

NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

AI-4

R. 386A

ISSUED: December 30, 1981

Forwarded to:
Honorable Hugh L. Carey
Governor
State of New York
Albany, New York 12224

SAFETY RECOMMENDATION(S)

R-81-116

The National Transportation Safety Board recently completed a special investigation of eight subway train fires on the New York City Transit Authority (NYCTA) with evacuation of passengers (NTSB-SIR-81-5); a copy is enclosed for your information. This special investigation revealed serious deficiencies in NYCTA's car maintenance program and emergency preparedness activities. As a result of this special investigation, the Safety Board concluded that the Urban Mass Transportation Administration (UMTA), the State of New York, and the Metropolitan Transit Authority, all of which finance NYCTA, have not exercised safety oversight to assure that previously-identified safety problems on NYCTA were effectively resolved.

The serious safety problems revealed in this special investigation indicate that, in the absence of independent safety oversight, self-regulation by NYCTA has not proved effective.

Inadequacies which were identified in NYCTA's car maintenance program more than 2 years ago have not been corrected, despite the Safety Board's repeated warnings and recommendations. The gross maintenance deficiencies which led to a series of four derailments in 1978-79 led to a series of four subway train fires 2 years later. No other agency at any level of Government followed up to see that previously-identified safety problems were corrected. There was no safety oversight to see that NYCTA effectively resolved these problems before they led to another series of accidents.

In a 1976 report, the Office of Technology Assessment of the United States Congress discussed the problem of safety regulation and oversight of rail rapid transit systems.

The opinion within the transit industry is that self-regulation is a workable solution. The excellent safety record of rail rapid transit is cited as proof that a self-regulating body can manage its affairs in a responsible manner, with the public interest as a foremost concern. The opponents of self-regulation, while not questioning the integrity and sense of responsibility of the local transit system officials, point out the inherent danger of vesting a single agency with the authority to conduct transit operations and oversee the results. Both sides of the argument have merit, and one of the basic issues in the area of public policy for rail rapid transit is to find a proper balance between external regulation by a State or Federal agency (or some combination thereof) and responsible management by the local operating authority.

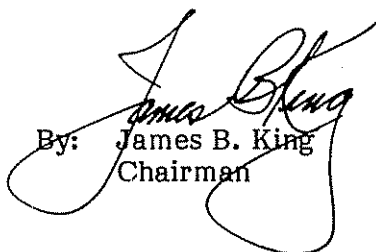
As a result of its accident investigations and safety studies of rail rapid transit safety issues, the Safety Board identified the need for external, independent safety oversight of rail transit systems as early as 1976. We have urged the U.S. Department of Transportation to undertake a larger oversight role, and UMTA is increasing its safety activities in some areas. However, it does not appear that these activities will approach the level of safety oversight NYCTA requires.

While the Metropolitan Transportation Authority (MTA) has the authority to oversee NYCTA, it does not have the independence necessary for effective safety oversight since the members of the boards of directors of both MTA and NYCTA are identical.

Therefore, as a result of this special investigation, the National Transportation Safety Board recommends that the Governor of the State of New York:

Initiate the legislative and/or executive action to authorize a new or existing independent agency to properly oversee and regulate the safety of the New York City Transit Authority. (Class II, Priority Action)
(R-81-116)

KING, Chairman, DRIVER, Vice Chairman, GOLDMAN, and BURSLEY, Members, concurred in this recommendation. McADAMS, Member, did not participate.


By: James B. King
Chairman