



PENNSYLVANIA RAIL TRANSIT SAFETY REVIEW PROGRAM

PROCEDURES AND STANDARDS

NOVEMBER 2021

**ADMINISTERED BY:
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
STATE SAFETY OVERSIGHT DIVISION
400 NORTH STREET, 7TH FLOOR
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Table of Contents

1.	Policy Statement and Signatures.....	5
1.1	Policy Statement.....	5
2.	RTSRP Authority and Management.....	6
2.1	Authority Under 49 U.S.C. § 5329(e).....	6
2.2	Authority Under Pennsylvania Act 89.....	6
2.3	Authority Under 49 C.F.R. § 674.....	6
2.4	RTSRP Oversight of 49 C.F.R. § 673.....	7
2.5	RTSRP Implementation and Oversight of 49 C.F.R. § 672.....	7
2.6	RTSRP Enforcement Authority and Other Regulatory Entities.....	7
2.6.1	Enforcement Authority.....	7
2.7	Due Process.....	10
2.8	Policies and Procedures.....	10
2.8.1	Safety Standards.....	10
2.8.2	Standard Operating Procedures.....	10
2.9	Roles and Responsibilities.....	10
2.10	Coordination with Transit Agencies.....	12
2.11	Conflict of Interest.....	13
2.12	PennDOT Contractor Support.....	13
2.13	RTSRP Reporting.....	14
3.	Procedures and Standards Development.....	14
3.1	Procedures and Standards Sources.....	14
3.2	Procedures and Standards Revision.....	15
3.3	Procedures and Standards Approval and Implementation.....	15
3.4	Procedures and Standards Distribution.....	15
4.	RTA Safety Management Program.....	15
4.1	General Requirements.....	15
4.2	Safety Management System.....	16
4.3	Hazard Notification and Tracking Procedures.....	16
4.4	Hazard Identification and Thresholds.....	17
4.5	Hazard Investigation, Analysis, and Prioritization.....	17
4.6	Safety Data, Safety Performance, and Hazard Trends.....	18

4.7	Standard for RTA Public Transit Agency Safety Plan and Security and Emergency Preparedness Plan..	18
4.7.1	Public Transportation Agency Safety Plan.....	18
4.7.2	Security and Emergency Preparedness Plan	18
4.7.3	Submission of Public Transportation Agency Safety Plan and Security and Emergency Preparedness Plan	18
4.7.4	Review Procedure for Public Transportation Agency Safety Plans and Security and Emergency Preparedness Plans	19
4.8	RTA Internal Safety and Security Audits	20
4.8.1	Internal Audit Schedule Reporting Requirements	20
4.8.2	Safety and Security Audit Items	21
4.8.3	RTA Safety and Security Audit Reports	21
4.9	RTSRP Audits, Operations and Stations Reviews, and Risk Based Assessment Program	22
4.9.1	RTSRP Safety and Security Audits.....	22
4.9.2	Operations and Stations Reviews.....	25
4.9.3	Risk-Based Assessments	25
4.9.4	CAP Inspections	25
4.9.5	Data or Information for Hazard Identification (DIHI)	26
4.10	Event Notifications	26
4.10.1	Event Notification Procedure	26
4.10.2	Federal Railroad Administration Reportable Incidents	30
4.10.3	Recovery Plan Procedures	31
4.10.4	RTSRP Hazard Identification	31
4.11	Event Investigations	31
4.11.1	Final Investigation Report Content	32
4.11.2	RTA Authorized to Conduct Investigation	33
4.11.3	RTA Safety Department Requested to Produce Formal Report.....	33
4.11.4	RTSRP Investigations	34
4.11.5	Other Oversight Agency Investigations	36
4.11.6	Joint Investigations.....	36
4.11.7	Hazard and Other Investigations.....	36
5.	Security and Emergency Preparedness	37
5.1	Threat and Vulnerability Assessment.....	37
5.2	Drills and Exercises	37
5.3	Handling of Sensitive Security Information	38

6.	Safety and Security Certification	38
6.1	Reviews of Safety and Security Certification Program	38
6.2	Reviews of System Expansions and System Modifications	38
6.3	Pre-Revenue Service Assessments	40
6.4	Preliminary Hazard Analyses and TVAs	40
7.	Corrective Actions	40
7.1	CAP Sources	40
7.2	RTSRP Order for Corrective Action Plan	42
7.3	Emergency Corrective Actions.....	42
7.4	Corrective Action Dispute Resolution	42
7.5	Corrective Action Plan Required Components.....	43
7.6	Corrective Action Plan Schedule and Format.....	43
7.7	RTSRP Corrective Action Plan Review and Approval.....	44
7.8	Rejection or Modification of Corrective Action Plans	44
7.9	RTSRP Verification and Closure of Corrective Action Plans.....	45
	Appendix A: Procedures and Standards Revisions	46
	Appendix B: Definitions	48
	Appendix C: PTASP Approval Checklist.....	52
	Appendix D: SEPP Approval Checklist.....	73
	Appendix E: RTSRP Reportable Event Decision Tree	81
	Appendix F: Contractor Integrity Provisions	82

1. Policy Statement and Signatures

1.1 Policy Statement

Ensuring the safety and security of fixed guideway transit in the Commonwealth of Pennsylvania (also referred to as “Pennsylvania”) is of the utmost importance, and as the designated State Safety Oversight Agency (SSOA), the Rail Transit Safety Review Program (RTSRP) maintains this *Procedures and Standards*.

The RTSRP derives its authority from Pennsylvania State Law, Title 74 Part II (Public Transportation). With this authority, the Pennsylvania Department of Transportation (PennDOT) created the RTSRP to function as the designated SSOA responsible for oversight of fixed guideway transit systems to meet Federal Transit Administration (FTA) requirements.

In response to federal requirements precipitated by the Moving Ahead for Progress in the 21st Century Act (hereafter “MAP-21”) of 2012, the Commonwealth enacted the 2013 amendment to Title 74 (known as “Act 89”), which is discussed in more detail in Section 2.2 of this document.

Jennie Louwerse, AICP	11/10/2021	
Deputy Secretary for Multimodal Transportation	Date	Signature
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Pennsylvania Department of Transportation		

2. RTSRP Authority and Management

PennDOT is the designated agency for fixed guideway safety and security oversight in the Commonwealth of Pennsylvania. The RTSRP is authorized by PennDOT to develop, operate, and maintain the safety and security review program. The RTSRP was established in 1991 to fulfill requirements of revised Pennsylvania statutes in Title 74. The current state safety oversight (SSO) program for fixed guideway transit safety dates back to section 3029 of the 1991 Intermodal Surface Transportation Efficiency Act (“ISTEA”) (Pub. L. 102–240). In enacting section 3029, Congress determined that the states, not FTA, should be the principal oversight authorities for rail transit within their jurisdictions, given that public transportation is an inherently local activity which, with few exceptions, does not cross state boundaries. The RTSRP also fulfills the requirements of the FTA SSO Rule 49 C.F.R. § 674, requiring oversight of safety of rail fixed guideway public transportation systems (RFGPTS). The RTSRP reserves the right to update this *Procedures and Standards* as additional regulation or guidance is released.

The RTSRP oversight program is legally and financially independent from covered RFGPTS (also known as rail transit agencies (RTAs)). The RTSRP continues to strengthen the oversight program by incorporating new safety and security standards, initiatives, and identified industry best practices.

2.1 Authority Under 49 U.S.C. § 5329(e)

In October 2012, MAP-21 provisions took effect, including new regulatory requirements for states implementing SSO programs in their jurisdictions. Explicit mandates in 49 U.S.C. § 5329(e)(3)-(4) require states to obtain enforcement authority for administering SSO programs of covered RTAs. States must provide their SSOAs with this authority as a condition of the receipt of federal grant funds apportioned under 49 U.S.C. Chapter 53. To maintain eligibility for federal public transportation funding, each state must identify the specific authorities and capabilities that it will use to enforce 49 U.S.C. § 5329(e) provisions.

2.2 Authority Under Pennsylvania Act 89

In 2013, Pennsylvania enacted an amendment to Title 74 (see 74 Pa.C.S.A. § 1510) that established enforcement authority for PennDOT’s RTSRP. The amendment, also known as Act 89, contains language enabling PennDOT to incorporate and comply with any new state or federal oversight regulation of public transportation modes as it is released.

2.3 Authority Under 49 C.F.R. § 674

On March 16, 2016, the FTA released the final SSO rule, 49 C.F.R. § 674 (hereafter “Part 674”). The effective date for this rule is April 15, 2016. Three years after this date, the SSO rule 49 C.F.R. § 659 (hereafter “Part 659”) was rescinded and only Part 674 remains in effect.

Part 674 contains several changes that affected SSOA and RTA activities. These changes include new accident notification criteria, new nomenclature, enhanced enforcement authority for SSOAs, increased SSOA involvement in the corrective action plan (CAP) process, and the requirement for SSOAs to establish minimum safety standards for all rail fixed guideway public transportation systems within its oversight, as detailed in Part 674.25(a).

2.4 RTSRP Oversight of 49 C.F.R. § 673

On July 19, 2018, the FTA released the Public Transportation Agency Safety Plan (PTASP) Final Rule, 49 C.F.R. § 673 (hereafter “Part 673”). This rule requires all transit agencies that receive funding under 49 U.S.C. Chapter 53 to develop and maintain a PTASP. As the SSOA, the RTSRP is required to review and approve the PTASP of each covered RTA.

2.5 RTSRP Implementation and Oversight of 49 C.F.R. § 672

On July 19, 2018, the FTA released the Public Transportation Safety Certification Training Program (PTSCPT) Final Rule, 49 C.F.R. § 672 (hereafter “Part 672”). This rule dictates training requirements for individuals involved in the oversight of RTAs that receive funding under 49 U.S.C. Chapter 53, as well as designated employees at those agencies. In addition to completing specified training, SSO personnel and contractors conducting safety audits and examinations must also develop and follow a technical training plan (TTP). The RTSRP also encourages all RTAs to ensure that all employees, including executive teams, are trained and familiar with safety management system (SMS) principles.

The mandatory components of Part 672 training consist of the Transit Safety and Security Program (TSSP) certificate and SMS curriculum. TSSP coursework mandatory for designated SSO and RTA personnel (to be completed within a three-year period), totaling 104 hours, includes:

- Rail System Safety – 36 hours;
- Rail Incident Investigation – 36 hours; and
- Effectively Managing Transit Emergencies – 32 hours.

The SMS Curriculum, totaling 39 hours, includes:

- SMS Awareness – 1 hour;
- Safety Assurance – 2 hours;
- SMS Principles for Transit – 20 hours; and
- SMS Principles for SSO Programs – 16 hours.

In accordance with Part 672, the RTSRP developed a TTP for SSOA personnel who perform safety audits and examinations, including refresher training to be completed every two years. Training records will be retained for at least five years.

In accordance with Part 672, RTAs must ensure that designated employees receive refresher training every two years following the receipt of the PTSCPT, including a minimum of one hour of safety oversight training. RTAs are required to describe their refresher training program in their PTASP for review and approval.

2.6 RTSRP Enforcement Authority and Other Regulatory Entities

2.6.1 Enforcement Authority

As required by the FTA, under 74 Pa.C.S. § 1510, the PennDOT RTSRP has the authority to take action in response to RTA violations of RSTRP requirements promulgated in accordance with the SSO rules (see Part 674, Part 673, and Part 672). PennDOT adopts the following processes to enforce RTSRP requirements. PennDOT authority

determines the appropriate actions to be taken based on the severity of a violation, deficiency, safety issue, and/or emergency.

2.6.1.1 Emergency Suspension of Service

Emergency suspension of service will be imposed where the RTA is either unable or unwilling to take appropriate action in response to an unacceptable hazard. In the event that the RTSRP issues an emergency suspension of service order, the following protocols will be followed:

- a. The Pennsylvania Secretary of Transportation or designee will provide notice of the emergency suspension, in the form of an official order, directing the RTA to cease service on a particular infrastructure component, vehicle, fleet, facility, or mode, and identify the reason for the emergency suspension.
- b. Upon receipt of the order suspending service, the RTA must immediately suspend its service as directed by the order, begin to take steps to remediate the reason for the emergency suspension, and inform the RTSRP of the actions and specific timeline to remediate the violation, deficiency, or safety issue.
- c. Upon resolution/mitigation of the violation, deficiency, or safety issue, the RTA shall provide documentation to the RTSRP so that it may verify that the concern is adequately resolved or mitigated to an acceptable level.
- d. Upon approval of the RTA's remediation, the RTSRP will issue written notice authorizing the RTA to resume service. In the alternative, if the RTSRP finds that the violation, deficiency, or safety issue has not been resolved, the RTSRP will issue notice to the RTA indicating that the matter has not been resolved, that the suspension shall continue, and that additional remediation by the RTA is required.
- e. If the RTA contests the emergency suspension of service or the RTSRP's determination that the violation, deficiency, or safety issue has not been resolved, the RTA may request a hearing through the Administrative Docket Clerk within 30 calendar days of receiving notice of the suspension and/or the RTSRP's determination to continue the suspension. The administrative proceedings before the Pennsylvania Department of Transportation shall comply with the statutory and regulatory requirements set forth in 2 Pa.C.S. §§ 501— 508, 1 Pa.C.S. Part II, and 67 Pa.Code §§ 491.1. — 491.13. The RTA's due process rights shall include the right to representation, examination and cross-examination of witnesses, and a complete record of the proceedings (see 2 Pa.C.S. §§ 502, 504, 505). An appeal to court from the Pennsylvania Department of Transportation's final order with respect to the adjudication is governed by 2 Pa.C.S. §§ 701—704.

2.6.1.2 Suspension or Redirection of Grant Funding Due to Failure to Address a Safety Violation

In addition to or in place of an emergency suspension of service, following an RTA's violation, deficiency, or safety issue, the following protocols may be initiated:

- a. The RTSRP will provide notice, in the form of an official correspondence or report, to the RTA requesting performance of a hazard analysis to address the violation, deficiency, or safety issue. The notice shall include a reasonable return date for the RTA to provide a copy of the safety review analysis to the RTSRP.
- b. Upon receipt, the RTSRP will review the hazard analysis. If the RTSRP rejects the analysis, or the RTA has not provided the hazard analysis within the time period set forth in the notice, the RTSRP shall:
 1. Require an executive level meeting between the RTSRP and the RTA to discuss the concern and agree upon how to resolve the violation, deficiency, or safety issue.

- i. If a solution is agreed upon, the RTA and the RTSRP shall memorialize the solution through amendment of the hazard analysis submitted by the RTA, and the RTA shall promptly begin to address the violation, deficiency, or safety issue. See Section 4 for more detail regarding hazard resolution.
 - ii. If no solution is agreed upon, and the violation, deficiency, or safety issue remains, the RTSRP will issue notice to the RTA that grant funding will be suspended or redirected towards addressing the violation, deficiency, or safety issue until the issue is remediated to the satisfaction of the RTSRP.
- c. If the RTA wants to contest the suspension or redirection of its grant funds, it may request a hearing through the Administrative Docket Clerk within 30 calendar days of receiving notice of the grant funding being suspended or redirected. Please reference Section 2.7 below relating to any administrative or appeal process.
- d. If the RTSRP agrees with the hazard analysis, the RTSRP shall promptly send written approval to the RTA and, upon receipt of the written approval, the RTA shall promptly begin to address the violation, deficiency, or safety issue as set forth in the hazard analysis.
- e. Upon resolution of the violation, deficiency, or safety issue, the RTA shall provide written notice to the RTSRP, and the RTSRP shall confirm the violation, deficiency, or safety issue has been adequately resolved. If the RTSRP determines that the RTA has not resolved the violation, deficiency, or safety issue adequately, the RTSRP shall follow the procedures set forth in Section 2.6 to enforce further remediation as necessary.

2.6.1.3 Cross-Reference to Other Pennsylvania Statutes and Regulations

Chapter 427 of Title 67 of the Pennsylvania Code contains regulations governing RTAs. The purpose of Chapter 427 is to implement Chapter 15 of Title 74 of the Pennsylvania Consolidated Statutes (Transportation Code), 74 Pa.C.S. §§1501—1520, and initiate and maintain financial and performance review and oversight of programs that receive financial assistance under Chapter 15. The transit agencies also receive funding pursuant to 74 Pa.C.S. 1513 and therefore, are subject to the relevant regulations set forth in Chapter 427, including audits and performance reviews.

The Pennsylvania Code also contains regulations that govern the inspection and certification of electric mass transit vehicles 67 Pa.Code §§ 257.1—257.14. The regulations prohibit a mass transit vehicle from being operated unless it displays a current and valid certificate of inspection. These regulations are relevant to the RTSRP because they ensure that deficient equipment is removed from service. As part of the review program, PennDOT reviews vehicle inspection records during routine audits of inspection and maintenance programs to ensure vehicles have maintained certification under this program.

2.6.1.4 Other Regulatory Entities

Aside from the RTSRP’s enforcement and oversight, there are other Commonwealth agencies that regulate the covered RTAs. The Pennsylvania Department of Labor and Industry (L&I) has regulations that govern inclines (see 34 Pa.Code Chapter 7). L&I also has regulations that govern railroad sanitation (see 34 Pa.Code Chapter 41, Subchapter B).

The Pennsylvania State Police and local police have enforcement authority with respect to operation of mass transit vehicles (see 75 Pa.C.S. §4701—4733). In accordance with Section 4703(f), a police officer may stop a mass transit vehicle and request to see the official certificate of inspection. Pursuant to Section 4704, a police officer may also inspect and remove from service a mass transit vehicle that is found to be in an unsafe condition. In the event that

violations under Chapter 47 are found, fines may be imposed and the vehicles in violation may be prohibited from operation (see 75 Pa.C.S. §§ 4703–4704).

Further, if actions uncovered during a review involve criminal matters that would be subject to the authority of the Pennsylvania Office of Attorney General (OAG), the matter would be submitted to the OAG for investigation and prosecution if appropriate (see 71 P.S. §§ 732-205 & 732-206). For instance, the OAG has the authority to prosecute “[c]riminal charges against State officials or employees affecting the performance of their public duties or the maintenance of public trust and criminal charges against persons attempting to influence such State officials or employees or benefit from such influence or attempt to influence” (see 71 P.S. §732-205(a)(1)).

2.7 Due Process

If a finding or other action by the RTSRP constitutes an “adjudication,” the RTA is entitled to request a hearing to challenge the validity of the adjudication before PennDOT through PennDOT’s Office of the Administrative Docket Clerk. An adjudication is defined as “[a]ny final order, decree, decision, determination or ruling by an agency affecting personal or property rights, privileges, immunities, duties, liabilities, or obligations of any or all of the parties to the proceeding in which the adjudication is made” (see 2 Pa.C.S. § 101). Section 504 of the Administrative Agency Law, 2 Pa.C.S. § 504, states that “no adjudication of a Commonwealth agency shall be valid as to any party unless he shall have been afforded reasonable notice of a hearing and an opportunity to be heard.”

