

FTA ISSUES NATIONAL PUBLIC TRANSPORTATION SAFETY PROGRAM FINAL RULE

On September 12, 2016 the Federal Transit Administration's (FTA) Public Transportation Safety Program Final Rule went into effect. The rule, which is authorized under 49 U.S.C. 5329, provides the framework for FTA to monitor, oversee, and enforce transit safety based on the principles of Safety Management Systems (SMS). The rule applies to all recipients of Chapter 53 funds.

Before the Moving Ahead for Progress in the 21st Century (MAP-21) Act was signed into law in 2012, USDOT had no established federal safety regulations for public transportation. MAP-21 mandated that FTA establish and enforce a public transportation safety program that includes four key components: the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, Public Transportation Agency Safety Plans, and State Safety Oversight Programs.

In October 2013, FTA issued an Advanced Notice of Proposed Rulemaking (ANPRM) to explain and receive feedback on its proposed approach to develop and implement the Safety Program. In August 2015, FTA issued its Public Transportation Safety Program Notice of Proposed Rulemaking (NPRM). In December 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law, which included two amendments to the Safety Program regarding FTA's authority, both of which were reflected in the final rule.



The final rule establishes SMS principles and methods as the basis of the Safety Program. FTA will use an SMS approach when developing rules, policies, guidance, and technical assistance programs. SMS is a flexible, collaborative approach focused on making sure the proper organizational structures, accountabilities, policies, and procedures are in place to support effective decision-making and optimally manage safety. SMS consists of four main components:

- Safety Policy** – safety commitment and accountability, safety roles and responsibilities, safety resource allocation to support safety performance targets.
- Safety Risk Management** – safety hazard identification, safety risk-based analysis and implementation of safety risk controls.

- Safety Assurance** – monitoring of safety risk controls to ensure they are achieving their intended objective while assessing the need for new risk control strategies.

- Safety Promotion** – achieving the safety mission through clear safety communication channels and safety training programs.

Another main component of the rule is that it grants FTA authority to monitor and enforce the Safety Program. Specifically, the rule permits the FTA to conduct investigations and audits—as well as to test the equipment, facilities, rolling stock and operations—of a public transportation system. FTA is required to provide advanced notice to a recipient prior to initiating any of these actions. For Chapter 53 recipients found

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NOTES FROM THE TOP

BY DONNA LAVIGNE

Dear Transit Friends,

It seems as though the summer flew by. We held our annual Directors Meetings, PASS Training, and two Drug and Alcohol Workshops. The Directors Meetings were very effective, offering technical assistance and updates on FTA Programs and requirements, training opportunities, STARS updates, safety and security, and the annual compliance review. It's looking like the fall is going to be just as busy.

The 2016 Annual Public Transportation Conference is just around the corner. The conference is scheduled for November 14-16, in Lake Charles, Louisiana at the L'Auberge Conference Center. We promise the conference will be an exciting learning experience

and a great networking opportunity. This year's theme is **"A Ride to Success!"** Sessions will include, transit updates, Transit Alternative Funds, Vehicle Maintenance Updates, Leadership and Creditability, DBE, Title VI, and much more. We are looking forward to seeing all of you. For registration and more information about the conference, please visit our website at:

<http://wwwsp.dotd.la.gov/InsideLaDOTD/Divisions/Multimodal/transit/Pages/default.aspx>

As many of you are aware, there were numerous residents affected by the August, 2016 Historic Flood. Our prayers are with you and your families as you recover and rebuild. Special thanks to our transit providers for participating in the emergency evacuation and transportation to the shelters.

On a personal note, after 34 years of State Service, I've decided to retire at the end of October 2016. It's been a pleasure working with you guys. My career has been both fun and fulfilling. In 2007, I was promoted to the Public Transportation Director position. That was an exciting and somewhat scary day. But most of all, I have enjoyed working with the many people I've met during my career and have learned a lot. I will miss you all!!!



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ANNOUNCEMENTS & EVENTS

Don't forget to register for the Louisiana Public Transit Conference!

Non-members can register at the member rate by joining LPTA. Call the LA DOTD office at (225) 379-3060 for application.



LPTA/LADOTD EVENTS

FOR MORE INFORMATION, PLEASE VISIT: www.lptaonline.org

NOV 14-16

Louisiana Public Transit Conference..... Lake Charles, LA

TRB EVENTS

FOR MORE INFORMATION, PLEASE VISIT: www.trb.org

SEPT 26

International Conference on Demand Responsive Transportation..... Breckinridge, CO

SEPT 29

Webinar: Shared Mobility and the Transformation of Public Transit..... Online

SEPT 29

Webinar: Integrating Climate Change Resilience into Transportation Asset Management..... Online

OCT 2-5

National Conference on Rural Public and Intercity Bus Transportation..... Asheville, NC

JAN 8-12, 2017

96th Annual Meeting..... Washington D.C.

SWTA EVENTS

FOR MORE INFORMATION, PLEASE VISIT: www.swta.org

SEPT 25-27

Transit Marketing Workshop..... Baton Rouge, LA

OCT 13-14

Maintenance Directors Forum..... North Little Rock, AR

Louisiana Public Transit Conference 2016

**November 14-16, 2016
L'Auberge Hotel Resort
Lake Charles, LA**

SAVE THE DATE

SPOTLIGHT ON...

