

Washington State Rail Safety Oversight Program Standard: 2018

# WASHINGTON STATE RAIL SAFETY OVERSIGHT PROGRAM STANDARD

## 2018 3rd EDITION

Effective November 30, 2018



**Washington State  
Department of Transportation**

Public Transportation Division  
State Safety Oversight Program  
401 2<sup>ND</sup> Avenue S.  
Seattle, WA 98104

### **Title VI Notice to Public**

It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator at (360) 705-7082.

### **Americans with Disabilities Act (ADA) Information**

This material can be made available in an alternate format by emailing the Office of Equal Opportunity at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free, 855-362-4ADA (4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

### **Notificación de Título VI al Público**

Es la póliza de el Departamento de Transportes del Estado de Washington de asegurar que ninguna persona sea excluida de participación o sea negado los beneficios, o sea discriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color, origen nacional o sexo, como proveído por el Título VI de el Acto de Derechos Civiles de 1964. Cualquier persona que cree que sus protecciones de Título VI han sido violadas, puede hacer una queja con la Oficina de Igualdad de Oportunidades (OEO). Para información adicional con respecto a procedimientos de quejas de Título VI y/o información con respecto a nuestras obligaciones sin discriminación, por favor de comunicarse con el Coordinador de Título VI de la Oficina de Igualdad de Oportunidades (OEO) (360) 705-7082.

### **Información del Acta Americans with Disabilities Act (ADA)**

Este material es disponible en un formato alternative. Envie su petición por correo electrónico al equipo de Oficina de Igualdad de Oportunidades (OEO) en [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) o llamando gratis, 855-362-4ADA (4232). Personas sordas o con problemas de audición pueden solicitar llamando el relé de estado de Washington al 711.

Washington State Rail Safety Oversight Program Standard: 2018

**Summary of Revisions**

<u>Version Date</u>	<u>Section #</u>	<u>Details</u>
November 2018	Global	Removed references to security. Added receipt acknowledgement of WSDOT PS by RTAs to section 2.3. Clarified hazard reporting for emergency braking (pg. 44). Changed all references to Unacceptable Hazardous Condition (UHC) reporting to 2hrs.
October 2018	6	Updated accident reporting criteria to include the minimum thresholds set forth by FTA in CFR Part 674, including figures 3.1, 3.2 and 4. Separated UHC initial report form (figure 3.1) and accident initial report form (figure 3.2) into separate forms.
October 2018	7	Updates to hazard reporting requirements
March 2018	Global	Removal of SSEPP and security program requirements
March 2018	1.3	Alternate SSO Program contact information added
March 2018	1.8	Definitions added
March 2018	Global	Alignment with Part 674 program requirements and enhancements
March 2018	7.3	Additions to hazard reporting requirements
March 2018	Global	Alignment with revised state code (RCW)
March 2018	Appendices	Updated
Feb 2017	1.2b, 1.8, 5.4b, 5.6a, 5.7a, 11.5, 6.3	References to MAP-21 and FAST Act, Definitions added, Vehicle door opening clarification on 2-hr notification, Near-miss brake application clarification on 24-hr hazard notification, Rating threshold revisions for hazard elevation to CAPs, Figure 3 reporting form updated to include “Undesirable or lower level hazard” category as well as distinction in UHC section between hazard and UHC reporting.

**Washington State Rail Safety Oversight Program Standard: 2018**

This Page Intentionally Left Blank

## Table of Contents

<b>1. Program Management</b>	
1.1 Introduction and Overview .....	1
1.2 Purpose .....	1
1.3 Authority .....	1
1.4 WSDOT Point of Contact.....	3
1.5 Affected Rail Transit Agencies.....	3
1.6 Conflict of Interest.....	4
1.7 WSDOT Reporting to FTA.....	5
1.8 Additional Safety Regulations.....	6
1.9 Information Sharing and Additional Resources .....	7
<b>2. Program Standard Development</b>	
2.1 Washington State Rail Safety Oversight Program Standard .....	8
2.2 Distribution of Program Standard.....	8
2.3 Revision and Approval of Program Standard.....	8
<b>3. Program Policy and Objectives</b>	
3.1 Safety Program Objectives .....	10
<b>4. Oversight of RTA Safety Program</b>	
4.1 RTA Safety Plans.....	11
4.2 Internal Safety Audit Program .....	22
<b>5. Triennial SSO Agency Audits</b>	
5.1 Objectives.....	24
5.2 Minimum Requirements .....	24
5.3 Schedule of SSO Reviews.....	24
5.4 WSDOT Review Team .....	24
5.5 Document Request and Review Checklists .....	25
5.6 On-Site Review .....	25
5.7 Draft and Final 3-Year Safety Review Reports.....	26
<b>6. Accident Notification, Investigation, and Reporting</b>	
6.1 Accident Notifications.....	28
6.2 Initial Accident Report.....	30
6.3 Accident Investigation Procedures.....	34
6.4 RTA Accident Investigation .....	34
6.5 Independent WSDOT Accident Investigation.....	38
6.6 FTA or NTSB Accident Investigations .....	39
<b>7. Hazard Manage Program</b>	
7.1 Hazard Management Program Minimum Requirements .....	41
7.2 Hazard Identification .....	41
7.3 Hazard Notification.....	41
7.4 Hazard Analysis and Evaluation .....	44
7.5 Unacceptable Hazardous Conditions .....	44
7.6 Corrective Action Plans/Elimination and Control of Hazards.....	46
7.7 Required Hazard Management Program Quarterly Meetings.....	46
<b>8. Safety Certification.....</b>	<b>48</b>
<b>9. Drug and Alcohol Program.....</b>	<b>49</b>
<b>10. Corrective Action Plans</b>	

Washington State Rail Safety Oversight Program Standard: 2018

<a href="#">10.1 Corrective Action Plan Minimum Requirements .....</a>	<a href="#">50</a>
<a href="#">10.2 RTA dispute of required Corrective Action Plan .....</a>	<a href="#">50</a>
<a href="#">10.3 Tracking of Corrective Action Plans .....</a>	<a href="#">50</a>
<a href="#">10.4 New Corrective Action Plans .....</a>	<a href="#">50</a>
<a href="#">10.5 Completed Corrective Action Plans.....</a>	<a href="#">51</a>
<a href="#">10.6 Corrective Action Plan Review and Approval.....</a>	<a href="#">51</a>
<a href="#">10.7 Monitoring and Tracking .....</a>	<a href="#">52</a>
<b><a href="#">11. Safety Program Annual Report</a></b>	
<a href="#">11.1 RTA Safety Program Annual Report Submittal .....</a>	<a href="#">54</a>
<a href="#">11.2 Requirements for internal audit section of Annual Report .....</a>	<a href="#">54</a>
<a href="#">11.3 Requirements for reportable accident section of Annual Report.....</a>	<a href="#">54</a>
<a href="#">11.4 Requirements for unacceptable hazardous conditions section of Annual Report.....</a>	<a href="#">54</a>
<a href="#">11.5 Requirements for RTA Annual Certification Section of the Annual Report .....</a>	<a href="#">54</a>
<b><a href="#">12. WSDOT SSO Reporting to FTA</a></b>	
<a href="#">12.1 Reporting Requirements.....</a>	<a href="#">58</a>
<b><a href="#">13. Information Sharing and Additional Resources</a></b>	
<a href="#">13.1 Sharing of best practices .....</a>	<a href="#">60</a>
<a href="#">13.2 RTA requests for additional information and sample documents .....</a>	<a href="#">60</a>

- Appendix A:** 1997 Governor’s Letter Designating WSDOT as State Safety Oversight Agency  
Current State Authorizing Law (RCW)  
Current State Implementation Regulations (WAC)
- Appendix B:** Organizational Charts of WSDOT
- Appendix C:** Safety Points-of-Contact for Rail Transit Agencies

## List of Figures

<a href="#">Figure 1: SSPP Review Check List .....</a>	<a href="#">12</a>
<a href="#">Figure 2: Sample 3-Year Safety Review Final Report Outline.....</a>	<a href="#">27</a>
<a href="#">Figure 3: Accident or Unacceptable Hazardous Condition Initial Report.....</a>	<a href="#">31</a>
<a href="#">Figure 4: Accident and Incident Investigation Review Checklist .....</a>	<a href="#">36</a>
<a href="#">Figure 5: Sample Corrective Action Plan Tracking Log.....</a>	<a href="#">51</a>
<a href="#">Figure 6: Safety Program Annual Report .....</a>	<a href="#">53</a>

## Frequently Used Abbreviations

ASP	Agency Safety Plan
FTA	Federal Transit Administration
RFGPTS	Rail Fixed Guideway Public Transportation Systems
RTA	Rail Transit Agency
SSO	State Safety Oversight
SSPP	System Safety Program Plan
TSA	Transportation Security Administration
WSDOT	Washington State Department of Transportation

## Definitions

Definitions used in this document include the following:

**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 rail transit vehicle; a runaway train; 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 [Section 6](#) to this part.

**Accountable Executive** means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Safety Agency 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.

**Administrator** means the Federal Transit Administrator or the Administrator's designee.

**Agency Safety Plan (ASP)**, also referred to as the Public Transportation Agency Safety Plan, 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 a Safety Management System. Until one year after the effective date of FTA's 49 CFR Part 673 final rule, a System Safety Program Plan (SSPP) developed pursuant to 49 CFR Part 659 will serve as the rail transit agency's safety plan.

**Contractor** means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or a Rail Transit Agency, through contract or other agreement.

**Corrective Action Plan (CAP)** means a plan developed by the RTA that describes the actions the RTA 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 FTA may require an RTA to develop and carry out a corrective action plan.

**Event** means an accident, incident or occurrence.

**FRA** means the Federal Railroad Administration, an agency within the U.S. Department of Transportation.

**FTA** means the Federal Transit Administration, an agency within the U.S. Department of Transportation.

**Hazard** means any 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 rail fixed guideway public transportation system; or damage to the environment.

Washington State Rail Safety Oversight Program Standard: 2018

**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 FTA's National Transit Database in accordance with the thresholds for reporting set forth in Appendix A to this part. 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 Appendix A to this part.

**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.

**Grade Crossing** means a level or at-grade intersection of rail transit tracks and another track, road, route, or path used for motor vehicles, light rail, commuter rail, heavy rail, bicycle, or pedestrian traffic. Grade crossings exist in exclusive right of way as well as in mixed and semi-exclusive situations. Grade crossings include intersections with public as well as private access points.

**Individual** means any person on the property of a rail fixed guideway public transportation system.

**Intersection area** per Washington Department of Transportation (WSDOT) Design Manual, means the area of the intersecting roadways bounded by the edge of traveled ways and the area of the adjacent roadways to the farthest point: (a) the end of the corner radii, (b) through any marked crosswalks adjacent to the intersection, (c) to the stop bar, or (d) 10 feet from the edge of shoulder of the intersecting roadway.

**Major System Enhancement** means any modification to an existing RFGPTS that will significantly affect the operations and maintenance of the system, including opening new stations, system wide modification or replacement of equipment, expanded operations and maintenance facilities, or increases to system capacity.

**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.

**Near Miss** means an unplanned event that did not result in injury, illness or damage – but had the potential to do so.

**New Starts Project** means any rail fixed guideway public transportation system improvement funded under FTA's 49 U.S.C. 5309 discretionary construction program.

**NTSB** means the National Transportation Safety Board, an independent Federal agency.

**Passenger** means a person who is on board, boarding, or alighting from a rail transit vehicle for

Washington State Rail Safety Oversight Program Standard: 2018

the purpose of travel.

**Passenger Operations** means the period of time when any aspect of RTA operations are initiated with the intent to carry passengers.