2.8 Policies and Procedures

In conjunction with the RTSRP *Procedures and Standards*, the RTSRP has established a series of standard operating procedures (SOPs), safety standards, and manuals that incorporate its policies for operation.

2.8.1 Safety Standards

- RTSRP Safety Standard 100 – 1.2: Roadway Worker Protection

2.8.2 Standard Operating Procedures

- RTSRP Standard Operating Procedure 100 – 1.3: Safety and Security Audits and Reporting
- RTSRP Standard Operating Procedure 100 – 2.3: Corrective Action Plans
- RTSRP Standard Operating Procedure 100 – 3.4: Operations and Stations Reviews
- RTSRP Standard Operating Procedure 100 – 4.1: Event Investigation

2.9 Roles and Responsibilities

The FTA: Responsible for ensuring SSOAs and RTAs are in compliance with federal requirements. If the FTA determines that the Commonwealth is not in compliance, or has not made adequate efforts to comply, it may:

- Withhold SSO Formula Grant program funds from the Commonwealth of Pennsylvania;
- Withhold not more than five percent (5%) of the FTA’s Urbanized Area Formula Program (49 U.S.C. 5307) formula funds appropriated for use in the Commonwealth or urbanized area in the Commonwealth, until such time as the SSO program can be certified; or

- Require all of the RTAs covered by the RTSRP to spend up to 100 percent of their federal funding under 49 U.S.C. Chapter 53 for safety-related improvements on their systems, until such time as the SSO program can be certified.

The Commonwealth: As required by Part 674, the RTSRP is the designated SSOA for Pennsylvania. The primary responsibility of the Commonwealth is to designate an oversight agency to oversee the safety of any RTA within its jurisdiction and must ensure that the SSOA:

- Is financially and legally independent from any public transportation agency the SSOA is obliged to oversee;
- Does not directly provide public transportation services in an area with a RTA the SSOA is obliged to oversee;
- Does not employ any individual who is also responsible for administering a RTA the SSOA is obliged to oversee;
- Has authority to review, approve, oversee, and enforce the PTASP for a RTA required by 49 U.S.C. 5329(d);
- Has investigative and enforcement authority with respect to the safety of all RTA's within the State;
- Audits every RTA's compliance with the PTASP at least once every three years as required by 49 U.S.C. 5329(d); and
- Reports the status of the safety of each RTA system to the Governor, the FTA, and RTA boards of directors, or equivalent entity at least once each year.

The RTSRP: Responsible for direct safety and security oversight of fixed guideway transit agencies in the Commonwealth of Pennsylvania. The RTSRP is responsible for developing and adopting its *Procedures and Standards*, which specify the requirements each covered RTA must fulfill. This document outlines the minimum requirements for safety and security programs needed to reduce the likelihood of events that may lead to death, serious injury, or property damage; reduce intentional wrongful or criminal acts (such as Part I crimes); and prepare RTAs for emergency response and recovery using an all-hazards approach.

Other RTSRP responsibilities include:

- Requiring each covered RTA to develop a PTASP and security and emergency preparedness plan (SEPP) that comply with the RTSRP's *Procedures and Standards*;
- Reviewing and approving each RTA's PTASP and SEPP, at a minimum annually, to assess whether revisions or updates are necessary;
- Reviewing documents produced by covered RTAs such as SOPs, maintenance manuals, and incident investigation manuals;
- Requiring RTAs to perform internal safety and security audits as an ongoing activity and submit an annual performance report to the RTSRP;
- Conducting ongoing safety and security audits to assess whether each RTA's safety and security practices and procedures comply with the *Procedures and Standards*, as well as the RTA's PTASP and SEPP;
- Requiring the RTAs to report the safety and security events and hazards that meet thresholds as documented in the RTSRP *Procedures and Standards*;
- Investigating safety and security events and hazards and requiring RTAs to prepare CAPs to minimize, control, correct, or eliminate incidents and hazards;
- Verifying implementation of CAPs, either through field observations, personnel interviews, or document review; and
- Reporting safety and security performance annually, as requested, to the FTA with respect to safety advisories.

State Safety Oversight Agency Contact: The RTSRP Manager is:

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RTAs: Responsible for ensuring the safety and security of their systems and complying with Commonwealth of Pennsylvania and federal laws. Each RTA subject to SSO must develop and implement a PTASP and a SEPP that complies with the RTSRP's *Procedures and Standards*. RTAs are also responsible for participating in external audits of their safety and security programs conducted by the RTSRP and FTA.

RTAs and their modes covered under the RTSRP include:

- The Southeastern Pennsylvania Transportation Authority (SEPTA)
 - Market-Frankford Line
 - Broad Street Line
 - Subway-Surface Line
 - Media-Sharon Hill Line
 - Norristown High Speed Line
 - Route 103 Busway
 - Center City Concourse
- The Port Authority of Allegheny County (PAAC)
 - Light Rail Transit System – Blue, Red, and Silver Lines
 - Monongahela Inclined Plane
 - PAAC's private busways, including the Martin Luther King, Jr. (East) Busway, South Busway, and West Busway
- The Cambria County Transit Authority (CamTran)
 - Johnstown Inclined Plane

2.10 Coordination with RTAs

The RTSRP will meet and correspond with covered RTAs' safety and security representatives as needed. The RTSRP will hold formal status meetings with safety and security representatives from CamTran, PAAC, and SEPTA approximately each quarter, although more frequent meetings may be conducted as needed. In addition, the RTSRP will hold regular meetings with all RTAs to discuss programmatic activities.

The RTSRP is expected to perform ongoing, proactive oversight of all of its covered agencies. RTSRP representatives coordinate with RTA personnel in safety, security, operations, maintenance, facilities, engineering, and other safety- and security-critical areas as needed. In addition, the RTSRP meets with RTA executive personnel and board members at least once annually.

The RTSRP maintains a schedule/agenda depicting the RTSRP's ongoing coordination activities, quarterly meetings with each RTA, RTA internal safety and security audits, RTSRP external audits, and similar activities. The RTSRP may monitor the RTA's progress in carrying out a CAP through unannounced, on-site inspections, or any other means the RTSRP deems necessary or appropriate. The schedule/agenda is maintained at the RTSRP Project Office and is shared with the RTSRP Manager and staff. The RTSRP Manager has primary responsibility for meetings and correspondence with covered RTAs. The RTSRP Manager may assign certain meetings, correspondence, or audits to the RTSRP's contractors. In cases where RTA personnel are designated to correspond

on behalf of the RTA's accountable executive, the accountable executive must be copied on the correspondence; in cases where RTSRP personnel are designated to correspond on behalf of the RTSRP Manager, the RTSRP Manager must be copied.

In the event of an unprecedented event (e.g., a public health emergency), the RTSRP, at the RTSRP Manager's discretion, may temporarily modify program oversight activities, extend submission deadlines, and/or alter program requirements. All decisions related to such modifications will prioritize the continuation of oversight activities to the greatest extent practicable during this period.

2.11 Conflict of Interest

In accordance with Part 674.13(a) and 674.41, an SSOA must be financially and legally independent from any overseen RTA; accordingly, no individual or entity may provide services to both the RTSRP and a covered RTA when there is a conflict of interest (COI) or an appearance of a conflict. A COI occurs when an individual or entity performing work for an RTA or the RTSRP is unable, or potentially unable, to render impartial assistance or advice on the development or implementation of the standards and provisions of the RTSRP *Procedures and Standards*, or to objectively perform such work without bias.

2.12 PennDOT Contractor Support

PennDOT retains contracted support for various tasks conducted by the RTSRP. Contractors comply with the Commonwealth of Pennsylvania's Contractor Integrity Provisions (Commonwealth of Pennsylvania Governor's Office Management Directive 215.8 Amended, see Appendix F). Per this policy:

Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of the PennDOT contractor integrity provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract.

Additionally, a third-party contractor to the RTSRP or an RTA may not have an unfair competitive advantage over other contractors.

2.12.1 Identifying Conflicts of Interest

All contractors are subject to full disclosure of all present and potential COI in their activities or relationships prior to award of a contract with the RTSRP or an affected RTA.

The FTA is aware of the growth of large, multi-faceted consultancy firms that are capable of providing services to both SSOAs and RTAs. If necessary, the RTSRP will work with the FTA to acquire a waiver if there is a consultant conflict of interest. The RTSRP will document and avoid, to the most practicable extent, any instances of COI; in instances where conflicts cannot be eliminated, they must be mitigated. The RTSRP will use appropriate mitigations and external consultations between the RTSRP, PennDOT leadership, PennDOT legal advisors, and the Commonwealth's Attorney General on matters relating to a potential COI. These mitigations may be demonstrated through self-certification and periodic independent reviews of the RTSRP.

2.13 RTSRP Reporting

In conformance with Part 674, the RTSRP must provide annual reports to the FTA. Current direction from the FTA stipulates that submissions must be made electronically using a specified reporting system. These reporting requirements are identified as follows.

Annual submission. As designated by the FTA, the RTSRP must submit to the FTA:

- The RTSRP *Procedures and Standards* adopted in accordance with Part 674.27, with an indication of any changes to the *Procedures and Standards* during the previous year;
- Evidence that each of its employees and contractors have completed the requirements of the PTSCTP, or, if in progress, the anticipated completion date of the training;
- A publicly available report that summarizes its oversight activities for the previous year describing the causal factors of accidents identified through investigation and identifying the status of corrective actions, changes to PTASPs, and the level of effort by the SSOA in carrying out its oversight activities for each RTA;
- A summary of the triennial audits completed for each RTA during the previous year and the RTAs' progress in carrying out CAPs arising from triennial audits conducted in accordance with Part 674.31;
- A summary of internal reviews completed by each RTA during the previous year;
- Evidence that the SSOA has reviewed and approved any changes to each RTA's PTASP during the previous year; and
- A certification that the SSOA is in compliance with the requirements of Part 674.

The RTSRP will develop the FTA Annual Report in the template requested by the FTA. The primary method for ongoing tracking and submission of annual report criteria will be the FTA SSO Reporting tool; however, the RTSRP will comply with any format requested.

As a result of FTA requests, the RTSRP is also involved in reviewing RTAs' incident reports in relation to National Transit Database (NTD) submittals. While the RTSRP does not make or directly manage NTD entries, it reviews the RTAs' NTD submittals against information sent to the RTSRP as needed to verify the consistency of reporting.

Periodic submissions. Special studies and status reports of incidents, hazards, and CAPs are forwarded to the FTA upon request.

3. Procedures and Standards Development

The RTSRP *Procedures and Standards* were developed using guidance from the FTA that dictates minimum content for RTA safety and security programs and Part 674 requirements. In addition, the RTSRP expanded on the minimum requirements to include industry safety and security guidance from organizations such as the American Public Transportation Association (APTA) to continue to improve the safety and security at covered RTAs. The following section describes the development and revision processes associated with the RTSRP's *Procedures and Standards*.

3.1 Procedures and Standards Sources

The RTSRP's *Procedures and Standards* have been created to account for sources including, but not limited to:

1. 49 Code of Federal Regulation Part 672;

2. 49 Code of Federal Regulation Part 673;
3. 49 Code of Federal Regulation Part 674;
4. The FTA's SSO Implementation Guidelines, Webinars, and Technical Assistance Center; and
5. APTA standards and other industry best practices.

3.2 Procedures and Standards Revision

The RTSRP will review the *Procedures and Standards* at least annually and submit it to transit agencies no later than May 15 each year. Any updates required by new or changed FTA rules, as well as any improvements suggested by changes in industry best practices, will be added as needed. When appropriate, the RTSRP will incorporate any suggested changes that enhance safety and/or security, or facilitate RTA compliance with this document as discussed with covered RTA personnel. Additionally, the RTSRP may issue interim revisions or amendments to the *Procedures and Standards* when immediate changes are needed.

When the RTSRP Manager determines it appropriate and/or necessary, the RTSRP may provide an updated or revised draft of *Procedures and Standards* to seek comments from RTA safety and security personnel.

3.3 Procedures and Standards Approval and Implementation

Before the updated *Procedures and Standards* document is published, RTAs will receive a draft version for review and comment. Upon receipt of this draft document, RTAs must provide comments within the time specified by the RTSRP. All comments will be reviewed and discussed with each RTA, and approved revisions will be incorporated into the final document. The final RTSRP *Procedures and Standards* will be reviewed and approved by the RTSRP Manager before officially being adopted and distributed to covered RTAs.

3.4 Procedures and Standards Distribution

This document is distributed directly to each RTA's accountable executive and agency managers responsible for safety and security plans, typically the chief safety officer (CSO) and police chief. This document is also distributed to the FTA on an annual basis and freely available to other RTA stakeholders and interested parties, as requested. Distribution of revised *Procedures and Standards* will occur immediately after approval by the RTSRP Manager and the PennDOT Deputy Secretary for Multimodal Transportation.

4. RTA Safety Management Program

4.1 General Requirements

Each covered RTA must have an established Safety Management Program (SMP) that is based on the policies, procedures, and programs that are documented or referenced in the RTA's PTASP. The SMP utilizes the RTA's PTASP and SMS principles and terminology to analyze all aspects of the RTA's operations, including but not limited to:

- Establishing organizational accountabilities related to the safety of all agency functions;
- Utilizing a risk management program for the identification, assessment, mitigation and monitoring process for all hazards within the operating environment;

- Monitoring the performance of the RTA relative to established safety performance goals and objectives, including but not limited to those described in the National Public Transportation Safety Plan;
- Ensuring safety through the routine internal audit of all aspects of the RTA's SMP and incorporation of findings from external agencies; and
- Reporting of all events as mandated by the RTSRP, FTA, and National Transportation Safety Board (NTSB).

4.2 Safety Management System

SMS is a formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards. As described in Part 673, each covered RTA must develop their SMS to incorporate the following components:

1. Safety Management Policy as described in 49 CFR § 673.23(b);
2. Safety Risk Management; as described in 49 CFR § 673.25(c);
3. Safety Assurance; as described in 49 CFR § 673.27 and
4. Safety Promotion as described in 49 CFR § 673.29.

RTAs are responsible for providing the RTSRP with a written update on the status of their SMS implementation, including a forward-looking schedule of related activities covering no fewer than three months, on a quarterly basis. As RTAs work to implement their SMS, the RTSRP will, in addition to overseeing this process, provide guidance and support as appropriate.

4.3 Hazard Notification and Tracking Procedures

Pursuant with the principles of SMS, the SMP at each covered RTA must include processes for the identification, tracking, and reporting (as mandated) of hazards present throughout all levels of the organization. Each RTA's SMP must include reporting protocols for hazards based on the thresholds and timelines specified in the event notification procedure (see Section 4.10). It must also include a protocol for a detailed review of all levels of hazards on a regular (e.g., monthly or quarterly) basis. The exact reporting threshold will depend on the hazard classification process used by the RTA and therefore is not specified herein.

The RTSRP will investigate identified hazards based on the RTA's own SMP, including any CAPs developed. The RTSRP will conduct additional independent verification of the RTA's safety risk mitigation(s) to address identified hazards.

The RTA must report hazards using the incident notification email, RTSRPnotify@gmail.com; events defined as reportable monthly (see Section 4.10) are to be submitted to the RTSRP no later than the 15th day of the month following identification. The consolidation of these reportable hazards within a log, including all other identified hazards, is both permitted and encouraged. Each hazard submitted in this manner must be accompanied by the following elements:

- Unique identifier;
- Origin of hazard (e.g., investigation, capital project hazard analysis, employee safety committee);
- Whether or not the hazard is RTSRP reportable (see Table 4-1 in Section 4.10 of this document);

- Date hazard was identified, source of discovery, transit mode, location, and other identifying information as appropriate to the RTA’s programs;
- Description of the hazard;
- Immediate mitigation (if needed);
- Hazard analysis results (e.g., frequency and severity, hazard rating, etc.);
- CAP or proposed permanent hazard resolution;
- Hazard resolution verification/follow-up activities;
- Date hazard was closed; and
- Responsible investigator or committee leader.

Hazard logs may be kept in separate files for separate projects or departments (e.g., operations, maintenance). It is important that all hazard logs, including open and closed items, are accessible (within a reasonable amount of time) for review by RTSRP personnel upon request.

4.4 Hazard Identification and Thresholds

Each RTA’s SMP must describe how hazards are identified, including the following elements:

- Hazards in ongoing transit operations and maintenance, including from sources such as rules compliance checks, maintenance processes, operator and supervisor reports, employee hazard reporting, customer service logs, general public reports, and facilities and employee safety assessments;
- Hazards introduced by RTA rules and/or procedure changes and system changes, including system expansions, capital projects, engineering changes, and configuration changes; and
- Hazards in RTA investigations and audits, including event investigations, internal audits, external audits, drills and exercises, other regulatory entities, and safety analyses.

Additionally, the RTA’s SMP must have specific thresholds defined within its PTASP at which further analyses, investigations, and reporting will take place.

4.5 Hazard Investigation, Analysis, and Prioritization

The SMP of each covered RTA must include the agency’s approach to hazard investigations, pursuant with the requirements outlined in the RTSRP’s investigations procedures. Furthermore, the RTA must specify the type and extent of investigation that will be applied to any foreseeable hazard. As part of the reporting requirements below, the RTSRP reserves the right to require additional investigation or conduct its own investigation of hazards.

Within the SMP, the RTA’s approach to hazard analysis must be detailed. For example, if the United States Military Standard 882E serves as the primary means of hazard analysis, the RTA must detail what position or department has primary responsibility for implementing the hazard analysis protocol and how the associated personnel are trained or qualified on this hazard analysis procedure. Other methods may be used, so long as the RTA can demonstrate that appropriate personnel are familiar with the method and can apply it appropriately and consistently. Hazard analysis procedures and methods must also discuss how the RTA will evaluate and prioritize hazards.

The RTA may use alternative hazard analysis procedures on a case-by-case basis; however, any deviations from the agency’s standard analysis protocols must be introduced in the hazard analysis report and must be accompanied by a discussion of the RTA’s expertise in and reason for using the alternative analysis protocol.

4.6 Safety Data, Safety Performance, and Hazard Trends

As an SMS is implemented, the amount of safety data collected by covered RTAs will increase in both scope and volume; correspondingly, safety personnel at each RTA may play a larger role in data gathering and analysis, at least until each agency department has formalized and applied processes related to safety data collection.

The RTSRP will work with the RTAs to analyze this increased volume of safety data across the system, in particular highlighting areas of concern that may become hazards or are trending toward unsafe conditions. RTAs will also be required to create a process for securely storing data, as well as regularly assessing trends and interdepartmental communication regarding any issues or concerns resulting from this analysis. Similar to the RTSRP, RTAs are expected to utilize data to focus on specific hazards and perform concentrated assessments.

