

CAUTION: Make certain you read this letter thoroughly and make it your own. This is NOT a form letter, but a suggested start. You don't have to use all of the bullet points. Use what makes sense for YOUR system. FTA is more interested in how this proposed ruling will truly impact YOUR system. We've **BOLDED** the items that you need to personalize.

DATE

Docket Operations
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building Room W12-140
Washington, DC 20590-00011

RE Federal Transit Administration, Docket No. FTA-2015-0021

Dear Docket Clerk:

Our agency, **(name of agency)** provides public transportation service in **(describe the area served such as number of counties, city, state, etc).**

(Name of agency receives 5310, 5311, 5307 etc..) funds, provides **(type of service)** to **(number of people served.)**

We are submitting comments in response to the notice of Proposed Rule-Making (NPRM) by the Federal Transit Administration (FTA) to establish Public Transportation Agency Safety Plans.

Safety is a key component for our agency and the customers we serve. We take pride in our safety and security record which is a part of our everyday commitment to our passengers, employees and our community. We provide on-going training, preventative and responsive maintenance for our capital assets, excellent administrative oversight and open communication inside and outside our organization.

We believe reasonable, scalable safety plans can and should be implemented. Many of the proposed rules in the FTA's NPRM are very good, especially for complex transit systems, while others cause us concern.

Proposed rules and our response:

- STAFFING: As a **(5310, 5311, Tribal, small 5307)** transit manager, I wear many hats, as do all of our employees. Our administration staff consists of **(state how many people and what are some of the shared duties?)** Some of the proposed rules will put an undue burden on us. One of these is the SMS requirement for a designated accountable executive as well as other positions beyond our **(Board, Tribal Council, other)**. The proposed rule introduces new reporting requirements not yet defined. In order to comply with some of the proposed SMS requirements, we may need to hiring consultants or staff to handle the extra reporting paperwork and separation of positions. As you know, resources are limited as is. Our preference would be for FTA to adopt language that states, "*at agencies where such delineations exist between administrative positions*".

- DESIGNATED ACCOUNTABLE EXECUTIVE: Our concern is that the designated accountable executive might result in someone being so far removed from day to day transit operations, such as a Mayor OR County Executive, thus creating a potential safety risk because this person will lack the needed operational knowledge of the transit agency and be unable to provide proper oversight. We need FTA to find a more practical definition and solution.
- SAFETY PLAN REVIEW: We agree with the need to create a safety plan within a calendar year of the FTA's final rule, approved by an accountable executive and a Board of Directors, that is annually reviewed, updated and certified via a formal process. We believe a safety plan is a vital part of our operations. However, our recommendation is to incorporate the safety plan review into the existing review process we already engage in. We caution that it may take longer than a year to write the plan according to specifications, find the personnel, train all involved, and then get the plan certified.
- CLEAR GUIDANCE AND THE TWO TIER SYSTEM: As you are aware, large differences exist between rail transit operators, large bus operators and smaller operators – both in the way we do business and in our rate of accidents and the consequences of those accidents. We respectfully request FTA to be clear in the guidance pertaining to the '100 buses in revenue service standard' applying only to 5307-funded operators. The way the proposed rule reads now, the categories are too broad and rigid and could have unintended consequences for small operators. **(Some things to consider: The rigidity of the two-tier system could cause a 5307 system, under 100 vehicles to have their oversight provided by the State. Some 5307 systems want to maintain local control. The two-tier system does not take into account a 5311 operator who may serve multiple counties with over 100 vehicles. There is no definition for this type of system within the tiers and the 5311 system might be bumped into the higher category)**
- SCALABILITY: We respectfully request FTA to provide very clear guidance regarding how to scale the SMS principles for our system type. We have heard FTA say, *"When you've seen one transit system, you've seen one transit system"*. With that in mind, scalability is important because we do not have the sophisticated resources to create a plan that would in turn not fit our operation.
- STATE INVOLVEMENT IN DRAFTING A SAFETY PLAN: **(We would welcome) or (We would not welcome) the State to draft and certify on behalf of our agency because (you will need to explain why).**
- **(Only if you provide 5310 service):** 5310 OPERATORS: As a 5310 operator who provides a menu of human services, along with transportation, we feel the use of the 'EXCLUSIVE CLOSED-DOOR' exemption has the potential of shutting down our local community service. This would possibly prevent us from continuing transportation services because of our coordination effort with other agencies. We just simply could not comply with the ruling, thus reducing mobility for our community.

Thank you for considering our comments.

(Signed)

(Title)

(Organization)