



FEDERAL TRANSIT ADMINISTRATION

Expedited Action Needed to Provide Effective State Safety Oversight of WMATA Metrorail

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Metropolitan Washington Council of Governments
Board of Directors



U.S. Department of Transportation
Federal Transit Administration

How We Got Here

- Metrorail has experienced a number of safety lapses and requires stronger State-led safety oversight.
- The Tri-State Oversight Committee (TOC) lacks sufficient resources, technical capacity and enforcement authority to provide the level of safety oversight Metrorail needs.
- In Oct. 2015, U.S. Transportation Secretary Foxx directed FTA to assume temporary and direct safety oversight of Metrorail.
- Virginia, Maryland and the District of Columbia must expedite actions to create a new State Safety Oversight Agency consistent with federal requirements.

FTA WMATA Metrorail Safety Oversight Primary Goals

- Improve safety of WMATA Metrorail for passengers and employees.
- Provide leadership direction to the TOC while serving as the primary lead for key safety oversight functions.
- Support expedited creation of the new State Safety Oversight Agency.

FTA WMATA Metrorail Safety Oversight Key Elements

- WMATA is responsible for Metrorail daily operations, management and safety.
- Under safety authorities granted under MAP-21, FTA ensures that all State Safety Oversight responsibilities are carried out for Metrorail.
- The TOC continues to exist, but performs safety oversight activities at the direction of FTA.

FTA WMATA Metrorail Safety Oversight

FTA Primary Lead

- FTA ensures and verifies WMATA implements all approved corrective actions.
- FTA conducts on-the-ground inspections and leads event investigations.
- FTA exercises authority to direct use of Federal funds received by WMATA.

Role of Metropolitan Washington Council of Governments

- MWCOCG establishes and manages budgets for the TOC.
- MWCOCG receives and administers FTA State Safety Oversight Program grant funding on behalf of the TOC.
- MWCOCG manages transition activities from the TOC to the new State Safety Oversight Agency.

State Safety Oversight Agencies—Federal Law MAP-21 Requirements

- MAP-21 federal law has statutory requirements to strengthen and make State Safety Oversight Agencies more effective.
- Must be created by state law.
- Must be legally and financially independent of the rail transit agency it oversees.
- Must have investigative and enforcement authority.
- Must be compliant with relevant FTA regulatory requirements.

State Safety Oversight Agencies—Federal Regulation

FTA Rulemaking

- Proposed Rule to strengthen State Safety Oversight Program issued in Feb. 2015. Final Rule anticipated to be published in early 2016.
- Updates and strengthens the federal regulatory framework to enable State Safety Oversight Agencies to better evaluate the effectiveness of a rail transit agency safety program.
- States must be in compliance no later than three years after the Final Rule becomes effective—**but States need not and must not wait.**

State Safety Oversight Agencies

Status of MAP-21 Compliance

- There are 30 State Safety Oversight Agencies.
 - 2 are already fully compliant. (Massachusetts and California)
 - 10 have updated their enabling legislation to reflect MAP-21.
 - 10 others have taken other significant action.
- Virginia, Maryland and the District have not made sufficient progress.
 - In 2010, the three jurisdictions agreed to create a new State Safety Oversight Agency.
 - In 2014, the Governors and Mayor re-affirmed that position.
 - In Nov. 2015, there is a continued lack of progress.

Expediting a New State Safety Oversight Agency for WMATA Metrorail

There is no reason why a new State Safety Oversight Agency can't be created within the next year.

Questions?