The RTSRP will work alongside covered RTAs to jointly assess safety data to identify emerging hazards. In support of these efforts, RTA staff must continuously collect, organize, and share data with the RTSRP. If RTA or RTSRP staff determine a particular trend merits further action, the RTSRP may either conduct an investigation of the potential hazard or trend or delegate this responsibility to the RTA. If an investigation is deemed necessary, the RTA must coordinate communication with the relevant department(s) to conduct an investigation and assign corrective actions as necessary to mitigate the risk.

4.7 Standard for RTA Public Transit Agency Safety Plan and Security and Emergency Preparedness Plan

4.7.1 Public Transportation Agency Safety Plan

In July 2018, the FTA finalized Part 673 requiring transit agencies to develop a compliant PTASP, which went into effect in July 2019. In accordance with Part 673, RTAs that receive federal financial assistance under 49 U.S.C. Chapter 53 are responsible for maintaining an SSOA-approved PTASP. Each covered RTA's PTASP shall include, at a minimum, the elements outlined in Appendix C.

4.7.2 Security and Emergency Preparedness Plan

In the development and release of Part 674, the FTA relinquished its security oversight authority, noting the Transportation Security Administration's (TSA) responsibility for rulemaking and oversight of security across all transportation modes, including rail transit. The RTSRP will work collaboratively with the TSA to ensure that its requirements do not conflict with any that TSA develops.

The RTSRP's oversight of security requires RTAs in Pennsylvania to maintain and implement a compliant SEPP. The SEPP requirements are consistent with Presidential Policy Directive / PPD-8: National Preparedness. As such, the RTSRP will use the SEPP to ensure that covered RTA security entities can fulfill both SSO and other federal requirements with a single comprehensive plan. The SEPP shall include, at a minimum, the elements outlined in Appendix D.

4.7.3 Submission of Public Transportation Agency Safety Plan and Security and Emergency Preparedness Plan

RTAs covered under the RTSRP must review and update their PTASP and SEPP once each calendar year. Each covered RTA must submit a PTASP and SEPP to the RTSRP each year on or before July 31 for review and approval except in cases where the RTSRP does not disseminate the revised *Procedures and Standards* by May 15; in the

event that RTAs are provided the *Procedures and Standards* after May 15, they have no fewer than 60 calendar days following receipt of the *Procedures and Standards* to submit their updated PTASP and SEPP.

RTAs must submit to the RTSRP any PTASP or SEPP revisions made between annual updates in a version as requested by the RTSRP (word, PDF, etc.). RTA revisions to the PTASP should be clearly identified for RTSRPs review (i.e. track changes). Such submissions must be made a minimum of 30 calendar days prior to the time the revision is to be implemented. The RTSRP will review using checklists in Appendix C and Appendix D, and approve as appropriate, revisions in a manner similar to the annual review described in this section. The RTSRP maintains the authority to incorporate any guidance or requirements from the FTA that is released in-between annual review and update of the *Procedures and Standards* PTASP approval checklist to ensure RTA PTASPs are in accordance with the 49 CFR Part 673.

4.7.4 Review Procedure for Public Transportation Agency Safety Plans and Security and Emergency Preparedness Plans

The RTSRP will review revised PTASPs and SEPPs to ensure that they comply with the RTSRP's standards for such plans. The RTSRP will endeavor to complete this review within 30 calendar days of receipt of the plans and either provide a preliminary approval of the plan or provide questions and comments to the RTA for further revision. The RTSRP will notify the RTA if additional time is needed to complete the review. If the RTA's plan complies with the *Procedures and Standards*, the RTSRP will issue a formal written approval of the plan and request the RTA to send a final copy of the plan with appropriate approval signatures and other endorsements, as needed. The plans that the RTSRP reviews and approves will be considered the PTASP or SEPP in effect until another such plan is submitted and approved in accordance with this process.

If the RTSRP determines that the submitted PTASP or SEPP does not meet the RTSRP's published standards, it will send a written notice of rejection, along with a description of what changes are necessary to gain approval. This written notice will typically be made up of a completed checklist, and as needed, an additional narrative or memo. The RTA will have 30 calendar days to make such changes unless otherwise specified in the RTSRP's rejection. The RTSRP may meet with the RTA to discuss the RTSRP's review of the PTASP or SEPP if the RTA desires. In the event the RTA objects to a noted deficiency or requested change from the RTSRP, it shall provide written notice of its objections and suggest alternatives within five calendar days. The RTSRP and the RTA shall review the objections and suggested alternatives and agree to an appropriate course of action within 15 calendar days. This review process may include a meeting of the RTSRP and the RTA to clarify any deficiencies or issues. If an appropriate course of action cannot be agreed upon within 15 calendar days, then a meeting between the RTSRP and the RTA will be scheduled. This meeting shall include, but is not limited to, the RTA Accountable Executive and the PennDOT Secretary of Transportation or designee. If no resolution is reached at this meeting, then the disagreement will be resolved through due process as described in Section 2.7 of this document.

Whether the plan is approved or rejected, the RTSRP will send the RTA a copy of the completed checklist used to review the PTASP or SEPP. The RTSRP will also transmit to the RTA any additional information that the RTSRP believes would be helpful in improving the PTASP or SEPP. This may include information about transit industry standards or practices or requirements of other agencies (e.g., APTA). The RTSRP PTASP and SEPP review checklists, contained in Appendix C and Appendix D respectively, will be the standard used for approval or rejection. Additional information from other agencies or the transit industry will be by way of suggestion or information only. The RTSRP maintains the authority to incorporate any guidance or requirements from the FTA that is released in-between annual review and update of the *Procedures and Standards* PTASP approval checklist to ensure RTA PTASPs are in accordance with the 49 CFR Part 673.

Plans shall be transmitted to the RTSRP in a format agreed to by the RTSRP and the RTA. Once a plan has been approved by the RTSRP and the RTA itself, the RTA must submit a copy to the RTSRP in an unalterable format (electronic or hard copy) with all attachments, appendices, and required RTA approval signatures visible.

4.8 RTA Internal Safety and Security Audits

The RTSRP requires covered RTAs to develop and document a process for the performance of ongoing internal safety and security audits to assess compliance and implementation of the PTASP and the SEPP.

The internal safety and security audit program may be part of the PTASP and SEPP documents or may be a stand-alone plan(s). The audit program must, at a minimum:

- Describe the process used by the RTA to determine if all identified elements of its PTASP and SEPP are performing as intended;
- Determine if areas of PTASP or SEPP non-compliance and hazards are being identified in a timely manner;
- Ensure that all elements of the PTASP and SEPP are reviewed in an ongoing manner and distributed over a three-year cycle; and
- Ensure that the auditing party is from a work group or department that is not responsible for the program or personnel of a work group being audited.

4.8.1 Internal Audit Schedule Reporting Requirements

4.8.1.1 Three-Year Audit Schedule

On or before December 1 of each year, each RTA must submit to the RTSRP an outline of audit activity for safety and security internal audits over the next three years.

4.8.1.2 Annual Audit Schedule

On or before December 1 of each year, the RTA must submit specific scheduling detail to the RTSRP (at a minimum the anticipated month or quarter) for any audit activities they expect to perform in the next calendar year.

4.8.1.3 Thirty Day Notification of Internal Audits

RTAs must notify the RTSRP at least 30 calendar days before conducting internal safety and security audits, threat and vulnerability assessments (TVAs), and drills and exercises. As scheduling information becomes more certain, the RTA should update the RTSRP as soon as possible (email or phone notification is acceptable). Additionally, RTAs should notify the RTSRP of upcoming external reviews/audits (e.g., TSA BASE [Baseline Assessment for Security Enhancement] Review, APTA Peer Reviews, etc.) in advance of the scheduled activities. The RTSRP will provide notification of its intent to participate in RTA activities.

RTA audit checklists and procedures to be used for scheduled audits must be provided to the RTSRP prior to conducting audits. Checklists and procedures may be submitted together at the beginning of the year. After the first completion of an audit for which the RTSRP has received the checklist and procedure, only new or revised documents are required to be submitted to the RTSRP.

4.8.2 Safety and Security Audit Items

As described in its PTASP and SEPP, the RTA must implement a process for the performance of ongoing internal safety and security audits to ensure the implementation of the PTASP and SEPP and to evaluate the effectiveness of the plans. Internal audits may not be conducted in a compressed period once every three years, or even once a year; rather, they must be conducted in an ongoing manner throughout the three-year cycle. Internal audits of RTA functions must be conducted by an individual outside of the chain of command for that function so as to avoid a conflict of interest (e.g., personnel within the RTA's safety function may not conduct an internal audit of the RTA's safety department).

The RTSRP requires internal safety and security audits conducted by each covered RTA to cover all PTASP and SEPP components. These components must be audited at least once during a three-year cycle. Closely related items may be combined into a single audit.

4.8.3 RTA Safety and Security Audit Reports

4.8.3.1 Audit Report Minimum Content and Reporting Requirements

Reports from internal safety and security audits conducted by covered RTAs must be submitted to the RTSRP within 45 calendar days of the date on which the audit was completed. The audit report must, at a minimum:

- Describe the process used by the RTA to determine if all identified elements of its PTASP and SEPP are performing as intended;
- Describe areas of PTASP or SEPP non-compliance and if hazards are being identified in a timely manner; and
- Ensure that all elements of the PTASP and SEPP are reviewed in an ongoing manner and distributed over a three-year cycle.

The RTSRP will review internal audit reports from the RTAs as they are transmitted and will follow-up with agencies with any questions, concerns, or requests for clarification. For information about CAP requirements associated with internal audits, refer to Section 7 of this document and RTSRP SOP 100 – 1.3 Safety and Security Audits and Reporting.

4.8.3.2 RTA Annual Safety and Security Report to RTSRP

Every year, each RTA must submit to the RTSRP a report of all safety and security internal audits performed in the previous calendar year. The annual safety and security report(s) must be submitted to the RTSRP on or before February 1 of each year. The annual safety and security report(s) shall be transmitted to the RTSRP in a format agreed to by the RTSRP Manager (electronic or hard copy). Once approved, a final version of the report must be submitted in an unalterable format with all RTA approval signatures visible.

The safety and security reports may be submitted separately if more convenient. Individual audit reports that were previously submitted either as completed or on a monthly basis need not be resubmitted, but should be referenced in the RTA's annual audit report as being reviewed as a part of the internal audit process. The report(s) must include the following elements:

- A summary of corrective actions generated by each audit;
- The status of each CAP;

- A list of all audits included in the original schedule for the year, indicating dates each audit was completed or identifying the audit as incomplete;
- Checklists used for audits;
- A summary of significant audit findings; and
- A statement by the RTA’s accountable executive certifying compliance with the PTASP and SEPP or identifying areas of noncompliance and activities the RTA will undertake to achieve compliance.

Within 30 calendar days of receipt, the RTSRP will issue a written response either accepting or rejecting the annual safety and security report. If the RTSRP rejects the report, the RTA will have 15 calendar days to address noted deficiencies and requested changes in the report and submit a revised report to the RTSRP. The RTSRP, at its discretion or at the RTA’s request, may arrange for a meeting with the RTA to discuss the noted deficiencies and requested changes.

In the event that the RTA objects to a noted deficiency or requested change from the RTSRP it shall state its objections and suggest alternatives within five calendar days. The RTSRP and the RTA shall review the objections and suggested alternatives and agree to an appropriate course of action within 15 calendar days. The revised and updated report shall be submitted to the RTSRP for review and approval within 30 calendar days after agreement on a course of action.

4.9 RTSRP Audits, Operations and Stations Reviews, and Risk Based Assessment Program

4.9.1 RTSRP Safety and Security Audits

In accordance with Part 674, the RTSRP must conduct a complete audit of a RTA's compliance with its PTASP at least every three years. Alternatively, an SSOA may conduct the audit on an ongoing basis over the three-year timeframe. For the purposes of this program, the referenced safety plan will be comprised of the RTA’s PTASP. Additionally, the RTSRP will ensure compliance with its *Procedures and Standards*, FTA regulations, and industry best practices.

The RTSRP is responsible for the continuous, independent oversight of safety and security at covered RTAs. The RTSRP utilizes an ongoing process to address all safety and security audit items within a three-year period. This section outlines the methodology used to accomplish the RTSRP’s audit activities. For additional information on how the RTSRP conducts triennial audits see RTSRP SOP 100 – 1.3 Safety and Security Audits and Reporting.

The RTSRP must promulgate appropriate standards for PTASPs and SEPPs and must ensure that covered RTAs have appropriate plans that meet these standards. Once appropriate plans are in place, the RTSRP is responsible for conducting reviews of plan implementation and general safety and security conditions. These audits are intended to address the following issues:

- Whether the RTSRP-approved safety and security plans are being followed by the RTAs;
- Whether RTA safety and security plans (or other agency safety or security program documents) require update or modifications;
- Whether RTA internal procedures are effectively constructed, implemented, and followed;
- Whether the RTA’s safety risk management process is being effectively applied; and
- The effectiveness of a RTA’s internal safety and security review process.

4.9.1.1 RTSRP Safety and Security Audit Schedule

The RTSRP maintains a comprehensive safety and security oversight process and, as such, utilizes a rolling audit schedule to review safety and security plan implementation on an ongoing basis over a three-year cycle, rather than in a compressed period of days or weeks every three years.

The RTSRP maintains an audit schedule of PTASP and SEPP elements to be reviewed during the three-year cycle. The RTSRP Manager will be responsible for ensuring that all review elements are accomplished within the three-year period. The RTSRP may change audit dates within the three-year cycle to align with and/or accommodate concurrent audits of the same elements or in response to recently identified hazards or unforeseen circumstances.

4.9.1.2 RTSRP Audit Methodology

As described above, the RTSRP's audits are intended to determine a RTA's compliance with its own plans and RTSRP requirements. The RTSRP's reviews also seek to highlight any areas where existing plans, procedures, or activities could be improved. As such, the following criteria form the basis for RTSRP audits:

- The RTA's approved PTASP or SEPP (as appropriate to the review area) will be the primary review criterion. Additionally, other RTA plans and procedures that support the safety or security plan as appropriate (e.g., operations rules, SOPs, Maintenance Standards).
- Applicable standards from outside agencies, including both those that may be binding on the RTA (e.g., government regulations as well as the RTSRP *Procedures and Standards* and SOPs) and those that are advisory (e.g., APTA).
- Reports and CAPs from prior internal and external audits.
- Professional judgment and analyses conducted by the RTSRP's review as needed to supplement the first three criteria if they are non-existent or unclear.

The RTSRP will work directly with RTA safety and security managers, as well as operations and maintenance managers, to plan and coordinate the RTSRP's audit. The RTSRP will provide RTAs with at least 30 calendar days' notice prior to an audit.

In advance of audit activities, the RTSRP will assess plans and procedures associated with the audit topic. Many topics warrant specific requests for documentation, which the RTSRP will make prior to the audit. These documents will be used as the basis for formulation of appropriate review questions or checklists. The FTA's guidance for conducting triennial safety and security reviews is also consulted during checklist development.

The RTSRP's representatives will meet with personnel responsible for the particular review topic, and will introduce the RTSRP review process (as needed). An introductory meeting will explain the goals and criteria associated with the audit. The RTSRP audit team will interview managerial and frontline personnel as appropriate to glean information about how relevant processes and activities are conducted at the RTA.

The RTSRP's auditors may review a sample of documentation and records associated with the review topic. In particular, this applies to such areas as personnel training, operational rules compliance testing, hours of service, preventive maintenance inspections, and drug and alcohol testing. The record sample size and timeframe will depend on the topic audited. The RTSRP will also assess implementation of the audit topic through field review as appropriate; this may include observing implementation of a rule or procedure, completion of a safety plan-required activity, etc.

After assessing records for the topic area as well as implementation of the topic area, the RTSRP will assess if the RTA is following its safety and security plans and procedures. The RTSRP will also identify any other areas where

the RTA might be able to improve its activities. The results of this preliminary assessment – including initial findings – will be verbally reviewed with the RTA managers through a close-out discussion.

The RTSRP may take additional time to review documents or other materials after the initial review. Further, the RTSRP may make a supplemental request for documentation during or after the audit.

4.9.1.3 RTSRP Audit Reporting

After audit activities are complete, the RTSRP will draft a written report (generally in letter format) stating its findings. This letter will first be sent to the RTA manager responsible for the topic area as well as any other safety or security managers as is deemed appropriate for a review of factual accuracy. The RTSRP will consider feedback from RTA personnel and make necessary changes before issuing the final audit report.

Barring unusual or extenuating circumstances, which must be documented in RTSRP meeting agendas, the RTSRP will transmit the final report letter within 45 calendar days of the end of the audit.

The RTSRP's written report will contain the following information:

1. Description of the topic audited, scope, personnel interviewed, facilities visited, and documents reviewed.
2. List of **Findings of Non-Compliance**: A finding of non-compliance refers to an instance under which the RTA is not operating in compliance or accordance with an applicable internal or external written requirement, including, but not limited to, Part 672; Part 673; Part 674; 49 U.S.C. § 5329(e); the National Public Transportation Safety Plan; the RTA's PTASP, SEPP, and referenced RTA plans, policies, and procedures; and the RTSRP *Procedures and Standards* and SOPs. Some non-compliance findings may be safety- or security-critical in nature; however, some findings may be related to a deficiency in the content or material reviewed. The RTA must develop a CAP in response to each finding of non-compliance following the specific instructions in Section 7 of this document.
3. List of **Observations**, where the RTSRP auditors found noteworthy conditions of a positive or negative nature. In documenting these conditions via the audit report, auditors wish to acknowledge the practices of the RTA or direct the attention of relevant RTA personnel to these observations. In general, negative observations are not significant enough in nature to constitute non-compliance with an established policy or procedure or modification of any policies or procedures is not necessarily warranted. The RTA may choose to develop follow-up action(s) to observations.

The RTA will have 30 calendar days from receipt of the final report to assemble and transmit a response, unless otherwise advised by the RTSRP. When the RTSRP has identified findings of non-compliance, the RTA must also submit appropriate corrective actions in accordance with the RTSRP's CAP procedures (See Section 7). The RTAs may also develop a CAP as they see fit for observations, but this is not required.

The RTSRP immediately reports unacceptable safety and security conditions to covered RTA representatives and notifies safety or security points-of-contact either through phone call, email, or formal letter/memo depending on the immediacy of the concern.

In consideration of SMS implementation at RTAs, the RTSRP has eliminated Recommendations for Improvement from reports issued by the RTSRP. The RTSRP maintains the authority to order an RTA to develop a CAP to minimize, control, correct, or eliminate risks and hazards as outlined in Section 7.2 of the *Procedures and Standards*.