**Patron** means individual **waiting** for or leaving rail transit at stations, in mezzanines, on stairs, escalators, or elevators, in parking lots and other transit-controlled property

**Person** means a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a rail fixed guideway public transportation system.

**Program Standard** means the *Washington State Rail Safety Oversight Program Standard*, a written document developed and adopted by the Washington State Department of Transportation describes the policies, objectives, responsibilities, and procedures used to provide RTA safety oversight. The plan is consistent with the National Public Transportation Safety Plan and the Public Transportation Safety Certification Training Program.

**Public** means all others who come into contact with the rail transit system, including pedestrians, automobile drivers, trespassers.

**Public Safety** means the welfare and protection of the public, usually expressed as a governmental responsibility.

**Public Transportation Safety Certification Training Program** means 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).

**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

**Rail Transit Agency (RTA)** means any entity that provides services on a rail fixed guideway public transportation system.

**Rail Transit Controlled Property** means property that is used by the RTA and may be owned, leased, or maintained by the RTA.

**Rail Transit Operating Agency** means an entity that operates a RFGPTS.

**Rail Transit Vehicle** means the RTA's rolling stock, including but not limited to passenger and

Washington State Rail Safety Oversight Program Standard: 2018

maintenance vehicles.

**Revenue Service** means the operation of vehicles for the transportation of passengers as anticipated by the recipient.

**Revised Code of Washington (RCW)** means a law passed by the state legislature and signed by the Governor.

**Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.

**Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.

**Safety** means freedom from harm resulting from unintentional acts or circumstances.

**Safety risk management** means a process within a Rail Transit Agency's Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

**Security** means freedom from harm resulting from intentional acts or circumstances.

**Serious injury** means any injury which:

- (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
- (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- (3) causes severe hemorrhages, nerve, muscle, or tendon damage;
- (4) involves any internal organ; or
- (5) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

**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(e) and the regulations set forth in this part.

**System Expansion** means any modification to an existing RFGPTS that will increase the distance over which trains can travel in passenger service, including line extensions or new lines.

**System Safety Program Plan (SSPP)** means a document meeting the federal requirements of CFR 49 Part 659 and approved by WSDOT that is developed and adopted by the RTA, describing its safety policies, objectives, responsibilities, and procedures.

**Transit Asset Management** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost-effective, and reliable public transportation

**Washington State Rail Safety Oversight Program Standard: 2018**

**Unacceptable Hazardous Condition (UHC)** means a hazardous condition, which has been determined to be an unacceptable risk based on an established evaluation matrix, which evaluates the severity and probability of the risk.

**Vehicle** means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

**Washington Administrative Code (WAC)** is a set of rules and requirements established to implement a law.

## **Section 1: Program Management**

### **1.1 Introduction and Overview**

This section of the *Washington State Rail Safety Oversight Program Standard* introduces the state oversight agency, its authority, organization, and designated point-of-contact, as well as the rail transit agencies overseen by the program, the oversight agency's provisions regarding conflict of interest, and the definitions used by the oversight agency in managing its program.

### **1.2 Purpose**

The development and implementation of this document is a requirement of the Federal Transit Administration (FTA) through federal code. On April 15, 2016, CFR Part 674 went into effect, which supersedes CFR Part 659. This document is consistent with and adopts the National Public Transportation Safety Plan and the Public Transportation Safety Certification Training Program.

State Safety Oversight Agencies have two years from this effective date to become certified by FTA under Part 674 and until certification is gained, they must continue to adhere to Part 659. All references to part 659 regulations contained herein also apply to part 674 unless otherwise stated/elaborated. Both versions of the federal code require a program standard, which provides standards, procedures, and technical direction to each rail transit agency (RTA) responsible for a rail fixed guideway public transportation system (RFGPTS) within the State's jurisdiction and establishes minimum requirements to ensure each agency complies with the federal requirements. As part of WSDOT's certification process under Part 674, this update to the program standard incorporates Part 674 requirements for the implementation of safety management systems (SMS) and for a strengthened state safety oversight agency through increased enforcement and investigative authority.

Though the Agency Safety Plan (ASP) requirements stipulated in Part 673 have yet to be finalized the FTA has mandated (in 49 CFR Part 674.9) that the current System Safety Program Plan (SSPP) compliant with Part 659 will serve as the interim Agency Safety Plan until the Final Rule and its processes are fully implemented and functioning.

### **1.3 Authority**

Pursuant to requirements of the FTA, in 1997, Governor Gary Locke designated the Washington State Department of Transportation (WSDOT) as the FTA State Safety Oversight agency for the state of Washington. In support of this role, WSDOT is required to manage a state safety oversight program, which implements system safety program standards established by the FTA.

The Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts.

The Washington Administrative Code (WAC) are regulations of executive branch agencies that are issued by authority of statutes. Like legislation and the Constitution, regulations are a source of primary law in Washington State. The WAC codifies the regulations and arranges them by subject or agency.

The authority of the state safety oversight program is established in the following Revised Code of Washington (RCW) regulations:

- RCW 35.21.228
- RCW 35A.21.300
- RCW 35.57A.170
- RCW 36.01.210
- RCW 36.57.120
- RCW 81.104.115
- RCW 81.112.180

The implementation of these regulations is further facilitated by the adopted Washington Administrative Code (WAC) 468-550-10 through 468-550-80, which includes requirements for developing and implementing safety; conducting audits and reporting on audit findings; notifying, investigating, and reporting on accidents and hazardous conditions, and the application of financial penalties on rail transit agencies for non-compliance with reporting requirements and deadlines. *Appendix A* includes a copy of the Governor's letter and pertinent state codes that grant authority to WSDOT to develop, manage, and carry out FTA's safety program requirements. This appendix document features Senate Bill 6358, effective 3/25/2016, which amended the RCW regulations noted above. Chief among the amendments is the SSO authority to assess monetary penalties and/or suspend revenue service if safety deficiencies are not addressed in a timely manner. Upon official adoption, WAC provisions, among other items, will address a specific notification and penalty assessment process to supplement this authority.

## **1.4 WSDOT Point of Contact**

Mike Flood is the program manager for the Washington State Rail Safety Oversight Program administered by WSDOT.

**Oversight Agency:**

Washington State Department of Transportation (WSDOT)

**Program Manager:**

Mike Flood,  
Public Transportation Division, WSDOT  
401 2<sup>nd</sup> Avenue South  
Seattle, WA 98104

Phone: 206-464-1291

Email: [FloodM@wsdot.wa.gov](mailto:FloodM@wsdot.wa.gov)

**Alternate Contact:**

Steven Besaw

Transit Safety Oversight Specialist

Public Transportation Division, WSDOT

401 2<sup>nd</sup> Avenue South

Seattle, WA 98104

Phone: 260-464-1271

Email: [besawsc@wsdot.wa.gov](mailto:besawsc@wsdot.wa.gov)

**Reportable Accident, Incident, and Hazard Notifications:**

Email State Transit Safety Oversight Program at [TransitSafety@wsdot.wa.gov](mailto:TransitSafety@wsdot.wa.gov)

WSDOT retains the authority to use contractors as required to support the performance of safety oversight activities. The SSO Program Manager in conjunction with WSDOT’s consultant liaison department manages procurement activities for any required contractors. Organizational charts for WSDOT and the Public Transportation Division are provided in *Appendix C*.

## 1.5 Affected Rail Transit Agencies

The *Washington State Rail Safety Oversight Program Standard* applies to any agency responsible for the facilities and operations of a rail fixed guideway public transportation system (RFGPTS) within the state’s jurisdiction. A RFGPTS is any light, heavy, or rapid rail, monorail, streetcar, inclined plane, funicular, trolley, or automated guideway system designed to provide regular mass transit rail service. These affected agencies are referred to as Rail Transit Agencies or RTAs throughout this document.

The responsibility for maintaining compliance and the penalties for non-compliance ultimately rest with RTAs that own rail fixed guideway public transportation systems, unless otherwise stated by WSDOT through an intergovernmental agreement. Cities, towns, counties, transportation authorities, public transportation benefit areas, regional transit authorities or other agencies responsible for a RFGPTS must endorse the System Safety Program Plan developed by the system’s rail transit operating agency.

The Program Standard establishes requirements for RTAs to develop and implement a system safety program for each RFGPTS. These programs must address safety for all RFGPTS systems and facilities and for all phases of the development and implementation of rail transit projects.

- For new RFGPTS, the RTA must submit safety plans for WSDOT review at least 180 days prior to the start of passenger service. In addition, prior to the start of passenger service, WSDOT must receive and accept a letter from the RTA’s CEO declaring that the system has been certified safe and ready to carry passengers. If WSDOT does not accept this determination, the RTA must revise work-arounds and implement corrective action plans to

address identified hazards. The RTA is strongly encouraged to provide WSDOT with ongoing updates during the safety certification process to ensure WSDOT acceptance is received prior to the scheduled start of passenger service.

- For system expansions or major enhancements to existing RFGPTS, the Program Standard is effective for all phases of the project, including design, construction, and testing phases. The Program Standard requires that RTAs develop plans that address safety for all phases of rail projects and for all rail transit systems and facilities.

As of September 1, 2013, the following RTAs and their RFGPTS are ultimately subject to the requirements of the state's program standard:

- City of Seattle (RTA)
  - Seattle Center Monorail (RFGPTS)
  - Seattle Streetcar (RFGPTS)
- Sound Transit (RTA)
  - Tacoma Link (RFGPTS)
  - Link Light Rail (RFGPTS)

Affected RTAs must provide WSDOT with updated points-of-contact for their safety programs when changes occur. Point of Contact information, for affected RTAs is included as [Appendix C](#).

## 1.6 Conflict of Interest

No individual or entity may provide services to both WSDOT and an RTA when there is a conflict of interest or an appearance of a conflict. A conflict of interest occurs when an individual or entity performing work for an RTA or WSDOT is unable, or potentially unable, to render impartial assistance or advice on the development or implementation of the standards and provisions of this SSO manual, or to objectively perform such work without bias. A third party contractor to WSDOT or an RTA may not have an unfair competitive advantage over other contractors. Each contractor is subject to full disclosure on all present and potential conflicts of interest in its activities or relationships prior to being awarded a contract with WSDOT or an RTA.

## 1.7 WSDOT Reporting to FTA

This section addresses WSDOT's procedures for making initial, annual and periodic submissions to FTA's Office of Transit Safety Oversight, in compliance with 49 CFR Part 674.

### 1.7.1 Initial Submission

WSDOT made its initial submission to FTA's Office of Safety and Security in April 2006. This submission included:

- WSDOT's system safety *Program Standard*, with referenced procedures; and
- WSDOT's certification that the system safety program plan and the system security and emergency preparedness plan have been developed, reviewed, and approved.

### **1.7.2 Oversight Agency Designation**

In the event that the state should ever determine that oversight authority should be transferred to another agency of the state, WSDOT will work with this agency to ensure that a new initial submission is delivered to FTA within 30 days of determining to make the change. WSDOT will also work with this agency to ensure that at no point are the RTAs, affected by 49 CFR Part 659, left without a duly authorized oversight agency.

### **1.7.3 Annual Submission and Certification**

Before March 15th of each year, WSDOT must submit the following to FTA:

- A publicly available annual report summarizing its oversight activities for the preceding 12 months, including a summary of investigated accidents, status of corrective actions, updates and modifications to rail transit agency program documentation, and the level of effort used by the oversight agency to carry out its oversight activities.
- A report documenting and tracking findings from 3-year safety review activities and whether a 3-year safety review has been completed since the last annual report was submitted.
- *Program Standard* and supporting procedures that have changed during the preceding year.
- Certification that any changes or modifications to the rail transit agency system safety program plan have been reviewed and approved by the oversight agency.

