>Safety Certification Management and Responsibilities</u>				
	Does the SC Plan identify the safety certification management and responsibilities including:				
2	- Organizational authority and responsibilities				
	- Safety certification activities				
	- Processes				
	- Procedures				
	- Documentation requirements and responsibilities				
	- Reporting requirements				
3	<u>Communication Control with RTSB Staff</u>				
	<ul style="list-style-type: none"> <li>• Controls and procedures used to maintain effective communications and liaison with Staff throughout the life of the project</li> </ul>				
3	<ul style="list-style-type: none"> <li>• Procedures to obtain and adequately address Staff's written comments on safety and security design reviews conducted throughout the Project development cycle</li> </ul>				
	<u>Process for Verification and Documentation</u>				
4	<ul style="list-style-type: none"> <li>• The process used to verify conformance with safety and security requirements during design, construction, testing and operational readiness</li> </ul>				



ATTACHMENT 19: CPUC CHECKLIST FOR REVIEW OF A SAFETY CERTIFICATION PLAN

	<ul style="list-style-type: none"> <li>• The process used to document conformance with safety and security requirements during design, construction, testing and operational readiness</li> </ul>				
	<ul style="list-style-type: none"> <li>• A hazard management process to conduct safety hazard analyses and safety hazard resolution, which includes:                             <ul style="list-style-type: none"> <li>○ List of hazard analyses to be performed.</li> <li>○ Hazard Descriptions.</li> <li>○ Hazard Category.</li> <li>○ RTA Responsible Individual Assigned.</li> <li>○ Hazard Tracking.</li> <li>○ Date Closed.</li> <li>○ Language indicating the RTA will submit the hazard analyses to Staff upon request</li> </ul> </li> </ul>				
	<ul style="list-style-type: none"> <li>• A list of all safety and security design criteria that will be used in the planning, design, and construction of Projects</li> </ul>				
	<ul style="list-style-type: none"> <li>• A list of certifiable elements and sub-elements</li> </ul>				
	<ul style="list-style-type: none"> <li>• The process for conducting safety certification audits to verify compliance and judge the effectiveness of the SC Plan</li> </ul>				
	<ul style="list-style-type: none"> <li>- The written checklists used for the safety certification audits</li> </ul>				
	<ul style="list-style-type: none"> <li>• A format of Conformance checklists</li> </ul>				
	<ul style="list-style-type: none"> <li>- A list of the Conformance checklist actually used</li> </ul>				
	<ul style="list-style-type: none"> <li>- The actual checklists will be submitted upon Staff's request</li> </ul>				
	<ul style="list-style-type: none"> <li>• Safety Certification milestones</li> </ul>				
	<ul style="list-style-type: none"> <li>• A procedure for updating the SC Plan</li> </ul>				

The Safety Certification Plan is:

**Acceptable**

**Unacceptable. Revise and Resubmit**

Reviewed by:

*Signature*

Name and Title

Date:

Approved by:

*Signature*

Name and Title

Date:

## ATTACHMENT 20: EXAMPLE OF HAZARD TRANSIT RECORD

### RTSB - Hazard Transit (HAZT): 2017090001

[Subscribe](#)

Identified safety hazards for Rail Transit Agencies.

Information Sections: [?](#)

[Tab Description](#)