TECHNOLOGY AND TRANSIT (PART 2) | TRANSIT & TNCs

Advances in technology, especially in the fields of computing and communications, have addressed many of society's problems and needs in diverse ways. The world seems to get smaller with new technology that allows us keep in touch with loved ones or go shopping without leaving the living room. However, many citizens still struggle to reach destinations in their communities and have limited access to goods and services.

Private-sector transportation network companies, or TNCs, such as Uber and Lyft have been utilizing technology to operate transportation services since their inception. These services use complex computer algorithms to manage the supply of vehicles and drivers as demand fluctuates to ensure that the system is never overburdened and that customers can access rides.

These services have been widely popular with tech-savvy millennials in metropolitan areas around the world, but many individuals, including the elderly, disabled, and those who live in rural areas, have felt left behind. By making minor changes and creating new partnerships between TNCs and transit agencies, services like Uber and Lyft have been able to help fill critical gaps in existing transit systems and provide new services to those with unmet mobility needs.

First Mile/Last Mile Problem

Even in areas that are relatively well-served by transit, there are still those who have unmet transportation needs. For many, the persistent "first mile/last mile" problem – which describes the first and/or last leg of a transit trip – can be a barrier that precludes transit from being a viable mobility option. Ideally, the distance between origins and/or destinations would be short enough to walk, but that is often not the case. How do transit users complete the last leg of a transit trip when their destinations are too far to walk, or where walking is not a viable option in the first place? This is a situation where TNCs could fill service gaps by providing rides to/from transit stops or during off-peak service hours.

Several localities across the U.S. – particularly in suburban areas – have implemented these practices in recent years. For example, Uber has partnered with the City of Altamonte Springs, Florida to provide demand-response public transportation service. The experience for the user is essentially the same as a normal Uber, except there is an option to request a ride using an "Altamonte" car that is subsidized by local government and is cheaper than a standard ride.

Other examples of transit agencies who have partnered with TNCs to supplement traditional transit service include Dallas Area Rapid Transit (DART) and the Metropolitan Atlanta Rapid Transit Authority (MARTA), which have both integrated Uber into their smartphone apps to make it easier for transit riders to connect from one service to the other. In Los Angeles and Minneapolis, transit agencies reimburse regular commuters for Uber trips in emergencies.

Rural Transit

Outside of large urban areas it can be a challenge to provide effective and efficient public transit service. Low population density and spread-out destinations mean that there is no easy and cost-effective way to move people between small towns and throughout rural areas. Liberty – a service developed through the U.S. Department of Transportation (USDOT) Small Business Research program that is similar to other ride-hailing services – will soon provide transportation service to residents of rural Nebraska. Partnering with local transit agencies, Liberty will pick up riders who request rides via a smartphone app or over the phone where bus routes end, and also plans to provide referrals to other, cheaper transit options if a request is sent far enough in advance. The company is also working to partner with health facilities to help provide subsidized service for patients. These partnerships expand service throughout markets that are difficult to serve and typically do not require overhead or capital investment.

The Elderly and Disabled

In Louisiana, more than 40% of people age 65 and over are living with some sort of disability¹. Many of these people can no longer drive and might not have access to traditional fixed-route transportation services. Demand-response services can provide transportation to many of these people, but service is sometimes limited and not always flexible. Both Uber and Lyft have recently announced that they would be partnering with phone service companies, who specifically market to the aging population, to help extend the use of ride-hailing companies to older demographic groups. This means individuals can request rides through a phone operator, without a smartphone or a membership, and the customers are billed through their monthly phone bills. Lyft has partnered with GreatCall Rides and Uber has partnered with 24Hr HomeCare. These services allow seniors to use technology that is familiar to them to summon a ride quickly and conveniently.

The Future

The American Public Transportation Association (APTA) released a study this year examining the positive impacts that can be achieved when transit agencies partner with TNCs. Findings from the study ([*Shared Mobility and the Transformation of Public Transit*](#)) revealed that when TNC services are combined with transit service the need to own a personal vehicle is reduced. The study also suggested that providing ridesharing service supplementary to public transit can result in financial savings and health benefits to the community. The study noted that many agencies throughout the nation are reaching out to TNCs and private transportation providers to create partnerships that help address service gaps. As more and more of these partnerships are formed, it is anticipated that new technologies and innovations will be developed to further enhance coordination between public transportation providers and private-sector transportation companies.

1. 2014 Disability Statistics Annual Report. University of New Hampshire Institute on Disability
<http://www.disabilitycompendium.org/docs/default-source/2014-compendium/annual-report.pdf>

DOTD ON THE GO...



One of the DOTD PT Section's mandates is to provide information and technical assistance to transit providers in Louisiana in order to assist them in meeting their requirements for FTA funding. These activities come in many different formats and venues. DOTD PT provides numerous training courses, workshops, and training materials, as well as a website and an annual conference. To keep all of our constituents up to date on DOTD PT's activities, DOTD On The Go features just a few selected items each quarter.

