



NATIONAL TRANSPORTATION SAFETY BOARD  
**Investigative Hearing**

Washington Metropolitan Area Transit Authority Metrorail train 302 that encountered heavy smoke in the tunnel between the L'Enfant Plaza Station and the Potomac River Bridge on January 12, 2015

<b>GROUP</b>	
<b>EXHIBIT</b>	

Agency / Organization

Title

# FTA

FEDERAL TRANSIT ADMINISTRATION

## SSO Pre-Certification Review Process

October 31, 2013

Office of Transit Safety and Oversight



# FTA

FEDERAL TRANSIT ADMINISTRATION

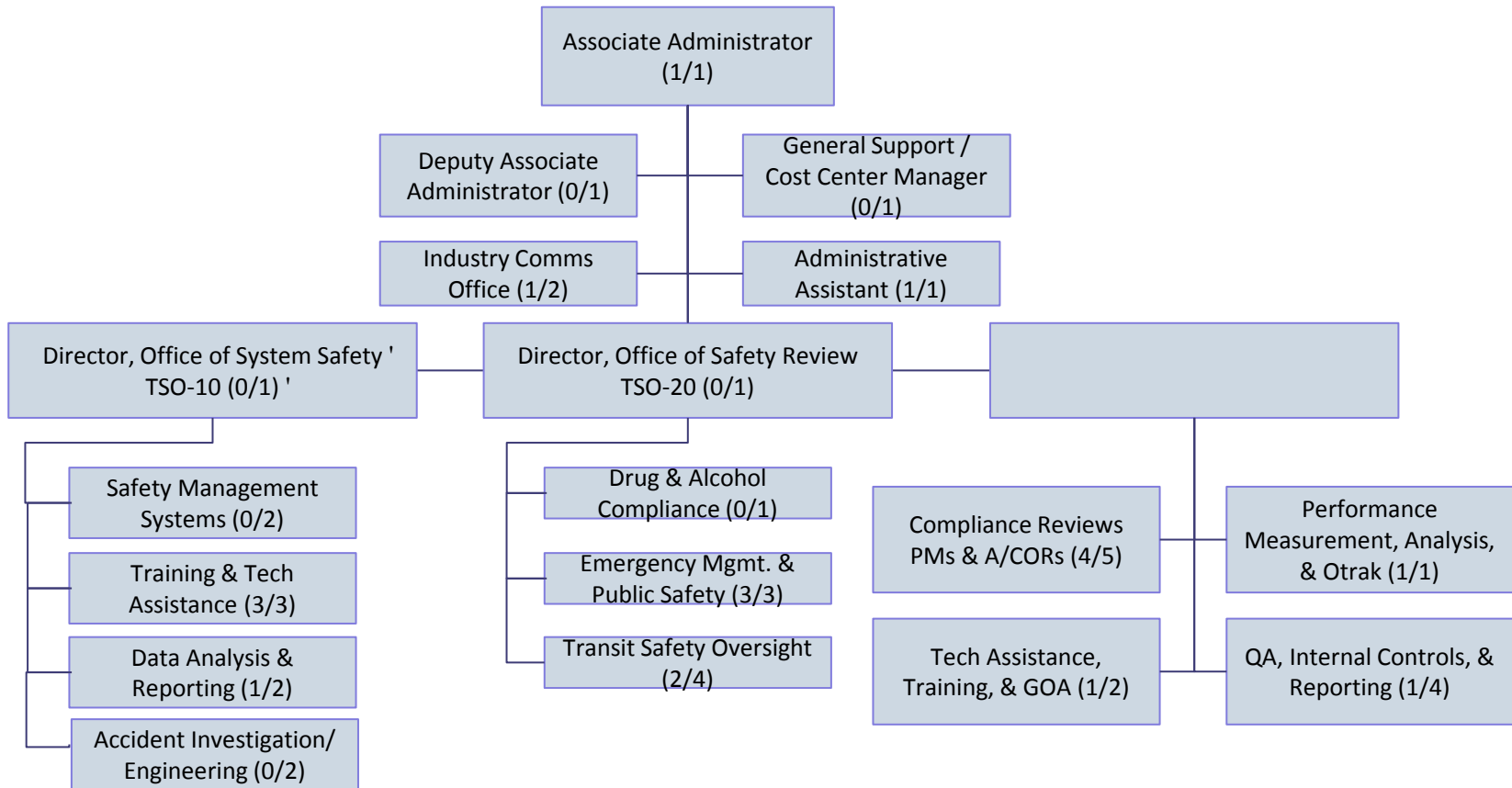