With its annual submission, WSDOT must certify to the FTA that it has complied with the requirements of 49 CFR Part 674. WSDOT will submit this certification electronically to FTA using a reporting system specified by FTA. WSDOT will maintain a signed copy of each annual certification submitted to FTA, subject to audit by FTA.

### **1.7.4 Periodic Submissions**

Status reports of accidents/incidents, hazardous conditions, and Corrective Action Plans or other program information must be forwarded to the FTA upon request.

## **1.8 Additional Safety Regulations**

### **1.8.1 Transit Asset Management Program**

The TAM rule (49 CFR Part 625, issued July 26, 2016) sets out minimum asset management practices for transit providers. The rule requires transit providers to create TAM plans that will help them systematically address their maintenance needs, which in turn will improve service and safety. Well-developed asset management systems have been shown to lower long-term maintenance costs. Implementing TAM will require transit providers to collect and use asset

condition data, set targets, and develop strategies to prioritize investments to meet their current goals.

The TAM rule applies to recipients and sub-recipients of Chapter 53 funds who own, operate, or manage public transportation capital assets used to provide public transportation. All TAM plans must include:

- An inventory of assets
- Condition assessment of inventories assets
- Documentation of the use of a decision support tool
- A prioritization of investments

Per existing RCW, since 2005 as a condition of receiving public funds, all transit operators within Washington are already required to develop and implement a TAM plan. In many areas, the state's requirements for this plan already closely mirror the new Part 625 requirements. TAM plans must be updated to include state of good repair requirements; a performance based planning process, and safety and security policies.

Asset management is most successful when it is integrated into an agency's existing management processes for establishing policy, strategy, and business plans, as well as connected to an agency's performance management and risk management processes. Each asset class has different requirements for condition inspection and monitoring that depend on performance characteristics, risks, and impacts of failure. This information is used to improve reliability through an agency's ability to predict failure and address the root causes and proactively plan for the investments required to maintain good performance on the most critical assets. It also is used to manage risk and determine needs to be addressed in asset management plans

Condition assessment is the process of inspecting the asset to collect data that are used to measure condition and performance. The condition assessment process involves regular inspections that evaluate an asset's visual and physical conditions (such as structural issues and faulty components). This process addresses risk, ensures that the asset can meet its level-of-service requirements, and provides information from which assets can be managed across their lifecycle.

## **1.8.2 Drug & Alcohol Program Requirements**

All recipients of public transportation funds under Sections 5307, 5309, and 5311 are required to comply with Federal Transit Administration Drug and Alcohol program requirements per **49 CFR Part 655 and Part 40, last amended with an effective date of June 25, 2013**. WSDOT staff monitors and reviews policies, procedures, record keeping and reporting for all transit systems subject to these federal regulations. The Drug & Alcohol regulations are aimed at ensuring safety for transit employees, patrons, and the public through the targeted combating of prohibited drug use and alcohol misuse within the transit industry.

## **1.9 Information Sharing and Additional Resources**

RTAs participating in the Washington State Rail Safety Oversight Program are encouraged to keep current of issues and best practices relating to rail transit safety. RTAs are encouraged to learn of best practices being implemented by other RTAs through information sharing and exchange.

### **1.9.1 RTA requests for additional information and sample documents**

In addition, RTAs are encouraged to request from the SSO Program Manager, sample documents, procedures or other information that may further enhance their safety programs. Where best practices are already implemented at another Washington RTA, the SSO Program Manager may request these documents. An RTA can choose to not share this information with another RTA, if it determines it may contain security sensitive information.

## Section 2: Program Standard Development

### 2.1 Washington State Rail Safety Oversight Program Standard

The Washington State Rail Safety Oversight Program Standard establishes the system safety requirements for each RTA in the state, in accordance with federal requirements and the above-mentioned RCWs and WACs. For the development and implementation of a System Safety Program Plan, WSDOT is required to:

- Document both RTA and WSDOT required activities to implement state and federal codes.
- Specify the program in place to ensure ongoing exchange between WSDOT and each affected RTA regarding safety information.
- Address WSDOT communication with the FTA, including initial, annual, and periodic submissions.

49 CFR part 674 replaces the existing regulations for state safety oversight of rail fixed guideway public transportation systems in 49 CFR part 659 that have been in place for the past twenty years and significantly strengthens states' authorities to prevent and mitigate accidents and incidents on public transportation systems. In the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Pub. L. 112-141, July 6, 2012), Congress directed FTA to establish a comprehensive public transportation safety program, one element of which is the State Safety Oversight (SSO) Program. (See 49 U.S.C. 5329). On December 4, 2015, the President signed the Fixing America's Surface Transportation ("FAST") Act (Pub. L. 114-94) into law, which did not modify the provisions included in MAP-21 that were the subject of the NPRM, but did augment FTA's safety authority by appending a new subparagraph (e)(8) "Federal Safety Management" to 49 U.S.C. 5329(e).

### 2.2 Distribution of Program Standard

This document is distributed through WSDOT's Public Transportation Division. Electronic copies can be obtained from the SSO Program Manager listed in [Section 1.4](#). In addition, copies of this document have been distributed directly to the designated safety points-of-contact established for each affected RTA.

### 2.3 Revision and Approval of Program Standard

The *Washington State Rail Safety Oversight Program Standard* is developed in accordance with all applicable federal and state requirements. The Program Standard is reviewed on an annual schedule to determine necessary updates. In addition to annual reviews, this document can be updated at any time, including to address findings from audits or to incorporate changes to state or federal regulations.

The review and approval of subsequent updates to these procedures may include, but are not limited to, internal WSDOT personnel, the Washington State Attorney General's Office, or the FTA. Following WSDOT review and revision, a draft of the revised document is circulated to affected RTAs for comment. RTAs will receive at least 30 days to submit comments to the SSO Program Manager. A final version will be adopted by WSDOT and distributed to RTA points of contact. Upon issuing a revised Program Standard, WSDOT may request written acknowledgement of receipt of the revised version of the document. The RTA must respond

within 5 business days to any such request for acknowledgement by WSDOT. The final version is also submitted to FTA's Office of Transit Safety Oversight as part of WSDOT's Annual Report.

WSDOT recognizes minimum safety standards defined by FTA's TSO and administered by the RTAs within WSDOT's jurisdiction. The aim of the WSDOT Program Standard is not only to direct the RTAs on FTA compliance orders but also to describe the review and acceptance processes for an RTA's existing minimum safety standards. RTAs necessarily engage a multitude of documentation and safety procedures in every facet of their operations processes. WSDOT regularly consults with the transit agencies on updates, reviews, configuration management, and execution of their minimum safety standard practices. This interaction is largely defined through a number of measures including, but not limited to, audits, committee meetings, one-on-one meetings, and review/acceptance procedures of documentation.

## Section 3: Program Policy and Objectives

### 3.1 Safety Program Objectives

Under 49 CFR Part 674, the WSDOT Program Standard must set a policy and specific objectives for direction of safety programs directed by the RTAs. WSDOT intends on conveying the following objectives for successful administration of its state safety oversight program:

- Ability to adopt and enforce Federal and relevant state law for safety in RTA systems.
- Takes full responsibility for this state's safety program authority and requirements from the federal government, as well as the requirements of a Part 674 compliant SSO program, as defined in this program standard.
- Coordinate regularly with state RTA systems in support of each RTA's safety program, including oversight and technical assistance for maintaining and improving safety performance, management of RTA safety programs, and oversight of design, construction, operation, and maintenance of its systems.
- Ensure that RTA safety personnel successfully execute the requirements of internal programs as well as those of the SSO program. Additionally, SSO program must demonstrate qualifications to perform SSO job functions and receive appropriate training.
- Review, revise, and approve agency safety plans
- Perform triennial audits of RTA safety programs and monitor improvements thereafter
- Perform oversight of internal safety audits and monitor improvements thereafter
- Oversee RTA accident/hazard investigations, reporting processes, and review/approve final reports. SSO program may also participate and/or supply a lead role in these safety processes.
- Review, revise, and approve RTA safety certification processes and plans
- Encourage improved reporting from RTAs; including data from hazards, inspections, operator reports, operations control center reports, etc.
- Increased presence in the field with RTA operations (training, inspections, meetings)

## Section 4: Oversight of RTA Safety Programs

### 4.1 RTA Safety Plans

Currently 49 CFR Part 673, the regulation which governs the requirements for an agency safety plan, has yet to be finalized as a rule. This edition of the WSDOT program standard will not provide direction for the development of an ASP until such a rule has become final. In the interim, Part 674.9(c) states an “SSPP pursuant to part 659 shall serve as the rail transit agency’s safety plan until one year after the effective date of the ASP final rule, which shall be codified in part 673 of this chapter.” A revision to this section will occur subsequent to finalization of part 673 to assure SSO and RTA compliance with the requirements of an agency safety plan.

#### 4.1.1 SSPP Objectives

This section introduces WSDOT’s requirements for the **System Safety Program Plan (SSPP)**, which must be developed by each RTA for each RFGPTS, and formally reviewed and approved by WSDOT. WSDOT also requires each RTA to conduct an annual review to determine whether the SSPP should be updated, and to explain its process for receiving, reviewing, and formally approving updated SSPPs. WSDOT has adopted minimum system safety requirements in order to comply with 49 CFR Part 659. WSDOT encourages the RTAs to exceed this standard and further enhance safety by applying system safety principles throughout all life cycle phases of the transit system’s activities.

#### 4.1.2 SSPP Minimum Requirements

For each RFGPTS it is responsible for, RTAs must develop, implement, and maintain a separate written SSPP that is consistent and in alignment with the *National Public Transportation Safety Plan* and complies with the *Washington State Rail Safety Oversight Program Standard*. The SSPP must include:

- be endorsed by top management of the rail transit agency;
- establish the safety goals and objectives of the transit agency;
- identify the safety roles and responsibilities of all RTA departments/functions and of all relevant departments/functions of contracted agencies; including rail transit operating agencies.
- require cooperation within the transit agency and the accountability of executive leadership for addressing identified safety issues;
- identify the hazard management process to be managed by the RTA;
- identify the internal safety audit process to be managed by the RTA and overseen by WSDOT;
- identify the notification, investigation and reporting procedures to be used jointly by the RTA and WSDOT in managing accidents meeting thresholds specified by FTA’s Rule;
- require communication and coordination with WSDOT in all SSO Program provisions; and
- provide a schedule for the implementation and revision of the SSPP.

WSDOT will review and evaluate the compliance of SSPP plans using the checklist shown in **Figure 1**, which begins on the following page. WSDOT recommends that the structure of the SSPP closely match that of the checklist to ensure all required elements are incorporated into the plan.