SITE VISITS

Part of the outreach and assistance that LaDOTD provides to the Rural Public Transportation (Section 5311) and Elderly and Disabled (Section 5310) providers are site visits from the program managers. In the last quarter, LaDOTD conducted five site visits to 5310 providers (Catahoula ARC, St. Landry COA, St. Helena Parish Hospital District 1, The Center, Inc., and Lafayette COA, Inc.), and four site visits to 5311 providers in Rapides, St. Martin, Vermillion, and Jeff Davis parishes.

OUTREACH

To further the goal of providing some form of public transportation in all 64 parishes, as listed in the Louisiana Vision 2020 Plan, LaDOTD has been conducting educational visits to all the parishes in Louisiana that do not currently have some form of public transit service. Last quarter LaDOTD completed outreach for Franklin, Concordia, and Morehouse parishes.

TRAINING

DOTD staff provided STTARS training for 5311 and 5310 providers in July and September, hosted two Director's Meetings in July, and provided Drug and Alcohol and PASS Trainings in August. DOTD also awarded four scholarships at the SWTA Community Mobility Workshop. DOTD will also continue conducting STTARS training on the 2nd Tuesday of each month for 5310 providers and the 2nd Wednesday of each month for 5311 providers through October 2016. Both trainings will take place at the DOTD IT Classroom in Baton Rouge. 5310 providers contact Jessica Price to register; 5311 providers contact Stephanie Barthelemy.

If your agency or someone within your agency deserves recognition for a job well done, or has already received recognition or an award, please let us know. Email or send a brief description, photos, and contact information to Donna.Lavigne@la.gov or to Louisiana Department of Transportation and Development/Public Transit Section, attn: Donna Lavigne, P.O. Box 94245, Baton Rouge, LA 70804.

to be violating safety laws, FTA is authorized to require agencies to use a portion of federal funds to correct specific safety issues. FTA is also permitted to withhold up to 25 percent of a recipient's 5307 funds until safety violations are addressed. Again, FTA must provide notice 90 days in advance before withholding any funds and must detail the corrective action required for funds to be released.

FTA can also require more frequent oversight from a State Safety Oversight Agency (SSOA) and more frequent reporting for recipients. Other authorities granted to the FTA include the ability to issue restrictions and prohibitions on transit agencies' operations due to unsafe conditions and/or practices, and the ability to issue Safety Advisories or Directives.

A Safety Advisory is a written communication from the FTA that informs the recipient of risks to its public transportation system and may include recommendations that help the recipient avoid such risks. On the other hand, a Safety Directive is a written communication from the FTA that requires the recipient to take one or more specific corrective action to ensure the public transportation system meets safety standards. Lastly, the rule gives FTA the authority to order a recipient to develop and implement a corrective action plan.

Though the Public Transportation Safety Program Final Rule has already gone into effect, FTA is expected to publish related rulemakings involving other components of the program in the

upcoming months. The agency released a draft of the National Public Transportation Safety Plan in February 2016. This plan is a guide for national safety management efforts and outlines performance measures and minimum standards for state-of-good-repair and operations. FTA also published the Public Transportation Agency Safety Plan NPRM in February 2016, which will detail the requirements for Chapter 53 recipients to create, adopt, and follow transit agency safety plans based on SMS principles. Updates to the Interim Safety Certification and Training Requirements, which took effect in May 2015, are expected to be published once other plans and rules are finalized. The Final Rule does not require specific actions from recipients as of this writing.

FROM CAPITOL HILL...

In July, FTA issued its final rule on Transit Asset Management (TAM) which seeks to ensure the nation's public transportation systems are in a state of good repair by establishing minimum asset management practices for transit providers. The rule applies to all Chapter 53 Federal funding recipients and subrecipients who own, operate, or manage public transportation capital assets. The rule goes into effect on October 1st.

The rule requires all affected transit providers to designate an Accountable Executive to approve annual performance targets, and to set state of good repair performance targets for the following year within three months of the effective date of the final rule. Performance targets must be reported to the National Transit Database by the end of January 2017 and should be updated and reported annually within four months of the provider's fiscal year. Furthermore, providers have until October 2018 to complete TAM plans, which include the following elements (at a minimum): inventory of capital assets, condition assessment of assets, documentation of the use of decision support tools, and investment prioritization. Tier I transit providers (those who operate rail or have more than 100 vehicles in service during peak hours) must develop their own TAM plans. Tier II providers (subrecipients of 5311 funds or agencies who operate 100 or fewer vehicles during peak service hours) may pool resources and develop a Group TAM Plan.

TAM plans, which are required to be updated every four years, are a requirement of the FTA's National Transit Asset Management System, which is a systematic process of operating, maintaining, and improving public transportation capital assets. Ultimately, the goal of the final rule is to enhance the safety and performance of public transportation by monitoring and improving the conditions of transit equipment, rolling stock, infrastructure, and facilities.

The final rule on TAM can be accessed here: <https://www.gpo.gov/fdsys/pkg/FR-2016-07-26/pdf/2016-16883.pdf>

