



BOARD OF DIRECTORS REPORT

MEETING DATE: JULY 16, 2024 **AGENDA ITEM #:** 10
TYPE: ACTION ITEM
PREPARED BY: CHIEF SAFETY OFFICER, MARY GREGG
REVIEWED BY: GENERAL MANAGER, JERRY ESTRADA
SUBJECT: APPROVAL OF UPDATED AGENCY SAFETY PLAN

RECOMMENDATION:

Staff recommends the Board approve MTD's Agency Safety Plan Version 5.0

DISCUSSION:

MTD's Safety Committee has completed the Annual Review of the ASP and made updates to the Safety Performance Targets (SPTs) to reflect the most current three-year average of MTD's reportable data to the National Transit Database (NTD), from 2021 - 2023. SPTs are specific numerical targets set based on safety performance measures under the National Public Transportation Safety Plan and are outlined in Section 6 Safety Performance Targets, of MTD's ASP.

Updates were also made to Section 2 Commonly Used Acronyms to add additional terms, and to Section 3 Public Transportation Agency Safety Plan Overview to update important dates in the recent timeline of PTASP regulations.

BACKGROUND:

MTD is required to have an Agency Safety Plan (ASP) under the Public Transportation Agency Safety Plan (PTASP) Final Rule, 49 Code of Federal Regulations Part 673, as a recipient of federal funds under Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Grants.

MTD has rigorous safety programs previously established, and in continuous development, that meet local, state and Federal compliance regulations which are included in the ASP and address Safety Management Systems (SMS). SMS is intended to reduce safety events through making safety everyone's responsibility, a primary component of PTASP regulations.

New requirements relating to PTASP were laid out in the Bipartisan Infrastructure Law (BIL) (amendments to 49 U.S.C. § 5329(d) that became effective December 31, 2022. Most of the new requirements apply based on the size of the urbanized area, or UZA, that the transit agency serves, those being one of two categories: small or large. With the results of the 2020 Census,

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recently published in 2023, MTD moved from serving a small UZA to a large UZA, defined as a population area of 200,000 or more. FTA formally recognized MTD as a large UZA effective October 1, 2023 with the start of the new Federal fiscal year

FTA proposed revisions to the National Public Transportation Safety Plan, as well as an update to the PTASP Final Rule, to address the new safety requirements authorized under the Bipartisan Infrastructure Law. FTA published an updated version of the National Public Transportation Safety Plan on April 9, 2024. The final rule updating the PTASP regulation at 49 CFR part 673 became effective May 13, 2024 and MTD will be required to address changes that are responsive to the BIL and PTASP regulations, and update the ASP during our next Annual Review Process to present to the Board of Directors for approval in 2025.

What does the future look like for MTD's ASP under the BIL as a large UZA? The legislation's safety provisions include:

- Increased engagement by frontline workers in safety planning by convening a PTASP specific safety committee through a joint labor management process consisting of an equal number of frontline employee representatives and management representatives.
- Allocation of at least 0.75 percent of annual 5307 funds to support safety related projects, in what is being called a "safety set-aside".
- Establishment of a risk reduction program to include mitigation of assaults on transit workers, such as installing barriers, like those that MTD has already in place, to restrict the unwanted entry of individuals and objects into the workstations of bus operators
- Inclusion in safety training programs of de-escalation training for all covered employees, including operations, maintenance, and personnel directly responsible for safety.

ATTACHMENT:

MTD Public Transportation Agency Safety Plan Version 5.0