General	AUDIT
<div style="text-align: right; margin-bottom: 5px;"><a href="#">Left Column Definitions</a></div> <h4 style="margin-top: 0;">Hazard Summary</h4> <div style="text-align: right; margin-bottom: 5px;"><a href="#">Section Description</a></div> <p><b>Hazard Status</b> 2 Closed</p> <p><b>RTA</b> <a href="#">RORG TTANGLT</a></p> <p><b>Hazard Title</b> Notifiable Incident: SRCB deployment</p> <p><b>Date reported to the CPUC</b> <a href="#">Add Reminder</a></p> <p>09/21/2017</p> <p><b>Hazard Description</b> A faulty load cell reading from Olivel indicated a loss of haul cable tension. This caused the safety rope carrier brake to deploy. Only three passengers were present on the lower vehicle at this time. The operator made the decision to evacuate the passengers herself since the passengers were on the lower car and it was within one metre of Hill Street Station. The system was shut down and the cars remained at the top and bottom of the guideway until the next day. The following day, the system was operated normally, and there have been no further reported failures or spurious signals. <b>ACTIONS TO BE TAKEN 3E* 1.</b> AF will review system components and performance to eradicate this type of fault, and 2. AF will review evacuation procedure internally to evaluate necessity of calling first responders for similar events in the future.</p> <p><b>Staff Assigned</b> <a href="#">CNTC Daniel Kwok</a></p> <p><b>Individual Reporting Hazard</b> <a href="#">CNTC Mark Turner</a></p>	<div style="text-align: right; margin-bottom: 5px;"><a href="#">Right Column Definitions</a></div> <h4 style="margin-top: 0;">Hazard Details</h4> <div style="text-align: right; margin-bottom: 5px;"><a href="#">Section Description</a></div> <p><b>Hazard Category</b> Rail Vehicle Issues Unlabeled/Other CAP</p> <p><b>Former INCT Record Number</b> Data Transferred from Closed INCT Record</p> <p><b>Hazard Analysis</b> Tracking and Close out Comments</p> <p><b>Date Closed</b> <a href="#">Add Reminder</a></p> <p>09/22/2017</p>

## ATTACHMENT 21: SAMPLE COMPLAINT LETTER

STATE OF CALIFORNIA

GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

550 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102



Date

Public Complainer  
123 Main Street  
Anywhere, CA 00000

**Re: Complaint No. CMPT #####, Letter dated March ##, 20##, (Brief description of complaint)**

Dear Mr./Ms. Complainer:

I am in receipt of your letter dated March ##, 20##. The California Public Utilities Commission's Rail Transit Safety Branch (RTSB) Staff will investigate the safety concern described in your letter.

- Brief description of complaint

If you have any questions, please contact (Assigned Staff) at (###) ###-#### or [FirstName.LastName@cpuc.ca.gov](mailto:FirstName.LastName@cpuc.ca.gov).

Thanking you for bringing this matter to the Commission's RTSB Staff's attention.

Sincerely,

(P&PS Name)  
Program and Project Supervisor  
Rail Transit Safety Branch  
Rail Safety Division

**ATTACHMENT 22: APPENDIX A OF RESOLUTION ST-163, SPECIFIED VIOLATIONS AND SCHEDULED PENALTIES (See Section 12 of this document)**

Specified Violation	Scheduled Penalty
<p><b>Failure to comply with G.O. 26-D</b> - Regulations governing clearances with reference to side and overhead structures, parallel tracks, crossings of public roads, highways and streets, where, for example, the rail fixed guideway system shares clearances with a temporally or physically separate railroad operation.</p>	<p>\$2,000 per incident.</p>
<p><b>Failure to comply with G.O. 33-B</b> - Requirements for the approval, construction and operation of rail fixed guideway systems' interlocking plants, where, for example, the rail fixed guideway system shares an interlocking with a railroad operation.</p>	<p>\$4,000 per incident.</p>
<p><b>Failure to comply with G.O. 72-B</b> - Uniform standards for grade crossing construction and maintenance.</p>	<p>\$4,000 per incident.</p>
<p><b>Failure to comply with G.O. 75-D</b> - Standards for warning devices for railroad and rail fixed guideway system at-grade highway-rail crossings.</p>	<p>\$4,000 per incident.</p>
<p><b>Failure to comply with G.O. 95</b> - Standards for the construction of rail fixed guideway systems' electric feeder conductors, span wires, electric poles and towers, etc., communication lines, vertical clearances for wires, and signal systems.</p>	<p>\$5,000 per incident.</p>
<p><b>Failure to comply with G.O. 118 (except as to vegetation control requirements)</b> - Walkways shall provide a reasonable regular surface with gradual slope not to exceed approximately one inch to eight inches (1/8 or 12.5%), where, for example, the rail fixed guideway system shares walkways with a temporally or physically separation railroad operation.</p>	<p>\$3,000 per incident.</p>
<p><b>Failure to comply with G.O. 127</b> - Regulations for the construction,</p>	<p>\$7,500 per incident.</p>