# Agenda

- FTA's Office of Transit Safety and Oversight
- SSO Pre-Certification Review Process
- Results
- Next Steps
- Questions and Answers

# TSO Team Introductions

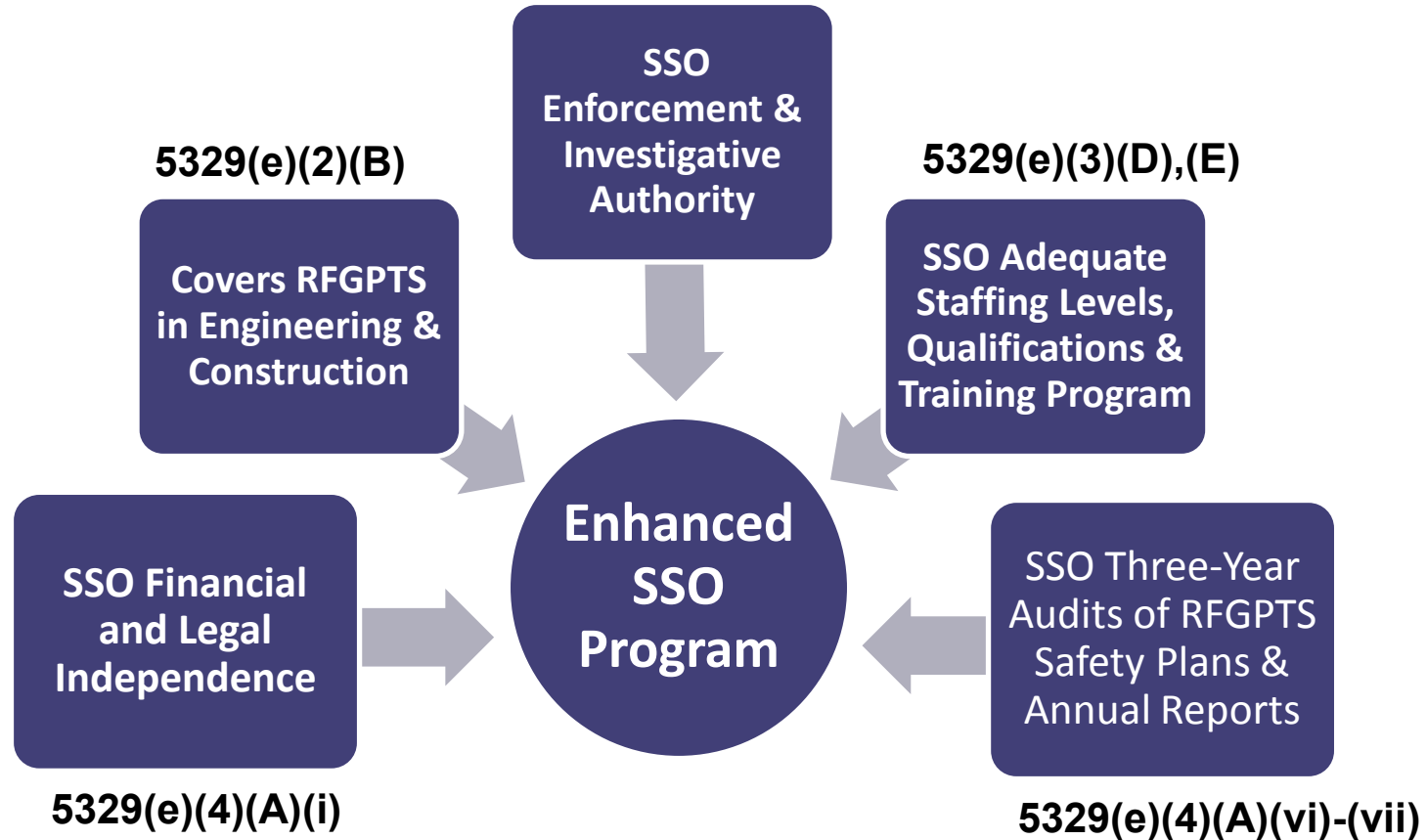
- TSO team
  - Thomas Littleton, Associate Administrator for Safety and Oversight
  - Angela Dluger, Acting Deputy Associate Administrator for Safety and Oversight
  - Frank Frey, Acting Director, Office of Safety Review
  - Maria Wright, Acting SSO Program Manager and Contracting Officer's Representative (COR)