**FIGURE 1: Checklist for Reviewing System Safety Program Plan (SSPP)**

Rail Transit Agency (RTA) and Rail Fixed Guideway Public Transportation System (RFGPTS)

WSDOT (SSO) Reviewer \_\_\_\_\_ Date \_\_\_\_\_

#	CHECKLIST ITEM	PLAN REQUIREMENTS Does the PLAN contain or provide for the following:	INCLUDED Yes — No	PAGE REF.	COMMENTS
1	Policy Statement	<ul style="list-style-type: none"> <li>• A policy statement is developed for the System Safety Program Plan (SSPP).</li> <li>• The policy statement describes the authority that establishes the system safety program plan.</li> <li>• The policy statement is signed and endorsed by the rail transit agency's chief executive.</li> </ul>			
2	Purpose, Goals and Objectives	<ul style="list-style-type: none"> <li>• The purpose of the SSPP is defined.</li> <li>• Goals are identified to ensure that the SSPP fulfills its purpose.</li> <li>• Objectives are identified to monitor and assess the achievement of goals.</li> <li>• Stated management responsibilities are identified for the safety program to ensure that the goals and objectives are achieved.</li> </ul>			
3	Management Structure	<ul style="list-style-type: none"> <li>• An overview of the management structure of the rail transit agency is provided including an organization chart.</li> <li>• Organizational structure is clearly defined and includes:                             <ul style="list-style-type: none"> <li>○ History and scope of service,</li> <li>○ Physical characteristics, and</li> <li>○ Operations and Maintenance.</li> </ul> </li> <li>• A description of how the safety function is integrated into the rest of the rail transit organization is provided.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

		<ul style="list-style-type: none"> <li>• Clear lines of authority used by the rail transit agency to manage safety issues is provided.</li> </ul>			
4	Plan Review and Modification	<ul style="list-style-type: none"> <li>• An annual assessment of whether the system safety program plan should be updated is specified.</li> <li>• The process used to control changes to the system safety program plan is described.</li> <li>• Specific departments and persons responsible for initiating, developing, approving, and issuing changes to the SSPP are identified.</li> <li>• Required coordination with the oversight agency regarding plan modification, including timeframes for submission, revision, and approval, is addressed.</li> </ul>			
5	Plan Implementation	<ul style="list-style-type: none"> <li>• A description of the specific activities required to implement the system safety program plan is included.</li> <li>• A description of rail transit safety related tasks to be performed, by position and management accountability.</li> <li>• A description of the methodologies used by the Safety Department to achieve their system safety goals.</li> <li>• Safety-related tasks to be performed by other rail transit departments, by position and management accountability, are identified and described.</li> <li>• A task matrix (or an equivalent narrative description) showing: all identified safety responsibilities, interfaces among all rail transit units responsible for each task, and the key reports or actions required, should be provided.</li> </ul>			
6	Hazard Management Process	<ul style="list-style-type: none"> <li>• The process used by the rail transit agency to implement its hazard management program, on-going communication with WSDOT is described.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

		<ul style="list-style-type: none"> <li>• The hazard management process includes activities for: hazard identification, hazard investigation, evaluation, and analysis, hazard control and elimination, hazard tracking.</li> <li>• Requirements for on-going reporting to the oversight agency relating to hazard management activities and status are specified.</li> </ul>			
7	Safety Certification Process	<ul style="list-style-type: none"> <li>• A description of the safety certification process required by the rail transit agency to ensure that safety concerns and 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 vehicles and equipment.</li> </ul>			
8	System Modifications	<ul style="list-style-type: none"> <li>• The process used by the rail transit agency to ensure that safety concerns are addressed in modifications to existing systems, vehicles, and equipment, which do not require formal safety certification, but which may have safety impacts, is described.</li> </ul>			
9	Safety Data Acquisition	<ul style="list-style-type: none"> <li>• The process used to collect, maintain, analyze, and distribute safety data is clearly defined.</li> <li>• The management process for ensuring that the Safety Department within the rail transit organization receives the necessary information to support implementation of the system safety program is clarified.</li> </ul>			
10	Incident Notification, Investigation, and Reporting	<ul style="list-style-type: none"> <li>• A description is provided regarding the process used by the rail transit agency to perform accident notification, investigation and reporting.</li> <li>• Criteria for determining what accidents/incidents require investigation, and who is responsible to conduct specific investigations are developed.</li> <li>• A description of the procedures for performing investigations, including proper documentation and reporting of findings, conclusions reached, use of</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

		<p>hazard resolution process to develop corrective action recommendations, and follow-up to verify corrective action implementation is provided.</p> <ul style="list-style-type: none"> <li>• Notification thresholds for internal departments/functions are defined.</li> <li>• Criteria are specified for notifying external agencies (NTSB, FTA, and WSDOT) of accidents and incidents.</li> <li>• Procedures are established for documenting and reporting on accident investigations.</li> <li>• Process used to develop, implement, and track corrective actions that address investigation findings is specified.</li> <li>• Coordination with the oversight agency is specified.</li> </ul>			
11	Emergency Management Program	<ul style="list-style-type: none"> <li>• The agency's emergency planning responsibilities and requirements are identified.</li> <li>• A description of the process used by the rail transit agency to develop an approved, coordinated schedule for emergency management program activities is provided.</li> <li>• Required meetings with external agencies regarding the emergency management program are specified.</li> <li>• The process used to evaluate emergency preparedness, such as annual emergency field exercises, is documented.</li> <li>• The agency requires after action reports following an emergency.</li> <li>• Findings are addressed through corrective action plan implementation.</li> <li>• The process is explained to be used by the rail transit agency for the revision and distribution of emergency response procedures.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

		<ul style="list-style-type: none"> <li>• The agency's responsibilities for providing employee training are identified.</li> <li>• The agency's responsibilities for providing familiarization training to local public safety organizations are identified.</li> </ul>			
12	Internal Safety Audit Program (ISAP)	<ul style="list-style-type: none"> <li>• A description of the process used by the rail transit agency to ensure that planned and scheduled internal safety audits are performed to evaluate compliance with the SSPP.</li> <li>• Identification of departments and functions subject to audit is performed.</li> <li>• Auditors must be independent from the first line of supervision responsible for the activity being audited.</li> <li>• A three-year audit schedule must be developed, reviewed, maintained and updated to ensure that all 21 SSPP elements are reviewed during the audit cycle.</li> <li>• The process for conducting audits, including the development of checklists, and procedures for conducting audits and issuing of findings is described.</li> <li>• Checklists must be submitted to WSDOT for its review at least 30 days prior to the audit.</li> <li>• The SSPP must describe the requirement of an annual audit report that summarizes the results of individual audits performed during the previous year and includes the status of required corrective action items. This report must be submitted to the state oversight agency for review and approval.</li> <li>• The process for resolving problems and disagreements, report distribution, and follow-up on corrective action procedures is described.</li> <li>• The ISAP process and reporting must be coordinated with the state oversight agency.</li> <li>• The ISAP process should be comprehensive.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

13	Rules Compliance	<ul style="list-style-type: none"> <li>• Operating and maintenance rules and procedures that affect safety are identified.</li> <li>• Operating and maintenance rules and procedures that affect safety are reviewed for their effectiveness and determinations are made regarding their need to be updated.</li> <li>• Description of process for developing, maintaining, and ensuring compliance with operating and maintenance rules and procedures.</li> <li>• Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing/compliance checks.</li> <li>• Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules.</li> <li>• Process for documenting results and incorporating them into the hazard management program.</li> </ul>			
14	Facilities and Equipment Inspections	<ul style="list-style-type: none"> <li>• Identification of the facilities and equipment that are subject to regular safety related-inspection and testing.</li> <li>• Description of how safety inspections and tests will be regularly conducted on identified facilities and equipment.</li> <li>• Use of a written checklist for conducting facility inspections.</li> <li>• Descriptions of how identified hazardous conditions are entered into the Hazard Resolution Process.</li> </ul>			
15	Maintenance Audit and Inspection Program	<ul style="list-style-type: none"> <li>• A list of systems, equipment, and facilities subject to a maintenance program, along with established maintenance cycle and required documentation of maintenance performed for each item, is provided.</li> <li>• A list of tools and equipment requiring calibration and a description of the process in place to ensure calibration schedules are maintained.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

		<ul style="list-style-type: none"> <li>• A description of the process for tracking and resolving problems identified during inspections is provided.</li> <li>• Use of a written checklist for conducting maintenance audits is required.</li> </ul>			
16	Training and Certification Program	<ul style="list-style-type: none"> <li>• A description of the training and certification program for employees and contractors.</li> <li>• Categories of safety-related work requiring training and certification are identified.</li> <li>• Description of the training and certification program for employees and contractors in safety-related positions is provided.</li> <li>• The process used to maintain and access employee and contractor training records is described.</li> <li>• The process used to assess compliance with training and certification requirements is described.</li> </ul>			
17	Configuration Management Process	<ul style="list-style-type: none"> <li>• A description of the configuration management control process is provided and appropriate references are made to other rail transit agency documents governing this process.</li> <li>• Authority and procedure to make configuration changes is described and assurances are provided for formal notification of all involved departments.</li> </ul>			
18	Compliance with Local, State and Federal Safety Requirements	<ul style="list-style-type: none"> <li>• A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements is provided.</li> <li>• Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency controlled property are identified.</li> <li>• Processes for ensuring the employees and contractors know and follow the requirements are described.</li> </ul>			

Washington State Rail Safety Oversight Program Standard: 2018

19	Hazardous Materials Program	<ul style="list-style-type: none"> <li>• A description of the hazardous materials program, including the procedures, rules, training, and protections in place to ensure the proper management of hazardous materials.</li> <li>• Identification of individual(s) responsible for the management of the hazardous materials program.</li> <li>• Description of the process used to maintain information and records on hazardous materials.</li> <li>• Description of how the hazardous materials program is integrated with the RTA's procurement process.</li> </ul>			
20	Drug and Alcohol Program	<ul style="list-style-type: none"> <li>• A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with program requirements is provided.</li> </ul>			
21	Procurement	<ul style="list-style-type: none"> <li>• A description of the measures, controls, and assurances in place to ensure that safety principles, requirements, and representatives are included in the rail transit agency procurement process.</li> </ul>			

### **4.1.3 Review and Approval of Initial SSPP**

In carrying out its oversight responsibilities under FTA's SSO Program (49 CFR 674), WSDOT will receive, review, and approve in writing each RTA's SSPP. With the SSPP, the RTA should also submit all referenced materials including standard operating procedures, audit and review checklists, hazard and corrective action tracking logs, training materials, schedules, and procedures for emergencies and accident investigations.

For all new RFGPTS, RTAs must submit an initial SSPP, which satisfies all requirements of the *Washington State Rail Safety Oversight Program Standard* and of 49 CFR Part 674. The plan must address all required elements listed in the **SSPP Review Check list**. The SSPP should be submitted in electronic format via email to the SSO Program Manager at least 180 days prior to the start of passenger service. Supporting procedures may be submitted via mail. WSDOT will review and comment on the submitted SSPP, using the SSPP Review Check list. While conducting its review, WSDOT may request additional information, clarifications, or revisions from the RTA safety point-of-contact. A meeting or teleconference may also be conducted to address issues identified by WSDOT during its review. The SSO Program Manager will convey any additional requirements. WSDOT will provide comments on the initial SSPP submission within 30 days of its receipt. The RTA must address these comments and resubmit the revised SSPP within 30 days of receiving them. The review process will continue until WSDOT finds no additional major deficiencies in the document. Upon approval, WSDOT will provide a written letter of approval and a copy of the completed checklist to the RTA.

### **4.1.4 Reviews and Revision of existing RTA SSPPs**

#### ***4.1.4a Required Annual Reviews of SSPP***

Each RTA shall review each SSPP at least annually and update it as necessary to ensure that it is current and in compliance at all times. The RTA shall complete the review for the previous calendar year and submit a revised SSPP to the SSO Program Manager by March 1. As appropriate, referenced materials affected by the revision(s) must also be submitted with the SSPP. In the event that the RTA initiates updates outside of the annual review cycle, the RTA shall submit the modified SSPP, and any subsequently modified procedures, to WSDOT for review and approval within 30 calendar days of the effective date of the change.

Each revised SSPP must include a text or tabular summary that identifies and explains proposed changes and includes a schedule for the completion of identified revisions. WSDOT will review subsequent SSPP submissions from RTAs. Upon approval of the modified SSPP, WSDOT will issue a letter of approval to the RTA, along with a completed SSPP Review Check list.