4.9.1.4 RTSRP Annual Reports and Other Reporting Documents

The RTSRP produces an annual report that meets the minimum requirements of 49 CFR Part 674.13(a)(7) that summarize major program activities. This report summarizes RTSRP oversight activities for the preceding twelve months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to Public Transportation Agency Safety Plans, and the level of effort by the SSOA in carrying out its oversight activities. The annual report also includes a detailed review of reportable events and any major trends identified in the previous year. The RTSRP works with RTAs to review trends and determine if corrective actions or additional analysis is needed. The report highlights any safety and security related initiatives that took place during that year and forthcoming initiatives at each RTA.

Additionally, the RTSRP produces general informational materials to share with covered RTA boards. The RTSRP Manager and other RTSRP staff meet with RTA boards and executive leadership at least once annually to review program activities, provide familiarization with SSO work, and updates on relevant legislative and regulatory actions.

4.9.2 Operations and Stations Reviews

Certain ongoing review activities, such as station safety/security checks and rules compliance observations, may be conducted independently by the RTSRP without advanced notice to RTAs. Unless accompanied by RTA personnel, these will be confined to publicly accessible areas and will not interfere with transit system operations. Additionally, the RTSRP reserves the authority to conduct unannounced observations and inspections in order to assess rules compliance, employee training, safety and security related conditions, and to generally stay apprised on the workings of the system. During these reviews, RTSRP personnel may speak informally with frontline personnel and supervisors. The RTSRP will provide each RTA with a list of RTSRP project members that will perform operations and stations reviews at least once a year. If major changes occur to the project team throughout the year, an updated list will be circulated for awareness.

In the case of ongoing assessments, such as those of stations or transit operations, the RTSRP may use its internal checklist/form or freehand notes to record its observations. Results of such reviews are transmitted as memoranda or letters to the affected transit system. Results will be sent to the affected RTA and the RTSRP Manager as soon as possible, typically within 24 hours of the review activity.

4.9.3 Risk-Based Assessments

The RTSRP will also work to analyze data from ongoing SSO activities to assess safety and security risks and use this information to assign resources and perform follow-up inspections. These inspections may be announced or unannounced, as necessary. The RTSRP risk-based assessment program will work to establish a baseline set of performance indicators and continuously evolve as trends become apparent. Sources of such data will include ongoing audits, operations and stations reviews, RTA corrective actions, reportable events, regular meetings, and RTA coordination.

4.9.4 CAP Inspections

When necessary, in accordance with Part 674.37(a), the RTSRP may conduct on-demand inspections of RTA procedures and operational and maintenance activities, as well as the RTA's operating environment to monitor the RTA's progress in carrying out a CAP. Based on data reported through ongoing surveillance, event notifications, audits, or other oversight activities, the RTSRP reserves the right to conduct targeted (risk-based) inspections.

Targeted inspections may be limited in scope to a specific system or piece of equipment or a specific issue that may be systemic. The RTSRP will provide notification of its intent to conduct a targeted inspection as soon as possible, recognizing that this could be same-day notification. Inspections may include:

- Document, video, record, and data requests relevant to the inspection activities;
- Interviews and observations;
- Measurements and testing;
- An inspection report, submitted to the RTA for review; and/or
- Findings requiring CAPs.

The RTSRP will work in cooperation with RTA personnel to ensure these inspections are conducted so as not to unnecessarily interfere with the operation of the fixed guideway system. The RTSRP expects the full support and cooperation of the RTA in completing such inspections in accordance with all applicable laws and RTA rules and procedures. The RTSRP will ensure that it does not introduce any hazards or circumvent the RTA's rules and procedures pertaining to safety and operations on the fixed guideway system. Requests by the RTSRP for such activities or materials will be submitted within a reasonable timeline for compliance.

4.9.5 Data or Information for Hazard Identification (DIHI)

The RTSRP will notify RTAs of data and information that is compliant with the PTASP but has been identified to present a real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment as Data or Information for Hazard Identification (DIHI).

Per 673.25(b) the RTAs must consider, as a source for hazard identification, data and information provided by the RTSRP and the FTA.

The RTA is authorized to conduct a safety risk assessment per § 673.25(c) and any associated safety risk mitigations per § 673.25(d) according to the process outlined in its PTASP. If the data and information identified by the RTSRP reaches the thresholds for hazard reporting to the RTSRP and subsequent CAP development per the process outlined in the PTASP, then the RTA will be required to follow CAP process as described in Section 7 of the *Procedures and Standards*.

The RTAs will coordinate and communicate with the RTSRP in the evaluation of DIHI, including risks accepted, owned, and embraced by the Accountable Executive, staff, and employees, as an organization.

4.10 Event Notifications

4.10.1 Event Notification Procedure

The event notification criteria and requirements in this section detail FTA requirements under Part 674.33. For those systems and modes covered under the RTSRP, the RTA must notify the RTSRP and the FTA within **two hours, 24 hours, or by the 15th day of the following month** (for guidance on what events need to be reported and required timeframes, refer to Table 4-1. Appendix E of the RTSRP *Procedures and Standards* provides a decision tree for two-hour and 24-hour notifications. For the RTSRP's reporting purposes, an accident shall be defined as an event involving a transit vehicle or taking place on property controlled by the RTA that involves any of the following:

1. A loss of life;

2. Serious injury to a person;
3. Collision involving a fixed guideway transit vehicle;
4. Runaway train;
5. Derailment of a rail transit vehicle, at any location, at any time, whatever the cause; or
6. Evacuation for life safety reasons.

Initial report notification must include at least the following preliminary basic information to be accepted by the RTSRP:

- The caller’s name and transit system;
- Event type (e.g., accident, incident, or occurrence);
- Time of the event;
- Date of the event;
- Event location;
- Transit vehicle line/route, direction of travel, and lead vehicle number;
- Information about any other vehicles involved; and
- Number of injuries or fatalities as defined above.

If the RTA does not provide sufficient pertinent information, such as the nature of the event, location, and time of occurrence, the RTSRP will follow up with the RTA to obtain additional details. Additionally, in the event that any of the preliminary basic information initially provided requires updating or correction, the RTA is required to contact the RTSRP as soon as such information becomes known.

In order to notify the RTSRP of an event, the RTA must contact the RTSRP using the email address below. In cases of major events, the RTA shall also contact the RTSRP Manager in addition to the standard email notification.

RTSRP Contact	
Email	RTSRP Manager Phone
RTSRPnotify@gmail.com	717-433-2523

The FTA requests RTAs contact the U.S. Department of Transportation Crisis Management Center within two hours of a reportable accident by email (recommended method) or phone.

FTA Contact	
Email	Email
TOC-01@dot.gov	202-366-1863

Please note that the event definition herein does not discriminate as to the cause of an event. Injuries, facility closures, and other events that may be the result of security issues (i.e., the result of an intentional act) are incorporated into the event definition by design. Separate RTA departments may be made responsible for notification to the RTSRP for safety or security events at the RTA’s discretion.

Subsequent to event notification by the RTA, the RTSRP will commence the RTSRP investigation process as described in its investigation procedures. This process will also include additional requests for documentation and investigation by the RTA. The notification requirements under 49 C.F.R. § 674 and RTSRP’s required reporting are contained in the following table.

Table 4-1: RTSRP Reportable Event Type	Investigation Report Required?
Accidents: Reportable to the RTSRP within two hours of event.	
<p>Fatality A death or suicide confirmed within 30 calendar days of a reportable event.</p> <p><i>Note:</i> Fatalities resulting from illness or natural causes are excluded from reporting requirements.</p>	Yes
<p>Serious Injury Any serious injury sustained by:</p> <ul style="list-style-type: none"> (a) A passenger on a fixed guideway transit vehicle (including any serious injury sustained in the process of boarding or alighting); (b) An individual making contact with a fixed guideway transit vehicle; or (c) An RTA employee in the delivery of fixed guideway transit operations. <p>Serious Injury:</p> <ul style="list-style-type: none"> (a) Requires hospitalization for more than 48 hours, commencing within seven calendar days from the date the injury was received; (b) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (c) Causes severe hemorrhages, nerve, muscle, or tendon damage; (d) Involves any internal organ; or (e) Involves second- or third-degree burns or any burns affecting more than five percent of the body surface. 	Yes
<p>Collision A collision of any fixed guideway transit vehicle, at any location, at any time that:</p> <ul style="list-style-type: none"> (a) Involves another fixed guideway transit vehicle; (b) Results in substantial damage; or (c) Involves an individual not inside a vehicle. <p>Substantial Damage: Substantial damage is any damage which adversely affects the structural strength, performance, or operating characteristics of the vehicle, facility, equipment, rolling stock, or infrastructure requiring towing, rescue, onsite maintenance, or immediate removal prior to safe operation.</p>	Yes
<p>Runaway Vehicle Runaway fixed guideway vehicle on the mainline or in a yard, defined as uncontrolled movement of a train, vehicle, or other equipment regardless of the presence of an operator.</p>	Yes
<p>Derailment Derailment of any vehicle, at any location, at any time, whatever the cause.</p>	Yes

Table 4-1: RTSRP Reportable Event Type	Investigation Report Required?
<p>Evacuation Persons withdrawn or removed from rail transit vehicles or facilities for life safety reasons, into the right-of-way, or self-evacuations to a location that potentially could expose passengers to imminent danger.</p> <p><i>Life Safety Reason:</i> Any situation such as a fire, the presence of smoke or noxious fumes, fuel leak, electrical, or other hazard, that constitutes an imminent danger to passengers, employees, contractors, or other persons. Evacuations for security purposes include but are not limited to: arson; suspicious packages and objects; bomb threats; chemical/biological/nuclear and radiological releases; or any other situation that is an immediate threat to passenger, employee, or patron safety.</p> <p><i>Note:</i> Reporting is not required for the offloading of passengers at a <i>platform</i> for a mechanical failure or transfer of passengers to a rescue train unless there was imminent danger to passengers.</p>	Yes
<p>Other Any safety event for which the RTA notifies the National Response Center (NRC) or the NTSB.</p>	Upon RTSRP Request
Incidents: Reportable to the RTSRP within 24 hours of event.	
<p>Red Signal Violation</p> <p><i>Note:</i> The reporting period begins when the violation is confirmed.</p>	Yes
<p>Fire Fire event not meeting any other reporting threshold.</p>	Upon RTSRP Request
<p>Near-miss Any event that did not result in injury or damage but had the potential to do so, including work zone incursions and face-ups.</p>	Upon RTSRP request
<p>Homicide Any death confirmed within 30 calendar days as the result of criminal actions not related to operations or maintenance of a transit system.</p>	Upon RTSRP Request
<p>Assault Any serious injury (see above) confirmed within 30 calendar days to be the result of criminal actions not related to operations or maintenance of a transit system.</p>	Upon RTSRP Request

Table 4-1: RTSRP Reportable Event Type	Investigation Report Required?
<p>Service Disruption or Modification The closure or modification of all, or a portion of, a rail transit system due to a hazardous condition, threat, or recommendation made by a governmental or regulatory body (related to an existing hazardous condition).</p> <p><i>Note:</i> The reporting period begins when the disruption occurs or the decision is made to modify service.</p>	Upon RTSRP Request, also refer to section 4.10.3: Recovery Plan Procedures
Incline Plane Cable or Major Component Failure	Yes
<p>Occurrences: Reportable to the RTSRP monthly. (15th day following the month of the event)</p>	
<p>Door Event Any potentially hazardous door operation on a revenue vehicle, including: (a) Door opening during train movement; (b) Door opening on the wrong side or off-platform; or (c) An un-commanded door opening.</p>	Upon RTSRP Request
<p>Falls to the Track Persons entering the track area – accidental (known to the RTA).</p>	Upon RTSRP Request
<p>Trespassing Unauthorized persons entering the track area in subway/tunnel – trespassing (known to the RTA).</p>	Upon RTSRP Request
<p>System Failure Any signal or control system failure that does not result in fail-safe.</p>	Upon RTSRP Request
<p>Minor Collision A collision of any fixed guideway transit vehicle not meeting any of the above requirements for reporting as an accident.</p>	Upon RTSRP Request

4.10.2 Federal Railroad Administration Reportable Incidents

For those RTAs and modes that share track with the general railroad system and are subject to **both** Federal Railway Administration (FRA) and RTSRP oversight, the RTA must notify the RTSRP within two hours of an event for which the RTA must also notify the FRA. This section does not apply to any system currently covered by the RTSRP, but is required by the FTA.

4.10.3 Recovery Plan Procedures

Following notification of a service disruption or modification, the RTSRP requests that RTAs provide a summary of recovery activities as part of the event notification. In addition to normal reporting requirements, recovery activities shall include the following:

- Internal departments and external parties involved in recovery activities;
- Procedures to be utilized;
- Inspections and tests to be performed; and
- Anticipated time of the return to normal operation.

The RTSRP reserves the right to further investigate recovery activities and requests that all necessary inspections are documented and available upon request. If the event disrupts service for more than 24 hours, the RTSRP may request the submittal of a recovery plan to be approved by the RTSRP.

4.10.4 RTSRP Hazard Identification

In the event that the RTSRP identifies a potentially unacceptable hazard, the RTSRP will immediately contact the affected RTA's safety department via telephone or electronic notification to report the hazard and issue official correspondence to the RTA, including:

- A description of the hazard;
- How the hazard was identified;
- The root cause of the hazard (if known); and
- Proposed steps to mitigate the hazard.

4.11 Event Investigations

The RTSRP investigates all accidents in accordance with Part 674.33. The RTSRP may also investigate accidents, incidents, and occurrences identified in Table 4-1 that do not require an investigation under Part 674.33. To ensure all events are appropriately investigated, the RTSRP has developed the following procedures. There are three scenarios for event investigations: the RTSRP may authorize the RTA to conduct the investigation on the RTSRP's behalf; the RTSRP may conduct its own independent investigation; or the RTSRP and the RTA may agree to conduct a joint investigation.

In each case, the goal of the RTSRP's investigation efforts will be to identify the primary and contributory causes of each accident, incident, or occurrence as well as identify corrective actions required to minimize the likelihood of recurrence. Through its ongoing review of individual events, the RTSRP also has a goal of determining root causes. The RTSRP encourages RTAs to employ root cause analyses or similar approaches in their own investigations.

Each RTA must specify or reference in its PTASP which positions or personnel are qualified to conduct event investigations on behalf of the RTSRP and what process is used to qualify those individuals. The RTSRP will examine these qualifications as a part of the PTASP and review and approval of each RTA's event investigation procedure.

Each RTA is hereby authorized to use approved procedures to conduct investigations on behalf of the RTSRP. The RTSRP may request that the RTA safety department conduct the event investigation and produce a formal report in accordance with Section 4.11.1 of this document. When requesting the RTA to investigate and produce a formal

event report, the RTSRP will notify the RTA in as timely a manner as possible, typically within three calendar days of the event. When the RTA's operating and maintenance department reports are not sufficient to meet the RTSRP's information requirements, the RTSRP may request a formal safety department investigation report. The timing of such requests may be more than three calendar days depending on when event report materials are received. RTAs are responsible for providing the RTSRP with all documentation and records requested in association with an event investigation.

The RTSRP utilizes a database to track events and a checklist form for each reported accident and incident to record investigation details and status. The RTSRP sends a formal weekly report to the designated investigation personnel at each covered RTA. These checklists indicate what materials and reports have been received, and what additional materials are needed to adopt the investigation. When appropriate, this form is also used to convey the RTSRP's adoption of each investigation report.

The RTSRP will formally notify the RTA in writing in cases where the RTSRP intends to conduct its own investigation (See Section 4.11.4) and does not intend to utilize the RTA's investigation. In the case that the RTSRP elects to conduct its own investigation, the RTA must fully cooperate with all RTSRP requests and may not withhold information potentially relevant to the investigation.

Note that, to the extent allowed by law, the Commonwealth will withhold an investigation report that may have been prepared or adopted by the RTSRP from being admitted as evidence or used in a civil action for damages resulting from a matter mentioned in the report. In addition, to protect the confidentiality of investigation reports, access to electronic and hard copies of those reports is controlled at both PennDOT's and the RTSRP's Project Offices.

4.11.1 Final Investigation Report Content

All final event reports produced for the RTSRP must contain, at a minimum, the following information:

1. Description of event investigation activities;
2. Identification of causal and contributing factors; and
3. Determination of whether a CAP is needed to prevent recurrence.

More information may be included, based on the RTA's event investigation procedures or external recommendations (such as APTA incident investigation procedure standards, RT-OP-S-002-02). Likewise, the RTSRP may request more information in order to clarify or evaluate circumstances about a particular event or about trends.

For certain events, the RTSRP will specifically request that the safety department produce a more formal investigation report, which coordinates evidence from other RTA departments and from external sources and agencies as appropriate to the event. In all investigations, the RTA must submit relevant documents, e.g., field reports, statements, photos, maps, analyses, and logs, necessary to fulfill the report content requirements in this section.

In cases where reports from operations, maintenance, or other departments are used to make up the final investigation report, or where the safety department's summary report is the only available document, all of the content requirements in this section must still be met. The safety department may use a summary report to outline the final event report content or to highlight its location in other departments' reports. This summary report may be a completed, hand-written form, a database report, or some similar document. Safety department representatives are encouraged to review the format of such reports with the RTSRP to ensure that their content is sufficient to address the RTSRP's requirements.

4.11.2 RTA Authorized to Conduct Investigation

The RTSRP may authorize the RTA to conduct an event investigation on the RTSRP's behalf.

The RTSRP will also request that the RTA conduct hazard investigations, both at the level dictated by the RTA's safety risk management program and in accordance with the RTSRP requirements. For some hazards, the RTSRP may request a more detailed investigation or that particular investigation elements be included in the final report.

RTAs must submit their event investigation procedures and associated training program for review and approval annually or upon revision. Additionally, RTAs are responsible for providing the RTSRP with a list of qualified event investigators on an annual basis, or upon revision. The RTA must submit any revisions to the RTSRP for review and approval. At the conclusion of the review process, the RTSRP will transmit a letter to the RTA approving its event investigation procedures.

The RTSRP requires that the RTA conduct an investigation for accidents, incidents, and occurrences in accordance with Table 4-1. The RTA may utilize investigations from its safety department or from frontline departments, such as operations or maintenance. In each case, a clear and objective identification of probable cause must be made, and the report content requirements above must be met.