# TSO Organization Chart



# MAP-21 Objectives

5329(e)(3)(A),(B)  
5329(e)(4)(A)(vi),(v)



# SSO Pre-Certification Process

- Certification process specified in 49 U.S.C. Section 5329(e)(7)(A) is entirely separate from FTA's existing 49 CFR Part 659 program
  - A State in good standing under 49 CFR Part 659 remains in good standing

# SSO Pre-Certification Process

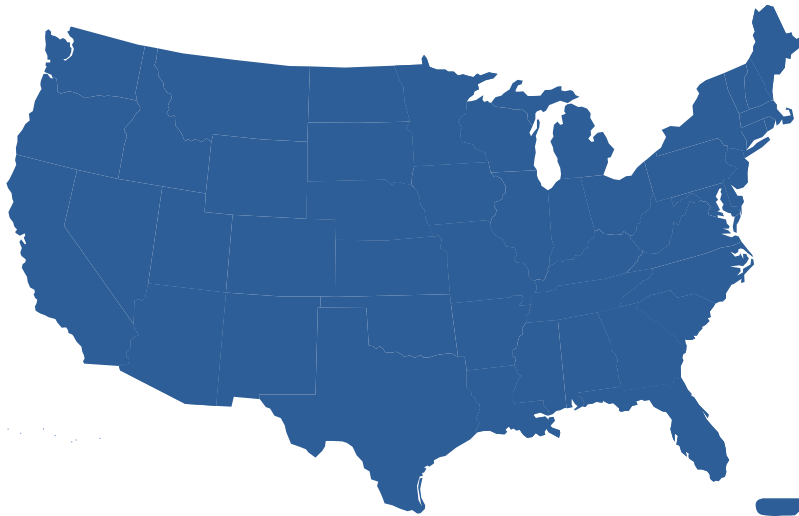
- Occurs:
  - Between FTA and the Governor of the State
- Coordinated with highest ranking Transportation Official in State



# SSO Pre-Certification Process

## MAP-21 Legislation – 5329(e)(7)(A)

**IN GENERAL.**—Not later than 1 year after the date of enactment of the Federal Public Transportation Act of 2012, the Secretary shall determine whether or not each State safety oversight program meets the requirements of this subsection and the State safety oversight program is adequate to promote the purposes of this section