In the event that an RTA conducts its annual SSPP review and determines that no update is necessary, it must submit formal correspondence notifying WSDOT of this determination by March 1. If WSDOT wishes to object to this determination, the SSO Program Manager will notify the RTA within 30 days of receipt of this correspondence.

#### ***4.1.4b Required Revisions of SSPP***

Additional reviews of the RTA SSPP may be required to address specific issues based on revisions to the *Program Standard*, changes in federal requirements, and findings from audits, reviews, or investigations. WSDOT may also require updates to the SSPP to adjust to new data and trends in rail transit safety as well as findings and guidance from the FTA.

The RTA must submit a revised SSPP to WSDOT within 30 calendar days of receipt of a written notification from WSDOT of required modifications. WSDOT will review and approve the revised SSPP, providing a formal letter of approval or comments and a completed review checklist within 30 days of receipt of the revised SSPP.

#### ***4.1.4c SSPP Revisions for System Expansions and Major Enhancements***

WSDOT requires the SSPPs to be reviewed and modified as necessary to address major modifications and enhancements to the RFGPTS. These may include the planned opening of new stations, additional rail lines, new or expanded operations and maintenance facilities, or significant system wide equipment modification or replacement.

The revised SSPP should be submitted in electronic format via email to the SSO Program Manager at least 180 days prior to system expansions or major enhancements going online, including before the opening of new stations or rail lines for passenger service and before construction or testing is completed.

Review and approval for revised SSPPs will follow the same process as described for an initial SSPP.

#### **4.1.5 SSPP Readiness Review**

WSDOT reserves the right to conduct an on-site **SSPP Readiness Review** of any new system or system expansion. This review would be conducted after receipt of the RTA's SSPP submission, but prior to its entry into passenger operations. This assessment would focus on the capabilities of the RTA to implement its SSPP during passenger operations. This assessment may be conducted in conjunction with WSDOT's review and approval of the SSPP submission.

This assessment may be conducted formally, following the procedures specified for the **3-Year Safety Review** identified in Section 7 of this document, or it may be conducted as an informal on-site walk-through with RTA personnel. Based on the type of review conducted, WSDOT may issue an official report with required corrective actions, or it may require findings to be addressed by the RTA's own internal audit review process.

## 4.2 Internal Safety Audit Programs

The RTA must implement a process for conducting ongoing internal safety audits that ensures it is effectively implementing its SSPP and remains in compliance with the requirements of FTA's 49 CFR Part 674. The RTA's chief executive officer is required to annually certify that, based on the results of the internal audit process; it is implementing its safety programs as described in its SSPP. In the event that the chief executive officer cannot make this certification, an action plan must be submitted to WSDOT for review and approval.

### 4.2.1 Effectiveness of the audit

The RTA must ensure that the internal audit process allows for an objective review and assessment for all audit elements. This may require some audit elements to be audited by a different individual or audit team than for other audit elements. Auditors must not audit any elements that fall within the scope of their ongoing job responsibilities. The following general internal audit guidelines should be followed:

- The internal auditor should be free from any conflict of interest arising either from professional or personal relationships or other interests in an activity, which is subject to audit.
- The internal auditor should be free from undue influences which either restrict or modify the scope or conduct of his work or over-rule or significantly affect judgment as to the content of the internal audit report.
- The internal auditor should not allow his objectivity to be impaired when auditing an activity for which he has had authority or responsibility.
- An internal auditor should be consulted about significant proposed changes in the internal control system and the implementation of new systems and make recommendations on the standards of control to be applied.

### 4.2.2 Schedule for internal safety audits

Internal audits must be scheduled to allow for all elements of the SSPP, as identified in the review checklists (Figure 1), to be audited at least once every 3-years. A schedule for internal audits of the SSPP must be kept current at all times. The schedule must clearly identify the specific dates for a period of at least one year ahead that each element of the SSPP will be audited. When there are revisions to the schedule, an updated schedule must be submitted to WSDOT along with justification for the revision. Current internal audit schedules must also be submitted as part of the Safety Program Annual Report described in Section 12.

### 4.2.3 Notification of audits and submittal of audit checklists

At least 30 days prior to conducting each scheduled internal safety audit, checklists and procedures to be used during the audit must be submitted by the RTA. These materials must:

- Confirm the audit date and scope,
- Identify how the effectiveness and compliance of each element to be audited will be verified,

- Identify the individual(s) who will be conducting the audits, and
- Include the checklists and procedures that will be used,

For security sensitive information, any special provisions established by the RTA or WSDOT to ensure the protection of these materials must be followed. WSDOT may request additional materials or clarification from the RTA. WSDOT will issue a letter of approval to the RTA, indicating that the audit scope and checklists are consistent with the required 3-year internal audit schedule.

#### **4.2.4 Final internal audit report**

The RTA must prepare a written report, which documents the results of internal safety audits. The report must be submitted to WSDOT within 30 days of completing the audit. The report must indicate whether or not each audit element could be verified according to the audit checklists previously approved by WSDOT. For audit elements where the RTA could not verify that it was effectively implementing its SSPP or other findings where the RTA is not in compliance with state or federal requirements, a corrective action plan must be described that addresses the finding. Corrective action plans developed as part of the internal audit process, must be tracked until resolution on a corrective action plan tracking log, as described in Section 8.

#### **4.2.5 WSDOT acceptance of final audit report**

Within 30 days of receiving the final report, WSDOT will issue an acceptance letter indicating that all items on the previously approved audit checklist have been evaluated and either verified to be in compliance or have been addressed through a corrective action plan. If WSDOT finds the final audit report is lacking sufficient documentation to make this determination, it will request the RTA to submit a revised audit report.

#### **4.2.6 RTA Annual Reporting of Internal Audit Activities**

##### ***4.2.6a Safety Program Annual Report***

The RTA must complete the internal audit section of the Safety Program Annual Report. Section 12 further describes the requirements for this reporting.

##### ***4.2.6b Safety Program Annual RTA Certification***

WSDOT requires a formal certification by the RTA's chief executive officer confirming that based on the evaluation performed during the internal safety audit process of the previous year, the RTA is fully implementing its SSPP. Completion of the Annual Certification section of the Safety Program Annual Report will satisfy this formal certification requirement; therefore, the RTA is strongly encouraged to review all *Program Standard* requirements prior to submitting its signed annual report. The annual report is described further in Section 12.

## **Section 5: Triennial SSO Agency Audits**

### **5.1 Objectives**

This section introduces WSDOT's process for conducting on-site reviews of the RTA's implementation of its SSPP at least once every three years. This review determines the extent to which the RTA is meeting its SSPP requirements, the effectiveness of these plans, and whether they should be updated or whether actual practices should be modified to better reflect the requirements of these plans.

### **5.2 Minimum Requirements**

As specified in 49 CFR Part 674, at least every three years WSDOT must conduct an on-site review of the RTA's SSPP implementation. Alternatively, this on-site review may be conducted in an ongoing manner over the 3-year timeframe. For new systems, WSDOT may choose to conduct the first 3-year review prior to the start of passenger service.

In conducting the 3-year review, WSDOT will establish a review team and prepare a schedule, procedures and a checklist to guide the review process. Criteria will be established through which WSDOT can evaluate the RTA's SSPP implementation.

As the conclusion of the review, WSDOT will prepare and issue a report containing findings and recommendations resulting from the review, which will analyze the effectiveness of the SSPP and whether it should be updated. Corrective actions required because of this review will be managed through the process described in [Section 10](#) of this document.

WSDOT will submit its completed report for the 3-Year Safety Review to FTA as part of its Annual Submission.

### **5.3 Schedule of SSO Reviews**

The WSDOT SSO Program Manager will establish a schedule for conducting the on-site 3-Year Safety at each RTA operating within the state's jurisdiction. The schedule will include milestones to:

- Development of review check lists.
- Notification to the RTA of the review.
- Conduct a pre-review meeting with the RTA.
- Conduct an on-site review at RTA.
- Delivery of a draft report to the RTA.
- Issuance of a final report.
- Receipt, review, approval, and tracking of Corrective Action Plans.

### **5.4 WSDOT Review Team**

The SSO Program Manager will determine whether the review will be conducted by WSDOT personnel, a contractor, or a combination of both. Based on the milestone schedule, the SSO Program Manager will assign a team of WSDOT and/or contractor personnel to conduct the review. Each team must have a designated Lead Reviewer and supporting Team Members.

## 5.5 Document Requests and Review Checklists

Once assigned, the review team will begin its work by reviewing in detail the RTA's SSPP and referenced and supporting procedures and materials. These materials will form the basis of WSDOT's review checklist. As necessary, while preparing this checklist, the WSDOT SSO Program Manager may contact the RTA's safety point-of-contact and request additional information, procedures, or documentation. These requests may be transmitted via email, letter, or fax. For example, the team may request and review the RTA's operating rule book, bulletins, orders, instructions; standard operating procedures, maintenance manuals, track and signal documentation; design criteria for system modifications; internal safety audit check lists, results of the hazard management process; and the status of all Corrective Action Plans.

Utilizing these materials, the team will complete its checklist development. This checklist will identify:

- the safety requirements to be reviewed;
- the applicable reference documents that establish the acceptance criteria for those requirements; and
- the method of verification.

Space shall also be provided on the checklists to record the results of the review. Once the checklists are completed, WSDOT will formally notify the RTA safety points-of-contact of the upcoming review within 60 days from the review.

Shortly after notification, WSDOT will schedule a pre-review meeting with the RTA for clarification of any questions and concerns, and coordination of daily schedules with the RTA. Either during this meeting or via email or hard copy mail, the WSDOT SSO Program Manager will also transmit its review checklists to the RTA safety points-of-contact. The checklists will be delivered to the RTA at least 30 calendar days prior to the start date of the review.

## 5.6 On-Site Review

To begin the review, the WSDOT team will conduct an entrance meeting with the RTA to resolve any outstanding issues and verify the schedule previously agreed to at the pre-review meeting. The WSDOT team will then conduct the on-site review using checklists developed during the pre-review period and transmitted to the RTA. In performing this review, the WSDOT team will administer the checklists as specified, through interviews, document and record reviews, first-hand observations, spot checks, and visual examinations and measurements. Results will be recorded in the checklists. When the results indicate a deficiency or discrepancy with the acceptance criteria specified in the checklist, it will be noted and a supplemental form may be completed. At the conclusion of the on-site review, the WSDOT team will conduct an exit meeting with the RTA and provide an overview of the major findings, observations and concerns.

## 5.7 Draft and Final 3-Year Safety Review Reports

Following the completion of the on-site review, the WSDOT team will prepare a draft report. This draft report will provide:

- Verification that the SSPP contain integral parts of the RTA's overall management, engineering, operating, and maintenance practice, and/or identification of deficiencies or areas requiring improvement.
- Verification that the SSPP is reviewed, at a minimum, annually in order to ensure that it remains a dynamic and viable document, and to identify deficiencies or areas requiring improvement.
- Verification that the RTA regularly monitors compliance with the SSPP, through a continuous and ongoing internal safety audit process, and identifies deficiencies or areas requiring improvement.
- Verification that the RTA identifies potentially serious conditions, hazards, threats and vulnerabilities and ensures that methods to eliminate, control, and mitigate them are implemented and that deficiencies or areas requiring improvement are identified. (\*These security conditions must overlap with a safety condition in order to be relevant for Part 674 evaluation by the SSO)
- Verification that investigations are conducted following established procedures adopted by RTA, and/or identification of deficiencies or areas requiring improvement.
- Verification that the RTA's emergency preparedness programs are being implemented as specified in the SSPP, and/or identification of deficiencies or areas requiring improvement. (\*security conditions must overlap with a safety condition in order to be relevant for Part 674 evaluation by the SSO)
- Verification that specific activities and tasks identified in the SSPP are being carried out as specified in these plans, and/or identification of deficiencies or areas requiring improvement.