The RTA must make event notifications to the RTSRP in accordance with the Event Notifications Section 4.10 of the RTSRP's *Procedures and Standards*. Investigation reports, composed of reports from operations and maintenance departments as appropriate, and safety department investigation documentation as appropriate, must be sent to the RTSRP on the following schedule:

1. Preliminary Report: Basic information about the reportable event must be transmitted to the RTSRP during the notification process, as described in Section 4.10.1.
2. Investigation Status Update: The RTSRP may, at its discretion, request from the RTA an update indicating the status of the investigation, including any significant new information, findings, preliminary conclusions, and any corrective actions.
3. Final Investigation Report: At the conclusion of its investigation, the RTA safety department must transmit to the RTSRP a final investigation report that comports with the content requirements outlined in Section 4.11.1 above. The RTSRP will work with the RTA to adopt investigations with consideration of needed investigative processes, including (but not limited to) transportation investigations, derailment reports, police investigations, medical examiner reports, and other required materials. This final investigation report will be required within sixty calendar days of the event, unless the deadline is explicitly extended in writing by the RTSRP. Such extensions will be made in letter format or as part of the RTSRP's weekly written event updates with each RTA.

If the RTSRP requires more information, it will notify the RTA as soon as possible. The RTSRP will provide the RTA with a weekly document request checklist to outline what event report documentation has been received and what additional documentation it requests of the RTA for each open event. If the RTSRP does not require further information, it will adopt the RTA's investigation, as well as associated reports, conclusions, and corrective actions as its own. If the RTSRP requires that the RTA safety department conduct an investigation with a formal, independent report, it will request such an investigation in accordance with the procedures outlined below.

4.11.3 RTA Safety Department Requested to Produce Formal Report

For certain types of events, generally including those listed below, the RTSRP will request that the RTA safety department issue a formal written report. These events will generally include:

- Events with a significant number of injuries;
- Events resulting in fatalities;
- Events which, upon preliminary report, involve a seemingly significant unmitigated, unidentified, or unquantified hazard;
- Events involving vehicle, infrastructure, rules, or systems anomalies which have caused or could cause significant loss; or
- Events where a more independent investigation seems necessary.

As part of this investigation methodology, the RTSRP may explicitly request a formal safety department report containing all factual, investigative, and corrective action information. Alternatively, the RTSRP may request, or the RTA may suggest, that a safety department memorandum or other document be used to address specific issues or information deficiencies in operating, maintenance, or engineering reports.

When the RTSRP requests that the RTA safety department produce a formal investigation report, refer to the investigation documentation schedule as outlined in Section 4.11.2.

Upon the completion of the investigation process, the RTA will submit a draft final report to the RTSRP. The RTSRP will review this report and acknowledge receipt within ten calendar days. Following review, the RTSRP will notify the RTA in writing of its approval of the report, request additional information, or require specific revisions. If revisions are required, the time frame for revising the report will be determined jointly by the RTSRP and the RTA on a case-by-case basis. In reviewing the investigation report the RTSRP will ensure that the report has:

1. Description of the event and sequence of events before, during, and after;
2. Description of investigation process and methodology;
3. Description of the post-event testing and research conducted;
4. Conclusions (including findings and identified causal and contributing factors);
5. CAP(s), if necessary (See Section 7);
6. Supporting analysis to defend recommendations in report; and
7. Recommendations.

If the RTSRP approves the report, it will ask the RTA to finalize it and will make the final version the RTSRP's own investigation report. In the event that the RTA and the RTSRP disagree about investigative findings and cannot come to an agreement, the RTSRP will include the RTA's concerns alongside additional information, as needed, to thoroughly document the investigation.

Investigation reports may be delivered to the RTSRP in a format specified by the RTSRP Manager (electronic or hard copy).

4.11.4 RTSRP Investigations

The RTSRP may elect to conduct an independent event investigation or supplemental investigation activities separate from those of the RTA. Such independent RTSRP investigations may be necessary if there is a problem with investigation independence or if the RTA declines a request to conduct an investigation on the RTSRP's behalf. The RTSRP will notify the RTA of any decision to conduct its own formal incident investigation in writing to the RTA's CSO and Accountable Executive as soon as possible.

The RTSRP may choose to conduct an investigation of the event utilizing its own personnel or an authorized contractor. The RTSRP will identify a team of investigation personnel and expects the RTA to provide the investigation team with the resources and information necessary to conduct the investigation. Such resources might

include: operations, maintenance, and inspection records; photographs, interview materials, and other evidence documentation; access to incident sites or physical evidence such as vehicles or infrastructure that were involved in the incident; and any other information which is pertinent to the investigation.

All of the RTSRP-authorized investigation personnel are granted authority under the RTSRP SSO program to conduct an investigation and evaluate records, materials, data, analysis, equipment, and other information which is pertinent to the investigation. It is required that the RTA will provide the RTSRP investigation team with all of the resources and information necessary to conduct the investigation in an effective and efficient fashion. The RTSRP will provide reports and/or other evidence developed by the RTSRP investigation team to appropriate RTA personnel.

In some cases, the RTSRP will not conduct its own investigation but may decide to designate itself as a party to the RTA's investigation. Under this arrangement, the RTSRP will not produce its own investigation report but may respond to the event scene and will participate in RTA investigation activities and meetings.

4.11.4.1 RTSRP Event Investigation Procedures

If the RTSRP elects to conduct an independent investigation, it will do so using all available industry best practices and manuals, including the RTSRP Standard Operating Procedure 100 – 4.1: Event Investigation as a guide. Generally, the process will occur as follows:

1. Upon notification of an event and when the RTSRP determines that it will conduct its own investigation, the RTSRP Manager or designee will notify the RTA verbally and in writing and will request any immediate assistance that is needed to facilitate the investigation.
2. If the RTSRP plans to conduct an independent on-scene investigation, the RTSRP Manager may request that the RTA hold the scene until the RTSRP's personnel arrive, complete their investigation, and clear the scene. The RTSRP's personnel will attempt to be as efficient as possible and will try to avoid interference with the RTA's own investigation, where applicable. If first-hand, independent investigation is not necessary, the RTSRP may simply oversee the RTA's field investigation process.
3. The RTSRP will communicate with RTA safety personnel to arrange any document reviews, equipment or site inspections, interviews, or other reviews that may be necessary after the initial on-scene investigation. As with the on-scene investigation, the RTSRP may oversee and adopt follow-up investigation components conducted by RTA personnel.
4. The RTSRP will, as appropriate, employ any special resources available to it, including transit contractor expertise. If these resources are utilized, their results will also be made available to the RTA for use in its event investigation.
5. The RTSRP will assemble collected evidence, data, and information, and will draft an appropriate investigation report, based on the following format:
 - Executive summary;
 - Sequence of events;
 - Findings/analysis;
 - Conclusions;
 - Probable cause;
 - Contributing causes; and
 - Recommendations.
6. The RTSRP will issue its draft investigation report to the RTA within 60 calendar days following the end of the investigation and will allow ten calendar days for comments by the investigation team. The RTSRP

will attempt to resolve any conflicts or disputes over the draft investigation report in a manner that ensures the best possible report.

7. After the comment period and any associated revisions, the RTSRP will provide a copy of the final report to the RTA and will require the RTA to incorporate event report recommendations into its CAP process in accordance with the RTSRP's *Procedures and Standards*. The RTSRP will use the findings review process to resolve any unaddressed recommendations.

4.11.5 Other Oversight Agency Investigations

Depending on the event, another oversight agency such as the NTSB may conduct an investigation utilizing its own procedures and personnel. The RTSRP will provide the investigation team with any information necessary to conduct the investigation in an effective and efficient fashion. Additionally, the RTSRP will comply with all confidentiality/safety sensitive information (SSI) protocols in the event of an investigation. If the event in question is RTSRP-reportable, the RTSRP will review the other oversight agency's final report and formally adopt it as its own. Once an outside agency has initiated and assumed jurisdiction over an investigation, the RTSRP will not provide the RTA with a weekly checklist on the status of that investigation. RTAs are, however, still required to provide the RTSRP with investigation materials upon request. If the NTSB investigates an event at an RTA covered under the RTSRP, the RTSRP will request that its representative(s) be permitted to participate in the investigation process.

4.11.6 Joint Investigations

If the RTA and the RTSRP agree to conduct a joint event investigation, the RTA and the RTSRP may use the RTA's procedures, the RTSRP's procedures, or a combination of these procedures to investigate the event. The procedures to be utilized must be established prior to the investigation and agreed upon in writing by both the RTA and the RTSRP.

If the RTA or the RTSRP determine that a joint investigation may be beneficial, the parties will contact each other either formally or informally to initiate the process. The RTA and RTSRP will formally agree to the scope and approach for the investigation.

4.11.7 Hazard and Other Investigations

In certain cases, the RTSRP may determine that a formal investigation is necessary for other events occurring at an RTA, even though such events may not meet the RTSRP's notification and investigation criteria. Most commonly these events will include hazards, significant operational events, FTA safety advisories, whistleblower complaints, and other events that could lead or could have led to significant injury or property damage.

If the RTSRP determines that an investigation into such a concern is necessary, it will notify the RTA as soon as possible. For events having a discrete time of occurrence, this notification will occur within three calendar days. For hazards, the RTSRP will attempt to match this timeframe; however, some hazards may only become clear after analysis.

In the case of hazard investigations, the RTSRP will often request that the RTA safety department conduct an investigation on the RTSRP's behalf, independent of investigatory activities conducted by other RTA departments. The RTSRP will typically request that the RTA perform a hazard investigation and analysis using its hazard management process as found in its RTSRP-approved PTASP.

5. Security and Emergency Preparedness

In addition to the required audit schedule, the RTSRP requests any information pertaining to scheduled TVAs, drills and exercises, and TSA BASE Reviews be included and updated as soon as information is available.

5.1 Threat and Vulnerability Assessment

RTAs in the Commonwealth of Pennsylvania are critical components of the overall transportation network; therefore, it is essential that each agency take appropriate steps to identify security risks and develop recommendations for practical mitigations. An RTA's TVA should recognize its unique operating environment and understand that because transit operations as a whole are inherently open to the public, the agency is constantly exposed to threats which reflect that open atmosphere.

RTAs are required to conduct or update their TVAs every three years. A TVA must assess all agency assets and their importance to agency operations and should include both the layout and infrastructure of the facilities, as well as any existing detection, delay, and response capabilities. As part of this asset identification, any co-located assets/equipment and other critical infrastructure (e.g., local city, state, federal assets or key business structures such as airports or stadiums) must be addressed. The resulting TVA must include a baseline asset characterization relative to each identified threat. Threats should be identified as intentional, accidental, or natural and categorized by likelihood and severity.

Upon reviewing each asset, the RTA must look beyond terrorism and natural hazards to consider general security issues that passengers may encounter on a more regular basis, including those that influence their perception of security. The final report should provide a detailed assessment of risk per identified threat and its subcomponents for each critical asset, including site-specific recommendations to mitigate risk, along with system-wide findings and recommendations.

Within their TVAs, each covered RTA is required to document its methodology, including how it identifies, manages, and assesses vulnerabilities system-wide using an all-hazards approach. TVA findings must follow the RTSRP requirements as prescribed in the Internal Audits Section (See Section 4.8), and any CAPs must go through the formal CAP process (See Section 7).

5.2 Drills and Exercises

As a part of the Three-Year Audit schedule, each RTA is required to identify a full-scale emergency exercise to be performed once every three years. RTAs are recommended to utilize the Department of Homeland Security's (DHS) Homeland Security Exercise and Evaluation Program (HSEEP) to plan, execute, and report the results of the exercise. The DHS HSEEP definition of a full-scale exercise is detailed below.

Full-Scale Exercises (FSEs) are typically the most complex and resource-intensive type of exercise. They involve multiple agencies, organizations, and jurisdictions and validate many facets of preparedness. FSEs often include many players operating under cooperative systems such as the Incident Command System (ICS) or Unified Command. In an FSE, events are projected through an exercise scenario with event updates that drive activity at the operational level. FSEs are usually conducted in a real-time, stressful environment that is intended to mirror a real incident. Personnel and resources may be mobilized and deployed to the scene, where actions are performed as if a real incident had occurred. The FSE simulates reality by presenting complex and realistic problems that require critical thinking, rapid problem solving, and effective responses by trained personnel. The

level of support needed to conduct an FSE is greater than that needed for other types of exercises. The exercise site for an FSE is usually large, and site logistics require close monitoring. Safety issues, particularly regarding the use of props and special effects, must be monitored. Throughout the duration of the exercise, many activities occur simultaneously.

5.3 Handling of Sensitive Security Information

The RTSRP follows 49 C.F.R. Part 1520 in the proper handling of Sensitive Security Information. In addition to compliance under this regulation, the RTSRP will make appropriate arrangements with each RTA to incorporate any agency-specific SSI in accordance with RTA policy.

6. Safety and Security Certification

An RTA's safety and security certification (SSC) program ensures implementation of its SMS related to the identification and mitigation of safety and security risks associated with new starts or major capital projects. Through the SSC process, hazards and vulnerabilities are analyzed and prioritized and tracked through mitigation or resolution. RTAs are required to coordinate with the RTSRP on capital projects that meet the thresholds specified in Section 6.2 Reviews of System Expansions and System Modifications. The RTSRP engagement is required in the planning phase for capital projects, and RTAs must submit an update on their capital projects program at least once per quarter or on a schedule collaboratively developed by the RTSRP and the RTA. Based on a review of these submissions, the RTSRP may require an RTA to implement its SSC processes for projects it deems capable of introducing substantial safety and/or security risks to the agency's operating environment.

6.1 Reviews of Safety and Security Certification Program

Each RTA is required to have an SSC program to ensure that hazards, threats, and vulnerabilities are adequately addressed prior to the initiation of passenger operations for New Starts and major projects to extend, rehabilitate, or modify an existing system or to replace vehicles and equipment. The RTA must notify the RTSRP of any projects and/or procurements that may require SSC prior to the design phase. The RTA shall submit SSC plans and documents to the RTSRP for review and comment on all projects subject to the SSC process based on FTA criteria, RTA criteria, or otherwise required by the RTSRP. The RTSRP will participate, as appropriate, in SSC-related meetings, document reviews, and inspection activities, and may issue specific findings, guidance, or directives to the RTA to address safety and security issues related to certifiable elements and certifiable items. The RTSRP will be involved in such activities in the engineering/design, construction, integrated testing, and pre-revenue operations phases, with more attention to the project as it nears completion.

6.2 Reviews of System Expansions and System Modifications

In order to assess safety and security of New Starts projects and to monitor that safety and security processes that are incorporated into any major guideway system modifications and system expansions, the RTSRP may conduct reviews or audits of a project. RTAs are required to establish thresholds for the initiation of SSC projects (described or referenced in the RTA PTASP) and must formally notify the RTSRP of projects considered for SSC prior to the design phase. The participation and oversight role by the RTSRP will be determined based on the type of system expansion or modification under certification. Examples of fixed guideway system expansions or modifications the RTSRP may consider for certification include:

- New Starts projects or system expansions;
- Major reconstruction of existing lines;
- Major redesign and installation of system components;
- New or significantly reconstructed maintenance and operating facilities;
- New vehicle procurements or mid-life overhauls; and
- Other projects deemed to have significant safety implications, including projects implemented by others that have a direct impact on the operations of the covered RTA.

The RTSRP may review any and all development phases of applicable projects including:

- Project planning;
- Preliminary engineering;
- Final design;
- Procurement;
- Construction;
- Operations and maintenance procedures/plans;
- Training;
- Safety certification verification;
- Testing; and
- Start-up.

By reviewing projects at each stage of development, the RTSRP endeavors to resolve any safety/security-critical issues as early as possible.

In reviewing each phase of a major system expansion or modification, the RTSRP will focus its resources on providing an independent review of safety/security-critical system elements and activities, in addition to the more general aspects of a project that could affect the safety or security of existing operations. The materials that the RTSRP may review throughout the project may include the following:

- Planning studies;
- Design criteria and standards manual;
- Design documents;
- Safety certification plan;
- Project management plans (required on major FTA-funded projects);
- Configuration management plans;
- Construction plan and schedules;
- Operating changes and plans during project construction;
- Transportation and maintenance operating procedures;
- Training programs and procedures;
- Integrated test program;
- Emergency Procedures;
- System safety audits and reviews;
- Security plans;
- Safety certification verification review; and
- Exercise documents and results.

After the review of a particular project phase has been completed, the RTSRP may issue written findings and recommendations, as appropriate. The RTSRP will review each phase of the project through completion, at which

point the RTSRP will issue a formal letter acknowledging that the certification process has been completed in accordance with program requirements. Subsequently, the system expansion/modification will be incorporated into the RTSRP's triennial audit of the operating and maintenance activities of the RTA.

6.3 Pre-Revenue Service Assessments

Upon the transition of a fixed guideway system expansion project from the testing phase to the pre-revenue operations phase, the RTSRP will conduct a Pre-Revenue Service Assessment. The RTSRP's review is intended to ensure that the SSC process has been completed or that there are appropriate solutions in place for any unfinished certifiable elements or items that do not necessarily preclude the safe operation of the fixed guideway system. The RTSRP will also review operational and maintenance readiness, as well as the completeness of training programs and modifications to RTA plans, policies, and procedures. Finally, the RTSRP will issue written reports to the RTA documenting any unfinished items and potential hazards and any findings or recommendations requiring a CAP. The review process may be expedited and/or abridged based on the project scope and timeline, as determined by the RTSRP.

6.4 Preliminary Hazard Analyses and TVAs

Covered RTAs must provide results of Preliminary Hazard Analyses (PHAs) and TVAs according to the SSC process described in their PTASPs and/or SEPPs. PHA and TVA reports must be provided to the RTSRP within 30 calendar days of completion. For each finding from a PHA or TVA, the RTA must develop, track, and implement a formal process resolving hazards and risks identified. With the exception of unacceptable hazards, if items resulting from the SSC cannot be resolved prior to opening, the RTSRP will require that the open items be rolled over to the existing CAP log to track through closure.

7. Corrective Actions

Covered RTAs are required to develop CAPs for deficiencies and hazards identified through the sources detailed in Section 7.1. All CAPs, regardless of the source, must be submitted to the RTSRP within 30 calendar days of an identified deficiency. RTAs are required to track all open CAPs and provide regular updates (no less than quarterly) to the RTSRP hosted SMS platform located at www.vectorsolution.com (Vector EHS Management-formerly IndustrySafe). The proposed CAP shall include all information listed under Section 7.4. In the event an emergency CAP is required, the RTA must notify the RTSRP within 24 hours. All timeframes identified in this procedure refer to the RTA's development of a CAP. The timeline for actual implementation of the plan will vary according to the issue being corrected and is not prescribed in this document.

7.1 CAP Sources

The RTSRP requires the covered RTAs to develop CAPs in response to findings associated with the following sources:

RTSRP Safety or Security Audits

Upon receipt of the final report for an RTSRP safety or security audit, the RTA will have 30 calendar days to develop CAPs to correct identified Findings of Non-Compliance (See Section 4.9.1.3). RTAs are not required to provide CAPs for Observations unless specifically requested by the RTSRP.