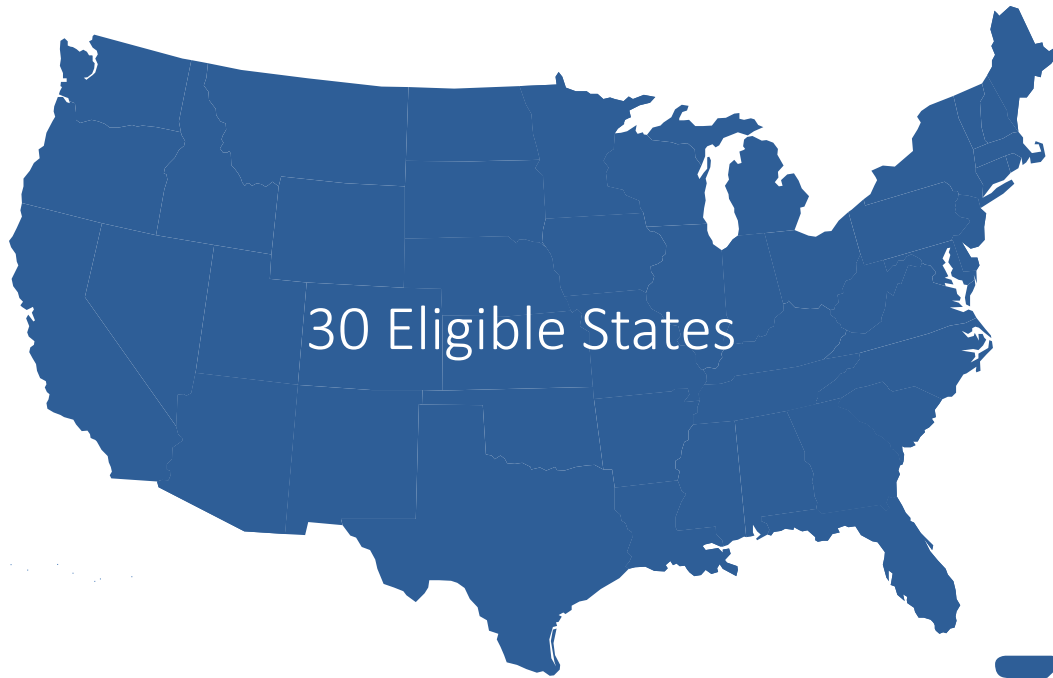


## MAP-21 Requirements

State SSO Programs must:

- Assume responsibility for RFGPTS safety from engineering and construction
- Be legally and financially independent from RFGPTS
- Not provide transportation in an RFGPTS area
- Not employ any individual who is also responsible for administering RFGPTS program
- Have authority to review, approve, oversee and enforce RFGPTS safety plan and adopt Federal and state safety regulations
- Have investigative and enforcement authority at RFGPTS
- Conduct triennial audits of RFGPTS safety
- Ensure adequate, qualified and trained/certified staff for SSO program
- Provide annual report

# SSO Pre-Certification Results



## Results

- 2 States received “initial certification” and were authorized to submit applications to FTA’s SSO Grant Program
- 21 States were authorized to submit applications to FTA’s SSO Grant Program and will be required to resubmit in order to receive “initial certification”
- 7 States received requests for additional information and/or formal scoping sessions

**The MAP-21 statutory requirements are far more stringent than FTA's existing 49 CFR Part 659 SSO rule and program.**

# Major Evaluation Areas

- Independence from RFGPTS
  - Legal
  - Financial
  - No transportation in RFPTS service area
  - No employment of personnel responsible for administering RFGPTS programs

# Major Evaluation Areas

- Enforcement authority
  - Authority to compel action to address safety deficiencies
- SSO program implementation activities
  - Authority to investigate the safety of RFGPTS
  - Authority to audit RFGPTS implementation of Agency Safety Plan
  - Authority to report to Governor, Board of Directors, FTA

# Major Evaluation Areas

- Staffing and qualification
  - Staffing level commensurate with number, size and complexity of RFGPTS
  - Staffing qualifications and training
- Readiness for SSO grant program
  - Independent 20 percent match for FTA's SSO grant program
  - Availability and timing of match funds

# Next Steps

- One-on-one teleconference calls
  - Week of November 12-15, 2013
- *Federal Register* notice
  - Final SSO grant program funding allocation
- State work plans and SSO grant applications
- FTA monitoring and annual State reports
- State re-submittals

# Questions and Answers

- States have raised questions and concerns:
  - Why did FTA not communicate more with the SSO program managers regarding this process and its likely results?