The draft report will be delivered to the RTA safety points-of-contact via email after WSDOT has reviewed the draft report. Upon receipt, The RTA will have 30 days to respond and comment. WSDOT will make any required revisions to the draft and issue the final report within 90 days of receiving the RTA's comments. WSDOT will also transmit the final 3-year on-site safety review reports to FTA as part of its Annual SSO Program Report to FTA.

Corrective action plans submitted by the RTA to address review findings will be reviewed, approved and tracked through to implementation following the process specified in [Section 8](#) of this document. While individual reports may vary, the basic outline used for the WSDOT 3-Year Safety Review Report is presented in **Figure 2**.

**FIGURE 2: Sample 3-Year Safety Review Final Report Outline**

<ul style="list-style-type: none"> <li>▪ Executive Summary</li> <li>▪ Introduction</li> <li>▪ Methodology for 3-Year Safety Review</li> <li>▪ RTA Implementation of System Safety Program Plan             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Hazard Management Process             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ System Safety Function Tasks and Activities             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Employee Training and Rules Compliance Programs             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Internal Safety Audit Process             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Safety in Capital Project Planning and Implementation             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Safety-Sensitive Employee Fitness-For-Duty             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Facilities Inspections and Employee/Contractor Safety             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Maintenance Inspections and Employee/Contractor Safety             <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Current Situation</li> <li>○ Evaluation Criteria</li> <li>○ Findings</li> <li>○ Recommendations and Observations</li> </ul> </li> <li>▪ Comments and/or Exceptions taken by the RTA</li> <li>▪ RTA Corrective Actions Tracking Matrix</li> </ul>
--	---

## Section 6: Accident Notification, Investigation, and Reporting

## 6.1 Accident Notifications

This section defines the thresholds for reporting RTA’s rail fixed guideway public transportation system accidents to WSDOT and the requirements in place for notification, investigation and reporting of them. The threshold criteria meet the reporting requirements established by 49 CFR Part 674.

### 6.1.1 Accident Notification Thresholds

WSDOT’s accident reporting criteria includes the minimum thresholds set forth by FTA in 49 CFR Part 674 along with WSDOT’s additional requirement that “Any collision in a grade crossing or intersection involving a revenue or non-revenue RTA controlled vehicle” also be reported as an accident. The following is a list of accident types that require reporting to WSDOT:

The threshold for reporting to WSDOT is met when any of the following occur:

- a fatality at the scene; or where an individual is confirmed dead within 30 calendar days of a transit-related incident;
- One or more persons suffering serious injuries<sup>(1)</sup>;
- Substantial property damage<sup>(2)</sup> resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle;
- A collision with a person or object resulting in serious injury or fatality;
- An evacuation due to life safety reasons;
- A runaway train;
- Fires resulting in a serious injury or fatality
- Any collision in a grade crossing or intersection involving a revenue or non-revenue RTA controlled vehicle;
- a derailment (mainline or yard);
- any collision on an RTA exclusive right of way;
- any collision between an RTA revenue vehicle and an RTA revenue or non-revenue vehicle; or any incident for which NTSB or FTA must be notified.

---

1 Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.)

2 Substantial damage EXCLUDES damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

Event/Threshold	Human Factors	Property Damage	Types of Events	Actions
<b>Accident: RTA to Notify SSOA and FTA within two hours</b>	<ul style="list-style-type: none"> <li>- Fatality (occurring at the scene or within 30 days following the accident)</li> <li>- One or more persons suffering serious injury</li> </ul>	<ul style="list-style-type: none"> <li>- Property damage resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle</li> </ul>	<ul style="list-style-type: none"> <li>- A collision between a rail transit vehicle and another rail transit vehicle</li> <li>- A collision at a grade crossing resulting in serious injury or fatality</li> <li>- A collision with a person resulting in serious injury or fatality</li> <li>- A collision with an object resulting in serious injury or fatality</li> <li>- A runaway train</li> <li>- Evacuation due to life safety reasons</li> <li>- A derailment (mainline or yard)</li> <li>- Fires resulting in a serious injury or fatality</li> </ul>	<ul style="list-style-type: none"> <li>- RTA to notify SSOA and FTA within 2 hours; investigation required</li> <li>- RTA to report to FTA within 30 days via the NTD</li> <li>- RTA to record for SMS Analysis</li> </ul>

The Hazard Management section (Section 7) included in the WSDOT program standard appropriately addresses all facets of incident notification required of the RTAs operating in WSDOT’s jurisdiction. This section shall serve as the formal direction for incident and hazard management in the interim until a process is determined in the forthcoming Agency Safety Plan (ASP) requirements outlined Part 673.

### 6.1.2 Accident Notification Requirements

The RTA must notify WSDOT within Two hours of any incident or event meeting the thresholds defined in [section 6.1.1](#). Accident notifications must, at a minimum, be made by email to WSDOT’s State Safety Oversight program at [TransitSafety@wsdot.wa.gov](mailto:TransitSafety@wsdot.wa.gov) and the FTA via the U.S. Department of Transportation Crisis Management Center (CMC) at [CMC-01@dot.gov](mailto:CMC-01@dot.gov) and include:

- Name of RFGPTS involved
- Name and title of person reporting accident
- Location, time, and date of accident
- Brief description of the event.
- Number of fatalities and injuries
- Brief description of ongoing agency response, and
- Other pertinent information.

## 6.2 Initial Accident and Unacceptable Reports

The RTA must submit a completed **Initial Accident Report** or **Initial Unacceptable Hazardous Condition Report** included as Figures 3.1 and 3.2, to WSDOT within Two business days of the accident or discovery of unacceptable hazardous condition.

- All sections and items must be completed, write N/A across the section (accident or

- unacceptable hazardous condition) that does not apply
- If there are no injuries or fatalities, write 0 or none instead of leaving item blank.
  - “Description of what occurred” section should briefly elaborate on information provided in initial notification.
  - “Description of corrective actions taken” section should describe the activities the Safety department and RTA as a whole has taken since the accident to investigate, analyze, and mitigate actual and potential hazards.
  - Form must be signed and dated.

The RTA will be required to resubmit the Accident or Unacceptable Hazardous Condition Initial Report if WSDOT considers it incomplete or inaccurate. In addition, WSDOT may request additional information not captured by the initial report form.

**Figure 3.1**  
**UNACCEPTABLE HAZARDOUS CONDITION**  
**INITIAL REPORT**

*This form must be submitted to WSDOT within 2 business days of the identification of an unacceptable hazardous condition. WSDOT must be notified of unacceptable hazardous conditions within 2hrs of their discovery.*

Rail Transit Agency and System: Was WSDOT notified within 2hrs? <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, notified by: _____ Time/Date and method of notification: _____ Describe how this unacceptable hazardous condition was discovered?  Was the UHC discovered as a result of a <b>reportable accident investigation/analysis</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what is the date, accident location and tracking number ID: _____  Was the UHC discovered as a result of an <b>incident or occurrence investigation/analysis</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No Please briefly describe the incident or occurrence, including date, time and location:  Did the UHC result from the <b>discovery of a trend</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  Was the UHC discovered resulting from a <b>hazard analysis</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No
---

**UNACCEPTABLE HAZARDOUS CONDITION (UHC)**

Describe the Unacceptable Hazardous Condition (UHC):		
Date Identified:	Who Identified:	How Identified:
Location(s) of UHC:		
Initial Hazard Ranking:		
1. Mitigations already taken by you or your contractors:		
Residual Hazard Ranking:		
Is the residual hazard ranking acceptable to your agency? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Yes, no further actions required. If no, continue to #2		

2. Mitigations that have been identified and will be implemented in the near term by you or your contractors:

Residual Hazard Ranking:

Is the residual hazard ranking acceptable to your agency?  Yes  No

If Yes, no further actions required. If no, continue to #3

3. Mitigations that have been identified and will be implemented in the long term by you or your contractors:

*Residual Hazard Ranking:*

Is the residual hazard ranking acceptable to your agency?  Yes  No

If no, what additional actions does your agency need to take?

**Prepared By:**

\_\_\_\_\_

**Name**

\_\_\_\_\_

**Signature**

\_\_\_\_\_

**Title/Agency**

\_\_\_\_\_

**Date**

**Figure 3.2**  
**ACCIDENT INITIAL REPORT**

***This form must be submitted to WSDOT within 2 business days of an incident WSDOT must be notified of reportable accidents within 2hrs.***

Rail Transit Agency and System: Accident <input type="checkbox"/> Was WSDOT notified within 2hrs? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, notified by: _____ Time/Date and method of notification: _____
--

**ACCIDENT**

Accident Notification Threshold Checklist: <i>(Check all that apply. If none are checked, formal notification not required)</i>		
<input type="checkbox"/> Fatality at scene; OR where an individual is confirmed dead within 30 calendar days of transit-related incident; <input type="checkbox"/> One or more persons suffering serious injury(3); <input type="checkbox"/> Substantial property damage(4) resulting from collision involving a rail transit vehicle' or any derailment of a rail transit vehicle; <input type="checkbox"/> An evacuation due to life safety reasons; <input type="checkbox"/> A runaway train; <input type="checkbox"/> Fire resulting in a serious injury or fatality; <input type="checkbox"/> Collision in a grade crossing or intersection involving a revenue or non-revenue RTA controlled vehicle; <input type="checkbox"/> A derailment (mainline or yard); <input type="checkbox"/> Collision on an RTA exclusive right of way; <input type="checkbox"/> Collision between an RTA revenue vehicle and an RTA revenue or non-revenue vehicle; or any incident for which NTSB, FTA or FRA must be notified		
Fatalities(s):	Injuries:	Estimated Property Damage: \$ _____
Date and Time:	Location of Accident:	Type of Accident:
Describe what occurred:		

3 Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.)

4 Substantial damage EXCLUDES damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

5 Fatality refers to a death at the scene or where an individual is confirmed dead within 30 days.

--

Who responded to the accident scene, including rail transit and emergency response agency staff?	
Name	Title/Department/Agency

When did normal operations resume?  
 What restrictions or special orders, if any?  
 OCS inspected prior to resuming operations:    Yes   No   NA  
 Track inspected prior to resuming operations:    Yes   No   NA  
 Signals inspected prior to resuming operations:   Yes   No   NA  
 Event Recorder Requested: Yes   No   NA    By:  
 Digital Video Recording Requested: Yes   No   NA   By:  
 LRV Impounded:   Yes   No   NA , If yes, held by:  
 Impound Location:  
 Have/Are the police investigating the accident?   Yes   No   If yes, what police agency?

Who is charged with leading your accident investigation?	
Name:	Title/Department/Agency:

Mitigations already taken by you or your contractors:  Have any short or long-term mitigations been identified by you or your contractors?
--

**Prepared By:**

Name	Signature	Title/Agency	Date
------	-----------	--------------	------

## **6.3 Accident Investigation Procedures**

RTAs must develop their own accident investigation procedures and submit them to WSDOT for review. These procedures must be part of the RTA's SSPP. Subsequent updates and revisions to these procedures should be submitted as they are completed and implemented by the RTA or with the annual update of the SSPP. These procedures should be treated as part of the SSPP. For new systems, these procedures will be submitted to FTA as part of its initial submission. For existing systems, subsequent updates will be submitted as part of the WSDOT's annual reporting to FTA. The RTA may use its own staff or a contractor to conduct its investigation; however, responsibilities should be clearly defined in these procedures.