RTA Internal Safety or Security Audits

If an RTA identifies any findings during internal audits of its safety or security programs, they must be remedied by CAPs. The CAPs must be developed within 30 calendar days of publication of the audit report.

Hazards

Pursuant with the principles of SMS, each RTA must have a defined hazard identification, tracking, and reporting process. When a hazard is identified, regardless of which agency conducts the hazard investigation process (the RTA or the RTSRP directly), the hazard investigation may result in CAPs for addressing deficiencies based upon RTA analysis. This includes hazards identified from personnel or the public, all of which must be tracked until a hazard investigation is completed by the RTA. The resolution of these deficiencies will be the primary responsibility of the RTA, with assistance provided by the RTSRP, as needed. Upon identification of the need for a CAP, the RTA will have 30 calendar days to develop a CAP to correct identified deficiencies. In cases where the RTSRP believes that the RTA has not sufficiently mitigated or documented its mitigation of a hazard, a finding may be issued requiring the development and implementation of a CAP.

Reviews such as PHAs, TVAs, and other studies that a transit agency performs for major capital projects undergoing safety certification may identify hazards and issue findings that require CAPs. Such deficiencies must be addressed through development of a formal CAP within 30 calendar days after completion of the study.

Event Investigations

Any investigation conducted either by the RTA, the RTSRP, or jointly by the two shall result in a final report which may contain findings and recommendations for addressing deficiencies or unsafe conditions identified during the investigation, no matter what agency published the final report. The resolution of these deficiencies will be the primary responsibility of the RTA with assistance provided by the RTSRP as needed. Any required CAPs must be developed within 30 calendar days of the RTSRP's adoption of the investigation report.

NTSB Recommendations and Guidance

If the NTSB conducts an investigation at an RTSRP-covered RTA, it may issue a formal report with recommendations to the transit agency; should this occur, the RTA shall review the recommendations along with the RTSRP and develop appropriate CAPs.

Independent of investigations performed at RTSRP-covered RTAs, the NTSB may release industry-wide safety recommendations for improvement. Based on the applicability of the NTSB recommendation(s), the RTSRP may require RTSRP-covered RTAs to submit corresponding CAPs within 30 calendar days.

FTA Recommendations and Guidance

If the FTA conducts an investigation at an RTSRP-covered RTA, it may issue a formal report with recommendations to the transit agency; should this occur, the RTA shall review the recommendations with the RTSRP and develop appropriate CAPs.

If the FTA releases a safety bulletin for the industry, the RTSRP will evaluate the bulletin and work with RTAs to determine applicability. In the event the safety bulletin applies to an RTSRP-covered RTA, the RTA is required to submit corresponding CAPs within 30 calendar days.

Data/Trend Analysis

Covered RTAs must conduct analysis of events as well as operational and maintenance data to identify emergent safety and security risk(s) requiring mitigation. The RTSRP, as part of its risk based assessment program, may also identify trends relevant to a covered RTA. Upon discovery of a trend that results in safety or security risks, the RTA must develop a CAP within 30 calendar days.

Other

In addition to the above-noted CAP sources, if the RTSRP or RTA becomes aware of any other hazard or safety concern that requires a corrective action, a CAP should be submitted to the RTSRP within 30 calendar days of identification.

7.2 RTSRP Order for Corrective Action Plan

Part 674.27 (a)(8) The RTSRP may order an RTA to develop a CAP to minimize, control, correct, or eliminate risks and hazards. When an order is issued by the RTSRP, RTAs shall develop a CAP and begin mitigation activities. In such circumstances, the RTA must coordinate with the RTSRP to provide CAP required components for RTSRP review and approval process detailed in the *Procedures and Standards*.

7.3 Emergency Corrective Actions

If a situation arises that requires an immediate mitigation or correction to ensure ongoing safety, RTAs may implement corrective actions prior to notifying the RTSRP and receiving approval for said corrective action. Situations requiring emergency corrective actions include, but are not limited to, the discovery of an unacceptable risk or necessary changes to operations or maintenance as a part of an investigation or as a result of an internal or external audit.

When the need for an immediate corrective action is identified, the responsible RTA shall develop a CAP and begin mitigation activities immediately. In such circumstances, the RTA must notify the RTSRP within 24 hours of its identification of a need for immediate corrective action. Upon receiving notification of the initiation of an emergency CAP from an RTA, the RTSRP will review the submitted information regarding the CAP and either communicate the approval of the CAP or request further information and documentation within seven calendar days. The RTSRP reserves the right to request a full briefing from an RTA regarding the nature of any hazard mitigation activities during the corrective action process.

7.4 Corrective Action Dispute Resolution

If an RTA disagrees with a CAP closure rejection, the RTSRP may instead authorize the RTA to perform a detailed hazard analysis. The hazard analysis is meant to ensure that the deficiency, if unmitigated, does not present an unnecessary safety or security risk to passengers, patrons and personnel, or to the public. The hazard analysis must follow all requirements outlined in the RTSRP's *Procedures and Standards* as well as the RTA's Safety Risk Management chapter of its PTASP.

The RTSRP will review the hazard analysis and decide whether to approve it or require revision. Revisions may be necessary if the analysis does not address the intent of the finding or fails to follow the hazard analysis process requirements. If the hazard analysis shows that the deficiency presents an unacceptable level of risk when left unmitigated, the RTSRP will require the RTA to submit a CAP.

7.5 Corrective Action Plan Required Components

The RTSRP recommends that the RTAs evaluate each proposed CAP through an interdepartmental committee to ensure that all parties are satisfied with the planned action and that it does not introduce unforeseen hazards into the system.

Each CAP must include the following information.

- i. Date Identified. Include the date that the CAP was generated. This is the date the event investigation report was adopted or the date the final audit report was published. This will be added by the RTSRP.
- ii. Source. This section should indicate what generated this CAP. Choices include (based on FTA reporting requirements): Accident/Incident, FTA, Hazard, Internal Audit, NTSB, RTSRP Audit – Safety, RTSRP Audit – Security, Unacceptable Hazard, and Other (the RTA should specify).
- iii. Finding of Non-Compliance. Description of the deficiency or needed improvement that generated the CAP. For example, this could be an audit finding or action item based on an incident/incident, hazard, or other issue requiring attention.
- iv. Risk Rating. In accordance with the RTSRP’s *Procedures and Standards*, the RTA’s PTASP, or as deemed appropriate by the RTA, this entry will reflect the RTA’s hazard rating that results from a hazard analysis. Hazard ratings may be used to prioritize the implementation of a CAP. These hazard ratings should be a result of the RTA’s hazard assessment methodology.
- v. Corrective Action Plan. This entry should be the same as the CAP found in the event investigation final report. It may also be something developed by the RTA in response to an audit finding. The CAP must clearly address the precipitating event or hazard and outline the proposed mitigation. The description should specify what constitutes implementation of the CAP (i.e., completion).
- vi. Notes/Comments. The CAP database will include a section for notes/comments from the RTA and the RTSRP.
 - a. RTA should enter current notes and/or discussion of CAP progression towards implementation. RTA should note any issues that may be inhibiting progress on the CAP. The RTA may use this area to request support or an extension from the RTSRP. When applicable, the RTA should indicate that the CAP is proposed for completion and ready to be verified by the RTSRP for closure.
 - b. The RTSRP is to provide feedback to the RTA and monitor CAP implementation. If the RTA proposes that a CAP is ready to be verified for closure, the RTSRP may add comments on documentation provided or indicate additional requests or expectations for verification of implementation.
- vii. Responsible Party. The RTA must assign a responsible individual(s) AND department(s) for the CAP.
- viii. CAP Issue Date. The RTA must provide the date that the CAP was submitted to the RTSRP. In most cases, this date should be within 30 calendar days of the Date Identified field.
- ix. CAP Target Date. The RTA must provide a proposed date of completion for every CAP. As the CAP is tracked to completion, the RTA may request this date be revised – the RTSRP must approve any date revisions – to reflect changes in progress.
- x. Transit Agency Status. Status options include “Open,” “Awaiting Verification,” or “Closed.” The RTSRP monitors the status and will update the RTSRP CAP Status field accordingly. The RTSRP is the only party with authority to change the RTSRP CAP Status to “Closed.”

7.6 Corrective Action Plan Schedule and Format

RTAs must provide an update on each open CAP at least once per quarter using www.vectorsolution.com. While RTAs are encouraged to update this database regularly, the RTSRP will work with each RTA to develop a submittal

schedule in the event the RTA plans to provide only quarterly updates. As CAPs are due for closure, the RTAs will be required to provide verification or an updated status. If a CAP is not yet complete, the RTA must submit a request for an extension in writing, documenting the circumstances necessitating additional time for implementation; the RTSRP will assess these requests and approve or deny the request in writing. An RTA may modify the following CAP elements without RTSRP approval: Notes/Comments, Responsible Party, and Transit Agency Status. An RTA may not modify any other CAP elements without the approval of the RTSRP. CAP information must be updated electronically in accordance with the electronic reporting system provided by the RTSRP (www.vectorsolution.com).

7.7 RTSRP Corrective Action Plan Review and Approval

RTAs must submit each CAP to the RTSRP for approval within 30 calendar days of the determination that a corrective action is required. This applies to CAPs resulting from deficiencies identified both internally and externally. Upon submission, the RTSRP will review each CAP within 15 calendar days and evaluate it relative to the finding (root cause, audit finding, hazard, etc.). The RTSRP will notify the RTA in writing either accepting or rejecting the proposed CAP.

Depending on the type of CAP and the issue it addresses, the RTSRP may ask the RTA for additional supporting information, which may include documentation, records, field demonstration of a revised process or procedure, or a follow-up audit or review. At a minimum, the RTA must collect supporting documentation to substantiate the CAP activity to be submitted to the RTSRP alongside verification of implementation at the time CAP closure is requested.

The RTSRP will approve CAPs at three intervals:

1. **On initial submittal:** The RTSRP will review the CAP; consider its appropriateness, timeliness for proposed closure, practicality, and similar factors; and either approve or reject the CAP.
2. **When updated:** The RTSRP will review the CAP, any changes to its scope, timing, or approach, and its progress to date, and will approve the CAP if appropriate. During this phase, the RTSRP may ask for interim verification evidence or an interim demonstration of progress in the field.
3. **When submitted for verification and requesting a closed or completed status:** The RTSRP requests the RTA alert the RTSRP of any pertinent updates and requests for closure. The RTSRP will review the request for closure and conduct verification as documented in Section 7.8.

The RTSRP will make all CAP approvals as well as requests for additional CAP-related information, in writing.

7.8 Rejection or Modification of Corrective Action Plans

If the RTSRP rejects a proposed CAP, the RTA will have 15 calendar days to address noted deficiencies in the plan and submit a revised CAP to the RTSRP. At its discretion, the RTSRP may arrange for a meeting with the RTA to discuss the noted deficiencies. For example, CAPs may be rejected on the grounds that the implementation timeline is unreasonably long in the absence of plans for short-term mitigation. For CAPs that require long-term implementation, RTAs must identify interim measures to address the deficiency until permanent measures can be completed. Similarly, RTAs must also ensure that budget constraints do not prevent CAPs from effectively mitigating deficiencies. Such constraints may necessitate the RTA to classify the CAP as a long-term effort, as less expensive remedial actions occur in the interim. Alternately, a mix of several economical mitigation efforts may be needed in place of a CAP calling for prohibitively costly improvements.

7.9 RTSRP Verification and Closure of Corrective Action Plans

For each CAP that an RTA proposes to close, the RTSRP will review the CAP's completeness and will conduct a final verification of documentation, records, or process implementation, as appropriate to the particular issue. These CAPs should be identified as "Awaiting Verification" in the RTSRP's electronic reporting system (www.vectorsolution.com). The RTSRP will determine if the CAP has been fully implemented and may request additional information or action from the RTA. The RTSRP will conduct this verification through one or more of the following means:

- Field observations;
- Photographs provided by the RTA;
- Receipt of new or revised documents;
- Work orders or similar documents showing full completion;
- Audits of RTA records; and/or
- Other means as deemed appropriate by the RTSRP.

If the RTSRP disagrees with the RTA's assessment that a CAP is completed, the RTSRP may require the RTA to either perform a more detailed hazard analysis or transmit a letter to the RTSRP documenting the RTA's assessment that the hazard or issue is sufficiently mitigated. If the RTA and the RTSRP cannot agree on the satisfactory completion of a CAP, the RTSRP and senior PennDOT personnel will work together with RTA executives to resolve the issue.

Only the RTSRP has the authority to close a CAP upon receipt or confirmation of appropriate verification from the RTA. On a quarterly basis the RTSRP will prepare a memorandum outlining the closure of CAPs. Memoranda will be submitted to the RTAs no less than quarterly.

Appendix A: Procedures and Standards Revisions

Major updates made and tracked from 2020 to 2021:	Updates made and tracked from 2011 to 2020:
1. Expanded conflict of interest requirements	1. In 2020, collision as an occurrence was renamed to <i>Minor Collision</i> .
2. Revised the findings criteria for 4.9.1.3	2. In 2020, emergency CAP details were included in Section 7.2.
3. Introduced language governing <i>Other Inspections</i> (Section 4.9.4)	3. In 2020, the RTSRP updated Appendix E – RTSRP Reportable Event Decision Tree.
4. Revised the reporting requirements of Section 4.10.1	4. In 2020, Appendix G that outlined PTASP milestones was deleted.
5. Added language to clarify threat and vulnerability assessment requirements	5. The 2019 revision incorporates upcoming PTASP and SMS requirements under the RTSRP Safety Management Program.
6. Added language to clarify safety and security certification requirements	6. The 2019 revision includes updated event reporting and investigation procedures in Table 4-1 (page 30).
7. Added requirement that RTAs utilize www.vectorsolution.com to track CAPs	7. The 2019 revision includes new details and requirements for RTAs during unexpected shutdowns and recovery instances.
8. Updated Appendix E – RTSRP Reportable Event Decision Tree	8. The 2019 revision includes a timeline for completing the PTASP with specific milestones outlined in Appendix G (page 87).
9.	9. The 2018 revision includes revised hazard reporting timeline requirements.
10.	10. The 2018 revision includes two additional safety elements: Element 22. CAP Program and Element 23. RWP Program.
11.	11. Revised the accident/incident section of the RTSRP <i>Procedures and Standards</i> .
12.	12. Re-formatted the requirements section for SSPPs and SEPPs in the <i>Procedures and Standards</i> . Added SSPP requirements regarding description of incident investigation qualifications and employee fitness for duty. Also, updated hazard management requirements.

Major updates made and tracked from 2020 to 2021:	Updates made and tracked from 2011 to 2020:
	13. Revised the content of the Hazard Management section of the <i>Procedures and Standards</i> .
	14. General document revisions for wording and formatting.
	15. Moved Definitions section to Appendix B.
	16. Added an Appendix with a timeline of documents due to the RTSRP.
	17. In the 2014 revision, minor edits for clarification were made. A small number of SSPP requirements, not specifically called out by the FTA in Part 659, were removed from the standard, though they may be included in the SSPP at the transit agency's discretion. The RTSRP incident/hazard notification phone number was also changed.
	18. The 2015 revision contains several changes pertaining to Act 89 and MAP-21 implementation, particularly regarding CAP requirements and incident investigation and reporting procedures.
	19. The 2017 revision includes new 674 reporting criteria, two new notifiable hazards. Additionally, hazard log requirements were revised.
	20. The 2017 revision includes a new CAP process to include the use of an electronic CAP database. Additionally, an Appendix with a CAP closure form was included.

Appendix B: Definitions

1. **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision involving a fixed guideway transit vehicle; a runaway vehicle; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause. An accident must be reported in accordance with the thresholds for notification and reporting set forth in Table 4-1.
2. **Accountable Executive** means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.
3. **Adjudication** means any final order, decree, decision, determination, or ruling by an agency affecting personal or property rights, privileges, immunities, duties, liabilities, or obligations of any or all of the parties to the proceeding in which the adjudication is made.
4. **Administrator** means the Federal Transit Administrator or the Administrator's designee.
5. **Busway** is a special roadway designed for the exclusive use of buses. A busway can be in its own right-of-way or in a railway or highway right-of-way. Short stretches of streets designated for exclusive bus use are sometimes also called busways. A busway can also be built in an active rail corridor. Busways usually have on-line stations, constructed so that there is room for overtaking stopping buses.
6. **Commonwealth** means the Commonwealth of Pennsylvania, the government of such, or the entirety of the state as a whole.
7. **Contractor** means an entity that performs tasks required on behalf of the oversight or rail transit agency. The rail transit agency may not be a contractor for the oversight agency.
8. **Corrective action plan** means a plan developed by a Rail Transit Agency that describes the actions the Rail Transit Agency will take to minimize, control, correct, or eliminate risks and hazards and the schedule for taking those actions. Either a State Safety Oversight Agency or the FTA may require a Rail Transit Agency to develop and carry out a corrective action plan.
9. **Event** means an Accident, Incident, or Occurrence.
10. **Face-up** – means an event that involves two rail transit vehicles moving towards each other on the same track without protection.
11. **Fixed Guideway System** means any fixed-route public transportation service that uses and occupies a separate right-of-way or rail line for the exclusive use of public transportation and other high-occupancy vehicles or uses a fixed catenary system and a right-of-way usable by other forms of transportation. The term includes light rail, commuter rail, automated guideway transit, people movers, ferry boat service and fixed guideway facilities for buses such as bus rapid transit and high-occupancy vehicles.
12. **FRA** means the Federal Railroad Administration, an agency within the U.S. Department of Transportation.