# Questions and Answers

- How can FTA evaluate my program against MAP-21 statutory requirements when FTA has not yet issued a final rule implementing them?



# Questions and Answers

- Why did California and Massachusetts receive “initial certification”?
- Is the PUC-model the only way to conform with MAP-21 requirements?

# Questions and Answers

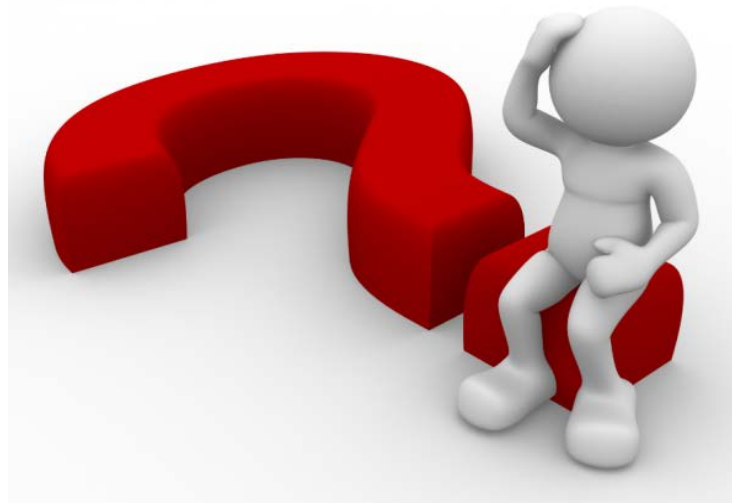
- What specific enforcement and investigative authorities must my State have to meet MAP-21 requirements?

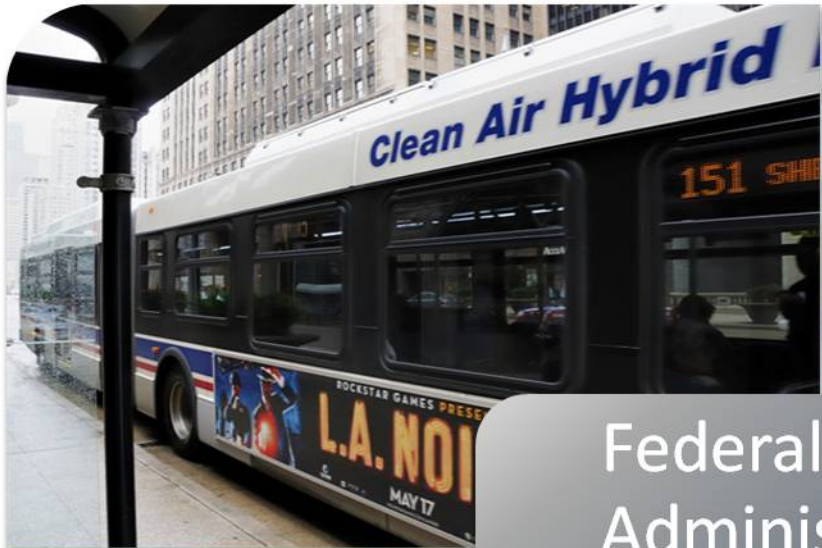
# Questions and Answers

- When will the SSO grant program funding be available?
- Will TSO or the Regional Office be approving my State's grant?

# Other Questions

- If you are listening by phone, please dial \*1 to ask a question.
- If you are listening by computer, please dial into the call at 1 (877) 615-4339, Passcode 7567 303#, then dial \*1. (Don't forget to mute your speakers.)
- An operator will take your question, then put you back on the call until the presenters are ready for you to ask your question live.





Federal Transit  
Administration  
[www.fta.dot.gov](http://www.fta.dot.gov)



**FTA**

FEDERAL TRANSIT ADMINISTRATION