ATTACHMENT 22: APPENDIX A OF RESOLUTION ST-163, SPECIFIED VIOLATIONS AND SCHEDULED PENALTIES (See Section 12 of this document)

reconstruction, maintenance and operation of automatic train control systems employed by rail fixed guideway systems.	
<b>Failure to comply with G.O. 128</b> - Rules for the construction of rail fixed guideway systems' underground electric supply and communication systems.	\$5,000 per incident.
<b>Failure to comply with G.O. 143-B</b> - Regulations governing the design, construction, operation, and maintenance of rail fixed guideway systems.	\$5,000 per incident plus \$250/day.
<b>Failure to comply with G.O. 164-D</b> - Rules for the safety oversight of rail fixed guideway systems as required under Title 49 of the Code of Federal Regulations, Part 659.	\$5,000 per incident plus \$250/day.
<b>Failure to comply with G.O. 172</b> - Rules and regulations governing the use of personal electronic devices by employees of Rail Transit Agencies and Rail Fixed Guideway Systems.	\$7,500 per incident.
<b>Failure to comply with G.O. 17</b> - Rules and regulations for roadway worker protections on California Rail Transit Agencies.	\$5,000 per incident plus \$250/day.
<b>Failure to comply with Public Utilities Code § 309.7</b> - Interference with or obstruction of a Safety and Enforcement Division ("SED") investigation of the rights-of-way, facilities, equipment, and operations of Rail Transit Agencies and/or interference with or obstruction of SED's enforcement of state and federal laws, regulations, orders, and directives concerning RTAs.	\$10,000 per incident plus \$250/day.

ATTACHMENT 22: APPENDIX A OF RESOLUTION ST-163, SPECIFIED VIOLATIONS AND SCHEDULED PENALTIES (See Section 12 of this document)

<p><b>Failure to comply with Public Utilities Code § 315</b> - Interference with or obstruction of an SED accident investigation occurring on the property of an RTA or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the Commission, and/or the failure of an RTA to comply with a Commission order or recommendations with respect thereto.</p>	<p>\$10,000 per incident plus \$250/day.</p>
<p><b>Failure to comply with Public Utilities Code § 451</b> - Every Rail Transit Agency shall furnish and maintain such adequate and efficient instrumentalities, equipment, and facilities, as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public. This would apply to a defect that has no specific CPUC regulation, but does have a safety standard that should be followed, such as a manufacturer's wear limits for brakes.</p>	<p>\$5,000 per incident.</p>
<p><b>Failure to comply with Public Utilities Code § 771</b> - The commissioners and their officers and employees may enter upon any premises occupied by any public utility, for the purpose of making the examinations and tests and exercising any of the other powers provided for in this part, and may set up and use on such premises any apparatus and appliances necessary therefor. The agents and employees of the public utility may be present at the making of such examinations and tests. This would apply if any RTA prevented CPUC staff from exercising these duties.</p>	<p>\$10,000 per incident plus \$250/day.</p>
<p><b>Failure to comply with 49 C.F.R. § 659 et seq.</b></p>	<p>\$5,000 per incident.</p>

## ATTACHMENT 23: SAMPLE PTASP APPROVAL LETTER

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**(Electronically Transmitted – No hard copy will follow)**

[DATE]

[RTA Contact  
Address]

**Subject: Review of [RTA's] Board-Approved Public Transportation Agency  
Safety Plan**

Dear [RTA Contact]:

The California Public Utilities Commission (CPUC) Rail Transit Safety Branch (RTSB) staff reviewed [RTA's Name] Board-Approved Public Transportation Agency Safety Plan (PTASP), which we received with your transmittal letter dated [DATE]. We used CPUC PTASP Checklist version [Version #] for our review [If RTA has modes other than rail, then add "(for rail fixed guideway modes only)"].

We found the document contains the required elements with sufficient detail and clarity to satisfy all elements of our checklist. For your information, a copy of the completed CPUC PTASP checklist is attached.

Accordingly, this letter provides final approval for the [RTA Name] PTASP version [Version # and date].

We appreciate your staff's responsiveness to our questions and working with us during the PTASP review process over the past several months.

If you have any questions, please do not hesitate to contact me at [phone and/or email address].

Sincerely,

[Name of either Program Manager or PPS signing the letter]

[Title]

Rail Transit Safety Branch

Rail Safety Division

CC: (all via email)

Attachment: CPUC Checklist for Review of PTASP (electronic