13. **FTA** means the Federal Transit Administration, an agency within the U.S. Department of Transportation.
14. **Hazard** means any real or potential condition (as defined in the Rail Transit Agency’s hazard management process) that can cause injury, illness, or death; damage to or loss of a system, equipment, or property; or damage to the environment.
15. **Incident** means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency. An incident must be reported to the FTA’s National Transit Database in accordance with the thresholds for reporting set forth in Section 4.10 – Event Notifications. If a rail transit agency or State Safety Oversight Agency later determines that an Incident meets the definition of Accident in this section, that event must be reported to the SSOA in accordance with the thresholds for notification and reporting set forth in Section 4.10 – Event Notifications.
16. **Individual** means a passenger; employee; contractor; other rail transit facility worker; pedestrian; trespasser; or any person on rail transit-controlled property.
17. **Injury** means harm to a person, requiring that person to be transported from the scene of an incident to a hospital or medical facility for treatment.
18. **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard for the purpose of preventing recurrence and mitigating risk.
19. **Major Capital Project** means a project that involves the construction of a new fixed guideway or an extension to an existing fixed guideway; involves the rehabilitation of an existing fixed guideway with a total project cost in excess of \$100 million; or is determined by the FTA to be a major capital project because it has determined that FTA Project Management Oversight process will be beneficial to the project.
20. **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
21. **Near Miss** Any event that did not result in injury or damage but had the potential to do so, including work zone incursions and face-ups.
22. **New Starts Project** means any fixed guideway system which utilizes and occupies a separate right-of-way or rail line for the exclusive use of mass transportation and other high occupancy vehicles or uses a fixed catenary system and a right-of-way usable by other forms of transportation, which is funded under FTA’s 49 U.S.C. § 5309 discretionary construction program.
23. **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a rail transit agency.
24. **Passenger Operations** means the period of time when any aspect of rail transit agency operations is initiated with the intent to carry passengers.
25. **PennDOT** means the Pennsylvania Department of Transportation, an agency within the Commonwealth of Pennsylvania.
26. **Person** means a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a fixed guideway public transportation system

27. **Program Standard** means a written document developed and adopted by the oversight agency that describes the policies, objectives, responsibilities, and procedures used to provide rail transit agency safety and security oversight.
28. **Public Transportation Modes** means heavy rail, light rail, trackless trolley bus, and inclined plane services and related facilities.
29. **Public Transportation Agency Safety Plan (PTASP)** means the comprehensive agency safety plan for a transit agency, including a Rail Transit Agency, that is required by 49 U.S.C. 5329(d) and based on 49 C.F.R. Part 673.
30. **Public Transportation Safety Certification Training Program (PTSCTP)** means either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with 49 U.S.C. 5329(c)(2), or the program authorized by 49 U.S.C. 5329(c)(1).
31. **RTSRP** means the Rail Transit Safety Review Program, the entity authorized by PennDOT to develop, operate, and maintain the safety review program requirements in the Commonwealth, fulfilling safety review requirements for the Commonwealth of Pennsylvania and the FTA State Safety Oversight Rule (49 C.F.R. Part 674).
32. **Rail Fixed Guideway Public Transportation System** Rail fixed guideway public transportation system means any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration, or any such system in engineering or construction. Rail fixed guideway public transportation systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.
33. **Rail Transit Agency** means an entity that operates a fixed guideway system subject to oversight in accordance with FTA and state safety oversight requirements.
27. **Rail Transit-Controlled Property** means property that is used by the rail transit agency and may be owned, leased, or maintained by the rail transit agency.
28. **Rail Transit Vehicle** means the rail transit agency's rolling stock, including but not limited to passenger and maintenance vehicles.
29. **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
30. **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
31. **Safety** means freedom from harm resulting from unintentional acts or circumstances.
32. **Safety Management Program** means the policies, procedures, and programs that collectively make up the Public Transportation Agency Safety Plan (PTASP) utilizing Safety Management System principles and terminology.
33. **Safety Management System** means a method of identifying hazards and controlling risks in a work and operational environment that continually monitors these methods for effectiveness.

34. **Security** means freedom from harm resulting from intentional acts or circumstances.
35. **Serious injury**, as defined in 49 C.F.R. § 674, means any injury which: (a) Requires hospitalization for more than forty-eight (48) hours, commencing within seven calendar days from the date of the injury; (b) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (c) Causes severe hemorrhages, nerve, muscle, or tendon damage; (d) Involves any internal organ or; (e) Involves second- or third-degree burns affecting more than five percent of the body surface.
36. **State** means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.
37. **State Safety Oversight Agency (SSOA)** State Safety Oversight Agency (SSOA) means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329 and the regulations set forth in this part.
38. **Stop Signal Overrun** means an occurrence when a rail transit vehicle fails to stop as required in advance of a stop signal, flag, or other indicator, as specified in a rail transit agency's operating rules and procedures.
39. **Security and Emergency Preparedness Plan (SEPP)** means a document developed and adopted by the rail transit agency, describing its security and emergency preparedness policies, objectives, responsibilities, and procedures.
40. **Vehicle** means any rolling stock used on a fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

Appendix C: PTASP Approval Checklist

Transit System:	Dates of Review:
Reviewed by:	Approved [Y/N]:

Element	Implementation Measure	Section & Page #	Complete?	Comments
Element 1.0 General				
1.1	<ul style="list-style-type: none"> • Endorsement of the PTASP by the rail transit agency's (RTA's) designated Accountable Executive 			
1.2	<ul style="list-style-type: none"> • Approval of the PTASP by Board of Directors or equivalent entity 			
1.3	<ul style="list-style-type: none"> • Safety performance targets, informed by the safety performance measures established by the National Public Transportation Safety Plan (NPTSP), including: 			
1.3.1	<ul style="list-style-type: none"> ○ Fatalities (total number of reportable fatalities and rate per total vehicle revenue miles by mode) 			
1.3.2	<ul style="list-style-type: none"> ○ Injuries (total number of reportable injuries and rate per total vehicle revenue miles by mode) 			
1.3.3	<ul style="list-style-type: none"> ○ Safety events (total number of reportable events and rate per total vehicle revenue miles by mode) 			
1.3.4	<ul style="list-style-type: none"> ○ System reliability (measured as revenue miles operated divided by the number of major mechanical failures) 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
1.3.5	<ul style="list-style-type: none"> ○ Additional safety performance measures as identified by the transit agency to meet identified goals and objectives 			
1.4	<ul style="list-style-type: none"> • Timeline and process for the internal and annual review and revision of the PTASP 			
1.5	<ul style="list-style-type: none"> • Reporting practices and procedures defining safety management system (SMS) goals, objectives, and expectations 			
1.6	<ul style="list-style-type: none"> • Identification of the department responsible for the agency's Security and Emergency Preparedness Plan (SEPP), as mandated by the RTSRP <i>Procedures and Standards</i> § 4.7.2 			

Element 2.0 Safety Management Policy

Agency leadership will develop and endorse a clear statement of the RTA's safety objectives through the furtherance of policies, procedures, and organizational mandates. The PTASP will clearly convey management and employee responsibilities, lines of authority, and safety reporting requirements. The approved PTASP will ensure safety is integrated throughout the organization and that management is actively engaged in the oversight of safety.

2.1	<ul style="list-style-type: none"> • Description of safety department's authority, organizational structure, and function within the RTA 			
2.2	<ul style="list-style-type: none"> • Description of departments and roles tasked with the development and revision of PTASP 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
2.3	<ul style="list-style-type: none"> • Responsibilities of employees involved in the development, implementation, and management of the RTA's safety management program (SMP), including but not limited to: 			
2.3.1	<ul style="list-style-type: none"> ○ Chief Executive Officer (CEO) or Accountable Executive 			
2.3.1.1	<ul style="list-style-type: none"> ▪ Endorsing the transit agency's safety plan and ensuring its annual certification 			
2.3.1.2	<ul style="list-style-type: none"> ▪ Appointing the Chief Safety Officer (CSO) or SMS Executive to implement the PTASP 			
2.3.1.3	<ul style="list-style-type: none"> ▪ Communicating a commitment to the goals and objectives outlined in the PTASP 			
2.3.1.4	<ul style="list-style-type: none"> ▪ Allocating resources for implementation and management of the PTASP 			
2.3.1.5	<ul style="list-style-type: none"> ▪ Encouraging all employees to report safety concerns 			
2.3.1.6	<ul style="list-style-type: none"> ▪ Promoting general safety with passengers and the community at-large 			
2.3.2	<ul style="list-style-type: none"> ○ CSO and/or SMS Executive 			
2.3.2.1	<ul style="list-style-type: none"> ▪ Reporting directly to the CEO or Accountable Executive 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
2.3.2.2	<ul style="list-style-type: none"> ▪ Ensuring the PTASP aligns with applicable regulations including federal, state, and local requirements, laws, regulations, and codes 			
2.3.2.3	<ul style="list-style-type: none"> ▪ Defining safety performance targets, including metrics for internal and external audits 			
2.3.2.4	<ul style="list-style-type: none"> ▪ Appointing Key Agency Staff and/or SMS committee members tasked with the development and implementation of the PTASP 			
2.3.2.5	<ul style="list-style-type: none"> ▪ Ensuring employees are trained on their responsibilities as described in the PTASP 			
2.3.2.6	<ul style="list-style-type: none"> ▪ Developing and implementing a means of conducting safety risk assessments 			
2.3.2.7	<ul style="list-style-type: none"> ▪ Ensuring that employee responsibilities and lines of authority are clearly defined, documented, and communicated throughout the agency 			
2.3.2.8	<ul style="list-style-type: none"> ▪ Ensuring the promotion of safety expectations to employees and safety awareness to passengers 			
2.3.2.9	<ul style="list-style-type: none"> ▪ Implementing processes for all employees to anonymously report all safety concerns 			
2.3.3	<ul style="list-style-type: none"> ○ Key Agency Staff and/or appointed SMS committee members 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
2.3.3.1	<ul style="list-style-type: none"> ▪ Developing and managing safety roles and responsibilities within their department, to include the promotion of safety awareness 			
2.3.3.2	<ul style="list-style-type: none"> ▪ Identifying training required for the fulfillment of their defined responsibilities 			
2.3.3.3	<ul style="list-style-type: none"> ▪ Measuring risk associated with departmental processes for the CSO and/or SMS Executive to approve or reject 			
2.3.3.4	<ul style="list-style-type: none"> ▪ Establishing lines of authority and procedures reflecting identified roles and responsibilities 			
2.3.3.5	<ul style="list-style-type: none"> ▪ Encouraging anonymous reporting of all safety issues 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
<p>Element 3.0 Safety Risk Management</p> <p>Transit agencies must develop safety risk management (SRM) processes to understand the operational environment (system description) and critical characteristics of its systems in order to facilitate the identification of hazards, assessment of their risk, and design of controls to mitigate and/or accept these hazards. The goal of SRM is to reduce the likelihood and severity of the identified safety risk.</p>				
3.1	<ul style="list-style-type: none"> • System description of the operating environment, including but not limited to: 			
3.1.1	<ul style="list-style-type: none"> ○ Area of operation (system maps) 			
3.1.2	<ul style="list-style-type: none"> ○ Hours of service 			
3.1.3	<ul style="list-style-type: none"> ○ Critical assets and infrastructure, including: <ul style="list-style-type: none"> ▪ Control Center ▪ Communications network ▪ Vehicles (including non-revenue) ▪ Stations ▪ Maintenance facilities and yards ▪ Power delivery infrastructure ▪ Track and Switches 			
3.1.4	<ul style="list-style-type: none"> ○ Unique characteristics (e.g., shared right-of-way, elevated structures, tunnels, bridges, etc.) 			
3.2	<ul style="list-style-type: none"> • Procedures for the application of the hazard identification and mitigation process to current operational procedures, the development of new or revised operational procedures, and reporting from employees, patrons, and the public, including: 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
3.2.1	<ul style="list-style-type: none"> ○ Description of what constitutes a hazard, their triggers, and potential consequences (definitions, thresholds, and integration within RTSRP <i>Procedures and Standards</i> § 4) 			
3.2.2	<ul style="list-style-type: none"> ○ Description of how hazards are identified and reported with sufficient detail to allow for the classification of the associated level of risk and determination of risk acceptability. Processes may include but are not limited to: <ul style="list-style-type: none"> ▪ Event investigations ▪ Safety risk management programs ▪ Internal audits ▪ DIHI ▪ RTSRP/FTA findings ▪ NTSB investigations ▪ Employee/contractor reporting ▪ Patron/community reporting ▪ FTA advisory notices 			
	<ul style="list-style-type: none"> ○ Description of the management levels at which safety risk mitigation decisions can be made. 			
	<ul style="list-style-type: none"> ○ Processes for the development and implementation of risk mitigations associated with any hazard associated with an unacceptable level of risk, including means through which mitigations will be analyzed prior to the implementation of any risk control 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
	<ul style="list-style-type: none"> ○ Processes through which data and information related to hazards and their mitigations is identified, tracked, managed, and shared with the RTSRP and the FTA (e.g., any safety management software used) 			
3.3	<ul style="list-style-type: none"> ● Identification of emergency preparedness practices, as articulated in the RTSRP <i>Procedures and Standards</i> § 4.7.2 <p>[Note: The requirements outlined in 3.3 may be fulfilled in an appendix or by referencing a separate document, such as an emergency management operations plan (EMOP)]</p>			
3.3.1	<ul style="list-style-type: none"> ○ Identification of employee responsible for implementing and tracking compliance for emergency preparedness activities 			
3.3.2	<ul style="list-style-type: none"> ○ Description of the security and emergency preparedness awareness program for employees and contractors 			
3.3.3	<ul style="list-style-type: none"> ○ Description of the program used to familiarize outside emergency responders with all RTA operations and infrastructure 			
3.3.4	<ul style="list-style-type: none"> ○ Description of the program used for drills and exercises that ensures compliance with RTSRP requirements (e.g., Homeland Security Exercise Evaluation Program or other industry best practice) that includes when they should be conducted and how lessons learned are to be captured and incorporated into plans, policies, and procedures 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
3.3.5	<ul style="list-style-type: none"> ○ Description of the process used for threat and vulnerability identification, assessment, and management 			
3.4	<ul style="list-style-type: none"> ● Description of the process for the determination of the severity and likelihood of all identified hazards associated with providing transit services in their area of operation, including the assignment of risk classifications 			
3.4.1	<ul style="list-style-type: none"> ○ Establishment of hazard classification specifications (such as MIL-STD-882E), allowing for both quantifiable and qualifiable risk assessment, and flexible enough to be applied to any hazard faced during the course of transit operations 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
<p>Element 4.0 Safety Assurance</p> <p>Transit agencies must monitor and measure safety performance through the collection, analysis, and assessment of data from internal and external sources. Identified safety risks must be managed through the SRM process in order to meet or exceed stated safety goals and objectives through the correction of identified safety deficiencies.</p>				
4.1	<ul style="list-style-type: none"> • Description of the internal audit structure to evaluate and promote adherence to all operational plans, policies, and procedures, including: 			
4.1.1	<ul style="list-style-type: none"> ○ Ongoing audit schedule comprising the triennial cycle in coordination with the RTSRP 			
4.1.2	<ul style="list-style-type: none"> ○ Verification that reviewers are independent from the area of responsibility being audited 			
4.1.3	<ul style="list-style-type: none"> ○ Development of comprehensive checklists for the plan, policy, or procedure being reviewed/audited 			
4.1.4	<ul style="list-style-type: none"> ○ Interviews with pertinent employees and contractors 			
4.1.5	<ul style="list-style-type: none"> ○ Rules compliance testing 			
4.1.6	<ul style="list-style-type: none"> ○ Review of qualifications/certifications 			
4.1.7	<ul style="list-style-type: none"> ○ Review of emergency preparedness (e.g., drills and exercises/threat and vulnerability assessments) 			
4.2	<ul style="list-style-type: none"> • Description of the internal audit structure to evaluate the inspection and maintenance of stations, parking lots, maintenance facilities, control centers, and other agency property, including: 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.2.1	<ul style="list-style-type: none"> ○ Ongoing audit schedule comprising the triennial cycle in coordination with the RTSRP 			
4.2.2	<ul style="list-style-type: none"> ○ Verification that reviewers are independent from the area of responsibility being audited 			
4.2.3	<ul style="list-style-type: none"> ○ Development of comprehensive checklists for the plan, policy, or procedure being reviewed/audited 			
4.2.4	<ul style="list-style-type: none"> ○ Interviews with pertinent employees and contractors 			
4.3	<ul style="list-style-type: none"> • Description of the internal audit structure to evaluate the inspection and maintenance of elevated guideways, bridges, tunnels, and busways (PAAC Martin Luther King, Jr. East Busway, South Busway, and West Busway; and SEPTA Route 103 Busway), including: 			
4.3.1	<ul style="list-style-type: none"> ○ Ongoing audit schedule comprising the triennial cycle in coordination with the RTSRP 			
4.3.2	<ul style="list-style-type: none"> ○ Verification that reviewers are independent from the area of responsibility being audited 			
4.3.3	<ul style="list-style-type: none"> ○ Development of comprehensive checklists for the plan, policy, or procedure being reviewed/audited 			
4.3.4	<ul style="list-style-type: none"> ○ Interviews with pertinent employees and contractors 			
4.3.5	<ul style="list-style-type: none"> ○ Review of emergency preparedness (e.g., drills and exercises/threat and vulnerability assessments) 			
4.4	<ul style="list-style-type: none"> • Description of internal audit structure to evaluate the inspection and maintenance of rolling stock and maintenance of way vehicles and equipment, including: 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.4.1	<ul style="list-style-type: none"> ○ Ongoing audit schedule comprising the triennial cycle in coordination with the RTSRP 			
4.4.2	<ul style="list-style-type: none"> ○ Verification that reviewers are independent from the area of responsibility being audited 			
4.4.3	<ul style="list-style-type: none"> ○ Development of comprehensive checklists for the plan, policy, or procedure being reviewed/audited 			
4.4.4	<ul style="list-style-type: none"> ○ Review of state inspection currency 			
4.4.5	<ul style="list-style-type: none"> ○ Interviews with pertinent employees and contractors 			
4.4.6	<ul style="list-style-type: none"> ○ Review of emergency preparedness (e.g., drills and exercises/threat and vulnerability assessments) 			
4.5	<ul style="list-style-type: none"> • Description of the internal audit structure to evaluate the inspection and maintenance of the right-of-way, including track, traction power, communications, signals, and SCADA operations, including: 			
4.5.1	<ul style="list-style-type: none"> ○ Ongoing audit schedule comprising the triennial cycle in coordination with the RTSRP 			
4.5.2	<ul style="list-style-type: none"> ○ Verification that reviewers are independent from the area of responsibility being audited 			
4.5.3	<ul style="list-style-type: none"> ○ Development of comprehensive checklists for the plan, policy, or procedure being reviewed/audited 			
4.5.4	<ul style="list-style-type: none"> ○ Interviews with pertinent employees and contractors 			
4.5.5	<ul style="list-style-type: none"> ○ Review of emergency preparedness (e.g., drills and exercises/threat and vulnerability assessments) 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.6	<ul style="list-style-type: none"> • Means of incorporating findings, recommendations, and observations from external agencies, including: <ul style="list-style-type: none"> ○ RTSRP ○ FTA ○ NTSB ○ Threat & vulnerability assessments ○ Drills and exercises ○ APTA standards ○ Peer reviews ○ TSA (BASE reviews) ○ TCRP reports 			
4.7	<ul style="list-style-type: none"> • Description of system(s) through which employees, contractors, and the public can confidentially report hazards, including the feedback systems through which these reports are utilized to identify emerging hazards and assess performance of risk controls 			
4.8	<ul style="list-style-type: none"> • Process for incorporating information obtained during the identified internal and external reviews and audits into hazard management processes, beginning with a hazard classification 			
4.9	<ul style="list-style-type: none"> • Process for the initiation of event investigations (accidents, incidents, and occurrences), descriptions of what can and will be investigated, who can conduct those investigations, parties receiving event notifications, how causal factors are identified, and how those investigations are adopted and closed, including: 			
4.9.1	<ul style="list-style-type: none"> ○ Identification of personnel responsible for performing event investigations 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.9.2	<ul style="list-style-type: none"> ○ Overview of qualifications required to perform event investigations, and blocks of training that meet those qualifications 			
4.9.3	<ul style="list-style-type: none"> ○ Description of the agency internal event notification criteria, including personnel to be notified 			
4.9.4	<ul style="list-style-type: none"> ○ Description of agency external event notification criteria, including agencies to be notified (based on current FTA and NTSB notification requirements and RTSRP <i>Procedures and Standards</i>) 			
4.9.5	<ul style="list-style-type: none"> ○ Description of the process used to identify and ultimately mitigate the probable cause and any contributing factors associated with the event as investigated or reported 			
4.10	<ul style="list-style-type: none"> ● Commitment to promote continuous improvement of safety performance through the development of Corrective Action Plans (CAPs) in response to identified hazards, including the continuous application of SRM processes to improve safety risk control effectiveness 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.10.1	<ul style="list-style-type: none"> ○ As appropriate, CAPs should address: <ul style="list-style-type: none"> ▪ Investigations and/or documentation of reported events, and internal or external audits verifying compliance with regulatory standards ▪ The application of current agency safety policies ▪ Quantifiable and/or qualifiable objectives ▪ Appropriate analysis of data to include confidential employee feedback loops and actions to eliminate the causes of non-compliance and to prevent recurrence ▪ Processes for the implementation and tracking of corrective actions as described in the <i>RTSRP Procedures and Standards § 7</i> ▪ Active management oversight and clear lines of authority when accepting risk mitigations 			
4.11	<ul style="list-style-type: none"> • Description of the process developed, implemented, and maintained for configuration management, including: 			
4.11.1	<ul style="list-style-type: none"> ○ Description of the process for determining acceptable safety risks related to any operational changes, system design modifications, current/new procedures, and new starts 			
4.11.2	<ul style="list-style-type: none"> ○ Identification of management authority pertaining to configuration changes at the RTA 			
4.11.3	<ul style="list-style-type: none"> ○ Description of communication channels used to ensure configuration management changes are shared with all employees 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
4.12	<ul style="list-style-type: none"> • Description of the safety certification process, including thresholds at which the process is invoked and a standard for evaluation of criteria applied 			
4.12.1	<ul style="list-style-type: none"> ○ Process for ensuring hazards are adequately addressed prior to the initiation of passenger operations for new starts and subsequent major projects to extend, rehabilitate, or modify an existing system, or to replace/overhaul vehicles and equipment 			
4.12.2	<ul style="list-style-type: none"> ○ Endorsement of safety and security certification by RTA's CEO or Accountable Executive 			
4.13	<ul style="list-style-type: none"> • Description of the process for the development and delivery of an annual report on safety and security program compliance, endorsed by the CEO or equivalent Accountable Executive 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
<p>Element 5.0 Safety Promotion</p> <p>Description of programs used by the agency to promote a positive safety culture throughout the organization based on the development of comprehensive training programs, certification requirements for employees and contractors, and refresher training as necessary or required. Descriptions must include how training will be updated to reflect current events, trends, and any changes to existing operation conditions and/or new designs/expansions.</p>				
5.1	<ul style="list-style-type: none"> List of positions requiring Transit Safety and Security Program (TSSP) certification as stipulated by 49 C.F.R. § 672 (specific classes required for this certification are detailed in Appendix A to 49 C.F.R. § 672) 			
5.2	<ul style="list-style-type: none"> Description of roadway worker protection (RWP) program, including requirements for recertification 			
5.3	<ul style="list-style-type: none"> Description of policies and procedures related to employee fitness for duty 			
5.4	<ul style="list-style-type: none"> List of safety training courses required for all newly hired agency employees 			
5.5	<ul style="list-style-type: none"> Safety department training requirements, including but not limited to: 			
5.5.1	<ul style="list-style-type: none"> Required safety training by assignment, including any identified refresher training 			
5.5.2	<ul style="list-style-type: none"> Required qualifications, training, certifications, and any identified recertifications 			
5.5.3	<ul style="list-style-type: none"> Process for maintaining compliance with initial, refresher, and certification training requirements 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
5.5.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.6	<ul style="list-style-type: none"> ● Operations department training requirements, including but not limited to: 			
5.6.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.6.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.6.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			
5.6.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.7	<ul style="list-style-type: none"> ● Control Center training requirements, including but not limited to: 			
5.7.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.7.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.7.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
5.7.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.8	<ul style="list-style-type: none"> ● Power & Way maintenance training requirements, including but not limited to: 			
5.8.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.8.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.8.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			
5.8.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.9	<ul style="list-style-type: none"> ● Vehicle maintenance training requirements, including but not limited to: 			
5.9.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.9.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.9.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
5.9.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.10	<ul style="list-style-type: none"> ● Contractor training requirements, including but not limited to: 			
5.10.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.10.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.10.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			
5.10.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.11	<ul style="list-style-type: none"> ● Other administrative functions requiring safety and security training and/or certification, including but not limited to: 			
5.11.1	<ul style="list-style-type: none"> ○ Required safety training by assignment, including any identified refresher training 			
5.11.2	<ul style="list-style-type: none"> ○ Required qualifications, training, certifications, and any identified recertifications 			
5.11.3	<ul style="list-style-type: none"> ○ Process for maintaining compliance with initial, refresher, and certification training requirements 			

