



Log R-628A

National Transportation Safety Board

Washington, D.C. 20594

Safety Recommendation

Date: August 6, 1991

In reply refer to: R-91-37

To the Governors of California, Florida,
Georgia, Illinois, Maryland, Massachusetts,
Ohio, Pennsylvania, New Jersey, New York,
Virginia, and the Mayor of the District of Columbia

The Safety Board has recently completed a safety study, "Oversight of Rail Rapid Transit Safety."¹ In the past, the Safety Board had addressed the issue of oversight of rail rapid transit safety only on the systems on which the Safety Board had conducted accident investigations. The Safety Board had not addressed the broader issue of the adequacy of safety oversight of rail rapid transit systems in general. Based on its recent investigations of accidents that have occurred on the Southeastern Pennsylvania Transportation Authority (SEPTA) and the New York City Transit Authority (NYCTA); its previous (mid-1980s') investigations of accidents on SEPTA, NYCTA, the Chicago Transit Authority, and the Greater Cleveland Regional Transit Authority; and the findings of this study, the Safety Board believes that there is a need to address the issue of safety oversight of the rail rapid transit industry in general. The potential for substantial loss of life through collisions and derailments at high speeds, and through fire and smoke conditions necessitates continual oversight of rail rapid transit safety, especially given the economic difficulties of maintaining these systems as they age and begin or continue to deteriorate.

Comprehensive and continual oversight of rail rapid transit safety is needed in addition to the Safety Board's selective investigations of accidents and occasional studies. The Urban Mass Transportation Administration's (UMTA) initiation of investigations cannot be considered a comprehensive and effective oversight program. The Safety Board for more than a decade has continued to believe that the primary responsibility for oversight of rail rapid transit safety rests with State and local governments. However, the Safety Board is concerned that this responsibility is not being met.

Information received from State and transit officials indicate that current oversight activities by State agencies vary among States. New York, for example, through its State Public Transportation Safety Board, conducts accident investigations, requires the development of a system safety program plan, regularly reviews the transit system's adherence to this plan, and

¹ National Transportation Safety Board. 1991. Oversight of rail rapid transit safety. Safety Study NTSB/SS-91/02. Washington, D.C.

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collects and disseminates accident and injury data. The New York State program appears to be a sound program, although the Safety Board has some concern regarding the adequacy of resources provided to the New York program. At the other extreme, some States--such as Maryland and Virginia (with respect to the Washington Metropolitan Area Transit Authority) and Illinois, Ohio, New Jersey, and Georgia--exercise no regulatory or oversight authority. The Safety Board believes that the States and localities in which rail rapid transit systems operate have a responsibility to assure that the systems are operated safely. Consequently, the Safety Board urges all States in which rail rapid transit systems operate to develop or revise, as needed, existing programs to assure comprehensive and effective oversight of rail rapid transit safety.

The variations in the existing oversight activities exercised by the States suggest that State and local governments need guidance that describes the elements of an effective oversight program, including the frequency with which inspections, audits, and reviews of documents, records, the physical plant, and equipment should take place. The provision of such guidelines, in the Safety Board's view, is a proper function of UMTA. Consequently, the Safety Board is recommending that UMTA develop guidelines that address the critical elements of an effective oversight program. However, the Safety Board believes that the State and local governments should immediately take steps to provide the groundwork for an effective oversight program and then work with UMTA to modify the program based on the critical elements UMTA identifies in the guidelines.

Although the oversight by all State and local governments should focus on similar elements, the mechanism by which these elements are reviewed and the frequency with which they are reviewed (audited or inspected) should be a function of the characteristics and features of the transit system in question. These features include the age of the vehicles, bridges, tunnels, tracks, and signals. The size of the system, including the number of passengers and vehicles and the track mileage, should also be considered in determining the appropriate mechanism for achieving oversight responsibility. The complexity of the system is also a factor to consider, including the variety of signal systems, whether operations are conducted automatically or manually, and the variety of equipment in operation. Consequently, the mechanism employed by State or local authorities for achieving oversight may vary from State to State. In a State where a larger, older, and more complex system is operating, a separate independent agency may be advisable or it may be satisfactory to assign an existing agency the oversight responsibility. In a State where a smaller and new system is operating, the satisfactory mechanism for achieving oversight could be an independent contractor, a commission or board, or the State department of transportation.

The Safety Board believes that it is the proper role of UMTA to ensure the implementation of effective safety oversight programs by State and local governments. When oversight is lacking or insufficient, UMTA should use its funding authority to ensure independent safety oversight for UMTA-funded projects and UMTA-assisted systems. For example, UMTA could require that a percentage of the funds it makes available to State and local authorities be used to implement oversight programs and to correct deficiencies noted as a

result of these oversight programs. Consequently, the Safety Board is urging UMTA to monitor the safety oversight programs implemented by the State and local governments to determine if the elements of a proper program are in place and if the mechanism through which the oversight is being accomplished is appropriate given the nature of the particular transit system. Finally, if UMTA's monitoring of State and local programs indicates that the programs are not being effectively implemented, further financial assistance could be withheld until the State or local authorities take action to implement an effective oversight program.

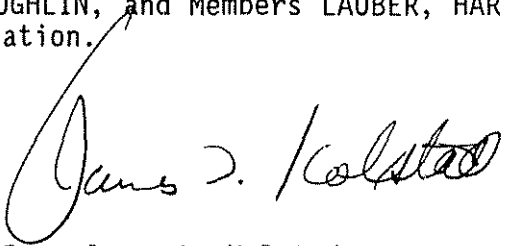
Therefore, as a result of the safety study, the National Transportation Safety Board recommends that the [State of (name)] [District of Columbia]:

Develop or revise, as needed, existing programs to provide for continual and effective oversight of rail rapid transit safety. The elements of the oversight program should include reviews of maintenance and inspection records, accident investigation activities, audits of system safety program plans, reviews of the transit system safety department, reviews of training programs, monitoring of accident data, and periodic inspections of equipment and infrastructure. (Class II, Priority Action) (R-91-37)

Also, as a result of the safety study, the Safety Board issued recommendations to the Urban Mass Transportation Administration, the Secretary, U.S. Department of Transportation, [and the District of Columbia] and the [other] States in which rail rapid transit systems operate.

The National Transportation Safety Board is an independent Federal agency with the statutory responsibility "...to promote transportation safety by conducting independent accident investigations and by formulating safety improvement recommendations" (Public Law 93-633). The Safety Board is vitally interested in any actions taken as a result of its safety recommendations and would appreciate a response from you regarding action taken or contemplated with respect to the recommendation in this letter. Please refer to Safety Recommendation R-91-37 in your reply.

Chairman KOLSTAD, Vice Chairman COUGHLIN, and Members LAUBER, HART, and HAMMERSCHMIDT concurred in this recommendation.


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