### **6.3.1 WSDOT Adoption of RTA Accident Investigation Procedures**

For all investigations conducted on behalf of WSDOT by the RTA or its contractor, the RTA must use investigation procedures adopted by WSDOT. Any new accident investigation procedures or revisions to existing procedures must be submitted to WSDOT for its review. WSDOT may request that further revisions or edits are made to the procedures and will provide comments to the RTA if necessary. When the procedures are considered finalized, WSDOT will issue a letter to the RTA indicating its adoption of the current version. This letter will be provided to the FTA upon its request.

### **6.3.2 RTA Review of Accident Investigation Procedures**

WSDOT requires each RTA to review their accident investigation procedures program on an annual basis and make updates and revisions to it as necessary. A current version of an RTA's accident investigation procedures shall be provided as part of their Safety Program Annual Report. Additionally, the RTA must certify that the review of their accident investigation procedures was performed.

## **6.4 RTA Accident Investigations**

49 CFR Part 674.35 requires WSDOT to investigate, or cause to be investigated, at a minimum, any accident meeting the notification thresholds identified in [Section 6.1.1](#) or any unacceptable hazardous identified anywhere on the system. WSDOT authorizes the RTA to conduct an investigation on its behalf using previously adopted accident investigation procedures. WSDOT reserves the right to conduct its own investigation at any time prior to adopting a final accident investigation report prepared by the RTA. Additionally, the NTSB or FTA may choose to conduct their own investigations.

### **6.4.1 Status Reports of Ongoing Accident Investigations**

Until the investigation is completed, the RTA shall prepare and submit monthly status investigation reports. The status investigation reports at a minimum shall include:

- minutes of any meeting held by an RTA ad hoc reportable event investigation committee or contractor;
- disclosure of any immediate corrective actions the RTA has planned or completed;

- principal issues or items currently being evaluated; and
- overall progress and status of the investigation.

At any time during an investigation, the RTA shall be prepared to provide a full briefing on the known circumstances of the event, status of the RTA or NTSB investigation, and investigation activities.

#### **6.4.2 Accident Investigation Reports**

Each RTA investigation conducted on behalf of WSDOT must be documented in a final report. The report must be submitted to WSDOT within 45 calendar days of the accident. If the report is not received by the end of the 45<sup>th</sup> day, a warning notification will be sent to the RTA informing them of referral to the FTA for noncompliance while allowing the agency an additional five business days to submit the documentation. If documentation is not received after five business days, the FTA will be informed of their failure to comply and the RTA will be send notice of this communication. The report, at a minimum, must meet the requirements listed in the accident review checklists show in [Figure 4](#). WSDOT will use the review checklist shown in [Figure 4](#) to determine that the report:

- Provides the pertinent facts of the accident along with the records, logs, videos, photos, police reports, or other documentation that verifies their accuracy.
- Provides records from any interviews conducted which provide additional information or interpretation of the accident that could not be otherwise verified through documentation.
- Provides an analysis of the accident, which identifies findings and casual factors and determines root cause.
- Identifies appropriate corrective action plans to address all deficiencies and hazards that is signed by the director of safety, general manager, chief executive officer, or other individual who is responsible for implementing and monitoring the RTA's safety program.
- Describes the actions that have been taken to address investigation findings and identifies the corrective action plans that will be implemented.
- Provides documentation that verifies of completion of any corrective action taken.

**FIGURE 4:**  
**ACCIDENT AND INCIDENT INVESTIGATION REVIEW CHECKLIST**

RFGPTS:

Event Date/Description:

Date Submitted for WSDOT Review:

Reportable Due to (check all that apply)

- A fatality at the scene; or where an individual is confirmed dead within 30 calendar days of a transit-related incident;
- One or more persons suffering serious injuries (6);
- Substantial property damage (7) resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle;
- A collision with a person or object resulting in serious injury or fatality;
- An evacuation due to life safety reasons;
- A runaway train;
- Fires resulting in a serious injury or fatality
- Any collision in a grade crossing or intersection involving a revenue or non-revenue RTA controlled vehicle;
- A derailment (mainline or yard);
- Any collision on an RTA exclusive right of way;
- Any collision between an RTA revenue vehicle and a RTA revenue or non-revenue vehicle; or any incident for which NTSB or FTA must be notified

WSDOT reviewer:

This Report is: Approved \_\_\_\_\_ Not Approved \_\_\_\_\_

Report Section	Acceptable or Needs Revision	Comments
Executive Summary		
Facts/Sequence of Events		
-Location and time of event		
-Weather and other environmental conditions		
- Special circumstances affecting normal train operations		

6 Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (3) causes severe hemorrhages, nerve, muscle, or tendon damage; (4) involves any internal organ; or (5) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.)

7 Substantial damage EXCLUDES damage such as cracked windows, dented, bent or small punctured holes in the body, broken lights, mirrors, or removal from service for minor repair or maintenance, testing, or video and event recorder download.

- Summary of emergency response/rescue if applicable		
<b>Injuries/Fatalities</b>		
-Description of injuries/fatalities including location and mode.		
-Description of injuries/fatalities including categorization by employee, patron, and the public.		
<b>Damages</b>		
-Estimated total, including breakdown of damages to RTA vehicles, systems, and equipment as well as to non-RTA property and vehicles.		
<b>Analysis/Findings</b>		
<b>Probable Cause</b>		
<b>Contributing Factors</b>		
<b>Corrective Action Plans and Other Recommendations</b>		
<b>Appendices</b> -All applicable police reports, witness statements, interviews, inspection reports, etc.		

### 6.4.3 WSDOT adoption of accident investigation reports

WSDOT may request revisions or additional supporting data. WSDOT has 30 days to review the final report and respond to RTA with proposed corrections or final adoption letter. When the investigation report is considered finalized, WSDOT will issue a letter to the RTA indicating its adoption of the investigation report prepared on its behalf. WSDOT may request that accident reports be sent to additional agencies, including local law enforcement, fire department, or other stakeholders in the investigation.

Reports and records of accident investigations submitted to WSDOT by the RTA, as well as related reports and records produced by both WSDOT and the RTA, will be treated as confidential information and will not be released without concurrence by both WSDOT and the RTA.

### 6.4.4 Required revisions to accident investigation reports.

In the event that WSDOT does not agree with the description of the investigation, the identification of primary and contributing causes, or the findings of the RTA report, WSDOT shall communicate to the RTA safety point-of-contact, the area(s) of disagreement or concern within ten days of receipt of the investigation report. WSDOT will work with each RTA to address issues identified in its accident investigation report. In the event that agreement cannot be reached on these issues, WSDOT will issue its own accident investigation report.

WSDOT approval must be obtained on the corrective action plan portion of the RTA accident investigation report. In the event that WSDOT takes issue with the RTA’s proposed corrective action plan, WSDOT and the RTA must work together until WSDOT approval can be obtained.

To reduce the potential for conflict, WSDOT requires RTAs to provide the SSO Program Manager with monthly updates on the status and developments of ongoing investigations.

## 6.5 Independent WSDOT Accident Investigations

WSDOT at its discretion may choose to conduct an independent investigation of any accident meeting the thresholds specified in [Section 6.1.1](#) utilizing its own personnel or an authorized contractor. Any investigation conducted by WSDOT or its contractor must be in accordance with the adopted RTA investigation procedures.

WSDOT can initiate its own investigation at any time prior to adopting the RTA's accident investigation report. WSDOT will inform the RTA of its intention to conduct an independent in advance of beginning investigation activities on RTA facilities and infrastructure or involving interviews with RTA personnel. WSDOT will advise the RTA of the personnel who will be conducting the independent investigation, and provide a preliminary schedule of the investigation process.

All WSDOT authorized accident investigation personnel, including consultants hired for the purpose of conducting an accident investigation, are granted authority under the state safety oversight program to conduct an investigation and evaluate records, materials, data, analysis, and other information which is pertinent to the investigation. It is expected that the RTA will provide the WSDOT investigation team the resources and information necessary to conduct the investigation in an effective and efficient fashion.

WSDOT accident investigation personnel may conduct field analysis, operational surveys, interviews, record checks, data analysis, and other on-site and off-site tasks that may be necessary for a comprehensive investigation.

WSDOT accident investigation personnel will request, via an email or letter to the safety point-of-contact, any additional information they may require which is not readily available or which may require additional resources of the RTA in order to collect.

In conducting its investigation, WSDOT will, at a minimum, perform the following activities:

- Assign a team of qualified personnel to investigate the accident (off-site and on-site). The team will include individuals with technical expertise in the type of accident being investigated. For example, a vehicle expert would be included in a team conducting the accident investigation for an accident involving a rail vehicle mechanical failure. Technical areas of specialization may include:
  - System Safety
  - Safety Training
  - Transportation Management and Operations
  - Substance Abuse and Fitness for Duty Programs
  - Vehicles and Vehicle Maintenance
  - Worker Health & Safety, Facility Safety, & Hazardous Materials
  - Emergency Operations

– Track, Structures, Signals, & Communications

- The WSDOT on-site team will wait until the RTA and/or other emergency response personnel have secured the accident/incident scene area before commencing its on-site accident investigation. WSDOT reserves the right to request that the RTA hold the accident scene to the maximum extent feasible until the arrival of, and accident investigation by, WSDOT team members.
- Assess physical evidence of the accident scene including damage and debris analysis; skid mark analysis; and the use of measurements, diagrams and photographs. They also will document the environmental and physical factors of the accident scene.
- As part of the accident/incident investigation, WSDOT will also assess compliance with operating rules and procedures; conduct follow-up interviews (if required); analyze employee records and the results of post-accident drug and alcohol tests; and conduct vehicle and equipment inspections.
- All information gathered from the accident/incident investigation will be documented and included in the WSDOT accident investigation report.
- Within 30 days of completion of the on-site and off-site accident investigation requirements, the WSDOT investigation team will prepare a draft accident investigation report.
- The draft accident investigation report will be provided to the RTA for its review. Comments will be due to WSDOT within ten working days of initial receipt of the draft report. If necessary, a meeting to discuss the draft report can also be held between WSDOT and the RTA. If necessary, and based upon the comments received from the transit agency, the draft report will be revised. WSDOT may choose to issue its final report without RTA concurrence. In these instances, WSDOT may include the RTAs written dissent as an appendix to the final report.
- A final accident investigation report will be issued by WSDOT within 30 workdays of the end of the comment period.

The RTA will be required to review the final WSDOT accident investigation report, and within ten days after receiving it, either (1) provide concurrence to implement WSDOT-proposed corrective action plans or (2) submit an alternate corrective action plan to WSDOT for review and approval.

## **6.6 FTA or NTSB Accident Investigations**

The FTA or the National Transportation Safety Board (NTSB) may serve as the lead agency in the investigation of reportable events. In such cases, where FTA or NTSB is responsible for leading an investigation; WSDOT will support the investigation, including in the review and implementation of findings and recommendations.

In the event of a FTA or NTSB investigation, the RTA shall be responsible for briefing WSDOT on

**Washington State Rail Safety Oversight Program Standard: 2018**

FTA or NTSB activities including but not limited to meetings, interviews, requests for data, functional testing, examination of equipment, and the results of drug and alcohol tests. The RTA shall provide WSDOT with a copy of all written correspondence with FTA or NTSB concerning a reportable event or investigation, and shall provide WSDOT a copy of all FTA or NTSB reports and any recommendations concerning the event or its investigation, upon receipt by the RTA. WSDOT will assist FTA or NTSB by providing information requested about the RTA critical practices and other matters as appropriate.