Element	Implementation Measure	Section & Page #	Complete?	Comments
5.11.4	<ul style="list-style-type: none"> ○ Process for the annual review of training requirements to reflect current events, hazards, trends, and any changes to existing operations 			
5.12	<ul style="list-style-type: none"> • If not covered in a Security and Emergency Preparedness Plan (SEPP), training requirements pertaining to the security/police function as outlined by §§ 5.5-5.11 			
5.13	<ul style="list-style-type: none"> • Means of ensuring compliance with local, state, and federal requirements regarding health and environmental safety (e.g., occupational safety) 			
5.14	<ul style="list-style-type: none"> • Description of any committees established to identify and mitigate safety concerns, including details such as scheduling, attendance, documentation, parties responsible for creating agendas, and how the committee facilitates the development of safety improvements 			
5.15	<ul style="list-style-type: none"> • Processes to ensure the communication of safety performance data in response to the employee safety reporting program 			
5.16	<ul style="list-style-type: none"> • Description of programs for the communication of agency safety messages to patrons 			

Appendix D: SEPP Approval Checklist

Transit System:		Date or Revision of Plan:	
The SEPP Is:			
Reviewed by:		Dates of Review:	

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
1	<p>Develop a policy statement describing the authority that establishes the SEPP, including:</p> <p>Statutory requirements and the transit agency's relationship with the oversight agency</p> <p>Signature and endorsement of the General Manager</p>			
1a	<p>The transit agency's process for document control and keeping the SEPP confidential. The description should include procedures for:</p> <p>Identifying the SEPP as Sensitive Security Information (SSI) with limited distribution</p> <p>Use Protective Marking on the plan that states SSI</p>			
1b	<p>Determination of authorization and types of access to the SEPP</p> <p>Proper handling of SSI information</p> <p>Training on how to identify, handle, and protect SSI</p> <p>Tracking of SEPP distribution</p>			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
	A list of acronyms and important terms used in the SEPP, including the definition for system security and emergency preparedness.			
1c	Identify the goals and objectives for the security program endorsed by the transit agency's General Manager			
1d	Describe the scope of the SEPP and Program			
1e	Describe the security and law enforcement functions that manage and support implementation of the SEPP			
1f	Describe the authority which oversees the operation and management of the transit agency, including its security/police function			
1g	Describe how the SEPP interfaces with local, state, and federal authorities to ensure security and emergency preparedness for the system			
2	Describe the transit system, general overview, a brief history, operating environment, scope of service, ridership, and other important aspects of the system			
2a	Provide organizational charts showing the lines of authority and responsibility as they relate to security and emergency preparedness			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
2c	Provide a categorization and break-down of all employees and contractors who work for/on the transit agency			
2d	Describe how the SEPP integrates with other plans and programs maintained by the transit agency			
2e	Describe current security conditions and the types of security incidents experienced and frequency of occurrence			
2f	Provide a summary description of methods and procedures, devices, and systems utilized to prevent or minimize security breaches, including passenger education, campaigns, delay, detection, and assessment devices, and others that may be applicable			
3	Identification of the person(s) or job title responsible for managing the transit agency's security and emergency preparedness program and for developing and approving the SEPP			
3a	<p>The person(s) with overall responsibility for transit security and emergency preparedness, including:</p> <ul style="list-style-type: none"> Day-to-day operations SEPP-related internal communications Liaison with external organizations Training and Awareness of employees Mechanism for identifying and resolving security and emergency preparedness concerns to management 			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
	Identifying and resolving SEPP-related concerns			
3b	<p>Security and Police Function Responsibilities, including:</p> <p>A list of SEPP-related responsibilities of the personnel who work within the transit agency security/police function</p> <p>SEPP-related responsibilities of other departments/functions, including their relationship to the security/police function</p> <p>List security-related responsibilities for other (non-security/police) transit agency employees, including their relationship to the employee's other duties</p> <p>Develop a SEPP Program Roles and Responsibilities Matrix showing interfaces with other transit agency departments/functions and the key reports or actions required</p> <p>Identify the responsibilities of external agencies for supporting SEPP development and implementation</p> <p>Identify the committees developed by the transit agency to address security issues</p>			
3c	Describe any mutual aid agreements, memoranda of understanding, or other agreements with external agencies that provide significant security or emergency response help to the transit agency. Also describe any important ongoing interactions with external agencies, working groups, etc., such as the FBI, joint terrorism task forces, municipal and county advisory groups, etc.			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
3d	A narrative or matrix shall be used to show the security responsibilities and functions other departments; narrative description of how security responsibilities and information are disseminated to those without access to confidential SEPP documents shall also be included			
3e	Describe training requirements and programs for security personnel, as well as security-related training for non-security (e.g., operating, maintenance, etc.) personnel, emergency responder agencies, and other concerned parties			
3f	Describe the transit agency's policy for employee and contractor background checks and security screenings			
3g	Describe any security outreach, education, community involvement, or similar programs that involve passengers or the public			
4	<p>Identification of the approach to manage the SEPP, and specified SEPP-related responsibilities using planning, organization, equipment, training and emergency exercises and evaluation (POETE) mechanism, including:</p> <p>Activities and programs in place to support planning for system security and emergency preparedness</p> <p>Organization of SEPP-related activities and programs and the ability to coordinate with external response agencies</p> <p>Description of the equipment used to support implementation of the SEPP program</p>			

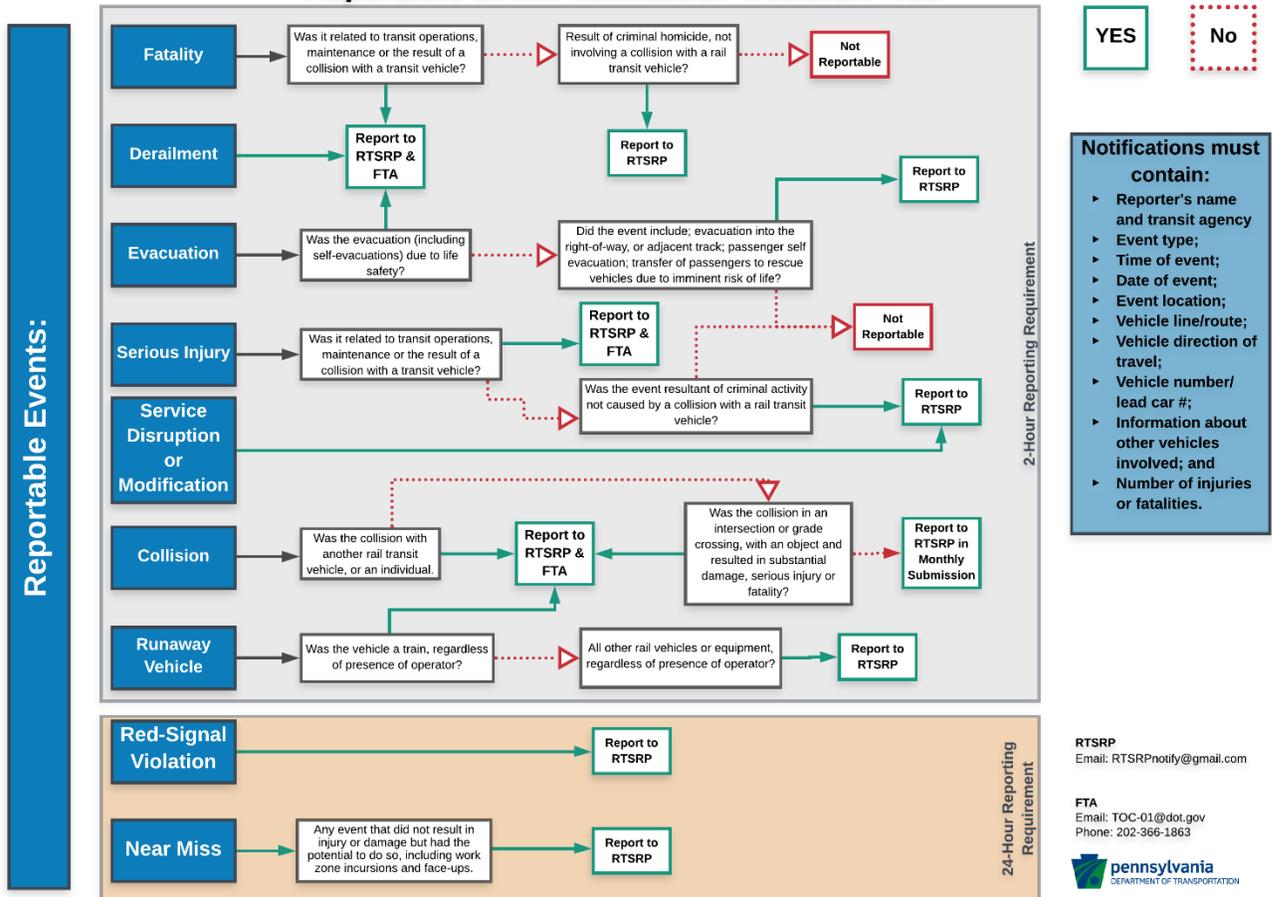
Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
	<p>Description of SEPP-related training and procedures available to ensure employee proficiency</p> <p>Description of SEPP-related activities to ensure the conduct of emergency exercises and evaluation</p>			
4a	Describe security exercise/drill program and participation in exercises and drills organized by other agencies. Show or reference schedule for upcoming drills and exercises.			
4b	Description of incident management/command system			
4c	Provide an overview of the transit system's emergency operations or emergency preparedness plan.			
5	Document the transit agency's process for identifying, assessing, and managing threats and vulnerabilities during ongoing operations, and for major projects, extensions, new vehicles and equipment, including integration with the safety certification process.			
5a	Description of how response strategies (both short- or long-term strategies) are developed for prioritized vulnerabilities, including the decision process used to determine whether to eliminate, mitigate, or accept security problems			
6	Identify tasks to be performed to implement goals and supporting objectives required to implement the SEPP.			
6a	Identify controls in place that address the personal security of passengers and employees.			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
6b	Provide a general schedule with specific milestones for implementation of the security program, threat and vulnerability analyses, staff security training, and regular program reviews during the implementation process.			
6c	Document the transit agency's process for conducting internal security audits to evaluate compliance and measure the effectiveness of the SEPP.			
6d	Describe the types of internal reviews and audits that will be used to evaluate the SEPP, the frequencies of the reviews, and the person(s) responsible.			
6e	List the departments and/or functions that are subject to internal security audits.			
6f	Describe the process that ensures that internal security auditors are independent from the first line of supervision for the activity being reviewed.			
6g	For internal security audits, written checklists must be used.			
7	Document the transit agency's process for making its SEPP and accompanying procedures available to the oversight agency for review and approval.			
7a	The transit agency must submit its SEPP to the RTSRP annually for review and approval.			

Element	RTSRP's Required Security and Emergency Preparedness Program Plan (SEPP) Content	Yes/No	Sec. § of SEPP	Comments
7b	Describe the process used to initiate revisions to the SEPP, gather input for the revisions, procedures for updating the SEPP, and identification of responsible person(s).			
7c	Describe the method, including management review and approval, for updating, correcting, and modifying the SEPP plan on an as-needed and scheduled basis.			
7d	Description of the process used to review and revise the security plan as necessary, including frequency of reviews, and responsible person(s)			
7e	Describe the process used to communicate and disseminate new and revised procedures and other elements of the SEPP to appropriate transit agency staff.			
8	A description of the Corrective Action Plan (CAP) process that describes the identification, tracking, submittal, and management of security corrective action plans, including all components identified in the RTSRP <i>Procedures and Standards</i>			

Appendix E: RTSRP Reportable Event Decision Tree

RAIL TRANSIT SAFETY REVIEW PROGRAM (RTSRP) Reportable Event Notification Decision Tree



Appendix F: Contractor Integrity Provisions

It is essential that those who seek to contract with the Commonwealth of Pennsylvania (“Commonwealth”) observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth procurement process.

1. **DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:
 - a. **“Affiliate”** means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.
 - b. **“Consent”** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.
 - c. **“Contractor”** means the individual or entity that has entered into this contract with the Commonwealth.
 - d. **“Contractor Related Parties”** means any affiliates of the Contractor and the Contractor’s executive officers, Pennsylvania officers and directors, or owners of five percent or more interest in the Contractor.
 - e. **“Financial Interest”** means either:
 - (1) Ownership of more than a five percent interest in any business; or
 - (2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.
 - f. **“Gratuity”** means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the [*Governor’s Code of Conduct, Executive Order 1980-18*](#), the *4 Pa. Code §7.153(b)*, shall apply.
 - g. **“Non-bid Basis”** means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.
2. In furtherance of this policy, Contractor agrees to the following:
 - a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.
 - b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the

Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.

- c. Contractor, its affiliates, agents, employees, and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer, or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.
- d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.
- e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:
 - (1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;
 - (2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;
 - (3) had any business license or professional license suspended or revoked;
 - (4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and
 - (5) been, and is not currently, the subject of a criminal investigation by any federal, state, or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state, or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal, or contract a written explanation of why such certification cannot be made, and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor's obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract it becomes aware of any event which would cause the Contractor's certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

- f. Contractor shall comply with the requirements of the *Lobbying Disclosure Act (65 Pa.C.S. § 13A01 et seq.)* regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the *Section 1641 of the Pennsylvania Election Code (25 P.S. § 3260a)*.
- g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.
- h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices, or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.
- i. Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records or documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract, or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third-party beneficiaries shall be created thereby.
- j. For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.