If the FTA or NTSB releases preliminary findings and recommendations, WSDOT is authorized to participate in any discussions and reviews with the RTA and the lead investigating agency. Where the RTA adopts final recommendations and findings, WSDOT will support and provide additional oversight for the implementation of corrective action plans. However, where the RTA does not accept or adopt recommendations or findings, WSDOT will coordinate with the lead investigating agency and the RTA until resolution can be reached. WSDOT may choose to adopt FTA and NTSB final recommendations and findings, through its authority under Part 674 and require an RTA to implement necessary corrective action plans and mitigations.

## **Section 7: Hazard Management Program**

### **7.1 Hazard Management Program Minimum Requirements**

WSDOT requires each RTA to develop and document in its SSPP a process to identify and resolve hazards on all aspects of its rail transit system and for all life cycle phases, including for all elements of existing systems as well as any modifications or major enhancements to them. The SSPP must define the RTA's approach to hazard management and the implementation of an integrated system-wide hazard resolution process.

The hazard management program must establish procedures for the identification, notification, analysis, and evaluation of the probable cause and causal factors of incidences and occurrences. The hazard management program must address the mitigation of all undesirable and unacceptable hazardous conditions.

### **7.2 Hazard Identification**

The RTA must specify the sources of, and the mechanisms to support, the ongoing identification of hazards; including from:

- Planning and design of new systems,
- Planning and design of system expansions;
- Construction or modification of system elements,
- Testing of new systems elements or components;
- Procurement of new systems elements or components;
- Preliminary hazard analysis;
- Inspections of critical system elements, including equipment, track and facilities;
- Incident and occurrence reports and accident investigations;
- Reports from employees and employee safety meetings;
- Review of unusual occurrences log;
- Review of compliance checks and evaluations;
- Analysis of maintenance logs and inspections;
- Findings from internal or external audits;
- Trend analysis of safety data;
- Comprehensive safety analysis;
- Root cause analysis;
- Close call reporting; and
- Job hazard analysis.

### **7.3 Hazard Notification**

The SSPP must describe the RTA's procedures for ensuring that internal and external stakeholders are notified of hazards. These procedures should identify the thresholds at which incidences and occurrences require notifications, analysis, and evaluation of potentially hazardous conditions. The SSPP should include a list or worksheet of typical incidences and occurrences and their corresponding notification requirements to stakeholders. The purpose of this list is to prevent delay in notification, since items on this list will be known to result from undesirable or unacceptable

hazards, and notification can occur prior to their analysis and evaluation.

### 7.3.1 Internal Hazard Notification

The SSPP must describe the process and procedures for the identification and recording of reasonably foreseeable hazards and the assessment and recording of risks once identified (on a prioritized basis) to ensure that the stakeholders within the RTA, including the safety department and management, are notified of hazards resulting from incidences, occurrences and accidents. The SSPP must also describe how internal stakeholders are notified of hazards determined to be undesirable or unacceptable.

### 7.3.2 Hazard Notification to WSDOT

WSDOT has established minimum requirements for the reporting of incidents and occurrences to its SSO program:

**WSDOT  
INCIDENTS AND OCCURENECES  
NOTIFICATION**

**INCIDENTS AND OCCURENCES REQUIRING NOTIFICATION WITHIN 2 HRS**

**Via Email to [TransitSafety@wsdot.wa.gov](mailto:TransitSafety@wsdot.wa.gov)**

Any incident, occurrence, defect or condition of concern with potential to cause fatality, serious injury, or significant property damages. Including but not limited to:

*Facilities and Other System Infrastructure*

- Wash Out/Mud Slides

*Safety and Warning Device Failures:*

- Any failure requiring use of manual block operations.
- Any failure requiring speed restrictions or other temporary operating restrictions.
- Wrong side signaling failure (false proceed)
- Activation failure, partial activation, or a false activation of a rail grade crossing warning system.
- Local or system wide malfunctions of signal system

*Track Defects:*

- Broken rail (or increase changes in number, frequency or nature of breaks)
- Track buckle
- Defects requiring placement of speed restriction or single tracking.

*Electrification Issues:*

- Failure of insulators and/or contactors resulting in electrical arcing
- Failure of other system components resulting in electrical arcing, burning or smoke
- Exposed energized electrical conductors or equipment that can be contacted by employees, passengers, or the public.
- Electric shock to individual(s) requiring off-site medical evaluation and/or requiring the shut down or red tagging of equipment.

*Vehicle Conditions:*

- Broken or loose wheel or axle

**Washington State Rail Safety Oversight Program Standard: 2018**

- Break failure
- Train Separation (train uncoupling)
- Sparks, Smoke, or Fire

*Operating Issues:*

- Broken or loose wheel or axle
- Incapacitated train operator in revenue service
- Failure of train operator to recognize flagging/work zone (as evidenced by portable trip stop overrun, shunt device, etc.)
- Failure of employee to appropriately place or remove precautionary safety devices (derails, trip stops, other items)
- Train speeding through work zones in revenue service
- Leaving equipment or materials that fouls or obstructs train movements on an adjacent track
- Vehicle door opening on wrong side, vehicle door opening away from station platforms, or vehicle door opening during train movements.

*External Notification:*

- Notification to NTSB
- Notification to FTA

**INCIDENTS AND OCCURENCES REQUIRING NOTIFICATION WITHIN 24 HRS**

via email to [transitsafety@wsdot.wa.gov](mailto:transitsafety@wsdot.wa.gov)

*Rules Compliance Issues:*

- Discoveries of systemic patterns of employee non-compliance with transit agency rules and procedures

*Incidents and Near-miss occurrences:*

- **Injuries requiring immediate medical attention away from the scene not previously reported per accident reporting protocols;**
- Any collision, not previously reported per accident reporting protocols, of a train with an individual, an object, or another train.
- Near-miss collision of train with another train or object (defined as deployment of any emergency braking application)
- Near-miss collision with employee, contractor or other individual, including trespassers on the rail right-of-way
- Near-miss industrial incident, both on or off RTA controlled property, requiring off-site medical evaluation and/or requiring the shut down or red tagging of equipment.
- Near-miss industrial accident, both on or off RTA controlled property, with potential for fatality or serious injury or significant property damage.

*Switch Issues:*

- Improperly lined track switches (switch left in incorrect position)
- Failure to latch and or lock a track switch
- Operating over a track switch previously run through (i.e. damaged or broken)

**INCIDENTS AND OCCURENCES REQUIRING NOTIFICATION WITHIN 48 HRS (Via Email, Phone, or Hard Copy)**

*Environmental Conditions:*

- *Significant Natural Disaster*  
(Within 48 hours, provide WSDOT a list of any damages to the system and all hazards requiring immediate mitigation. Also, provide WSDOT with results of safety assessments conducted for any critical system elements.)

**7.3.2 Hazard Notification to External Stakeholders**

The SSPP must describe the processes and procedures in place to ensure that external stakeholders receive notification of hazards, as required or as necessary. The thresholds and criteria at which external stakeholders are to be notified must be specified. The SSPP must also describe how the RTA works with external stakeholders, such as state, city, or local property owners to mitigate undesirable and unacceptable hazards.

**7.4 Hazard Analysis and Evaluation**

The RTA must analyze and evaluate every identified hazard to assess its level of criticality. *All hazards must be assumed to be unacceptable until an evaluation can be conducted to determine otherwise.* The SSPP must define the criteria for determining if an identified hazard requires mitigation or elimination. These criteria should be based on the likelihood and potential severity of the hazard and must be independent of the expected cost of resolution. The RTA must define the process, by which identified hazards will be evaluated and prioritized for elimination and control, including:

- The agency’s schedule or time requirements for completing the analysis and evaluation;
- The committee or individuals who will conduct the analysis and evaluation, and their process to reporting findings and recommended mitigation to management;
- The procedures that will be used for analyzing hazards;
- The criteria that will be used for evaluating and prioritizing hazards;
- The procedures that will be used for mitigating and controlling hazards;
- The process for reporting unacceptable hazards to WSDOT and to RTA management;
- The mechanism used to track through resolution the identified hazard(s);
- The resources available to the RTA for the identification, investigation, evaluation, and resolution of hazards.

**7.5 Unacceptable Hazardous Conditions**

After an unacceptable hazard identification is made, the RTA must determine what immediate measures should be in place to effectively eliminate or reduce the hazard risk to an acceptable level that will prevent or significantly reduce the potential harm from happening. The SSPP must describe the process for the notification, investigation, and mitigation of unacceptable hazardous conditions. This must include a description of the process for addressing the hazard in the immediate, short, and long term. The SSPP must describe the process for assuring and

documenting that the hazard be mitigated to the point to allow for any affected service, equipment, facilities or other RTA controlled resources to be returned to normal operations. The SSPP must state that WSDOT will be provided with documentation of measures taken and corrective action plans developed and being implemented by the RTA to address the hazardous conditions.

### **7.5.1 Unacceptable Hazardous Conditions Notification**

The RTA must notify WSDOT within 2hrs when a hazard is determined to be unacceptable based on the analysis and evaluation process described in Section 5.5. A completed Accident or Unacceptable Hazardous Condition Initial Report must be submitted to WSDOT within 2 business days. A copy of this reporting form can be found in Section 6: Accident Notification, Investigation, and Reporting.

Hazards considered to be Unacceptable are automatically entered as CAP items in the CAP log. Hazard considered to be Undesirable must be resolved within 6 months. Undesirable hazards not mitigated in this time frame will be elevated to the CAP log.

### **7.5.2 Unacceptable Hazardous Conditions Investigation**

49 CFR Part 674 requires WSDOT to investigate, or cause to be investigated any unacceptable hazardous condition involving a rail transit vehicle or taking place on rail transit-controlled property. In conducting these investigations, WSDOT may:

- Authorize the RTA to conduct an investigation on its behalf using investigation procedures previously adopted by WSDOT,
- Conduct its own independent investigation, or
- Join in the investigation through NTSB's Party System of inter-agency technical collaboration, if NTSB is investigating or support an investigation conducted by the FTA.

#### ***7.5.2(a) RTA unacceptable hazardous condition investigation***

The SSPP must specify the procedures the RTA will use for investigating unacceptable hazardous conditions. The RTA must submit a status report of the unacceptable hazard investigation to the SSO Program Manager at least monthly or until the investigation is completed. These reports must follow the guidelines for ongoing status updates described in Section 6, including an update of ongoing mitigation to the hazard. Each RTA investigation conducted on behalf of WSDOT must be documented in a final report. The report must:

- Describe how and when the hazard was identified;
- Describe the process used to analyze and evaluate the hazard;
- Provide documentation of the analysis and evaluation that was conducted;
- Identify the short-term mitigations, if any, that reduced the severity and/or probability of the hazard;
- Identify the planned or recommended long term mitigations to permanently mitigate or eliminate this hazard; and
- Identify corrective action plans that document mitigations to be taken.

This final report must be submitted to the WSDOT SSO Program Manager for review and approval. WSDOT will review the report, using the process specified in Section 6 of this document, within 30 calendar days of its receipt. Following approval of the final investigation report, WSDOT will

issue a written letter stating it has adopted the investigation and report. In the event that WSDOT does not accept the RTA report, WSDOT will communicate in writing the area(s) of disagreement or concern. The report shall not be considered final until all conditions are met and the report is adopted by WSDOT.

**7.5.2(b) WSDOT unacceptable hazardous condition investigation**

WSDOT reserves the right to conduct independent investigations of identified unacceptable hazards at any time prior to adopting a final investigation report. These investigations will be conducted using the same framework described in Section 6 for accident investigations. Upon its determination to conduct an independent investigation, WSDOT will inform the RTA in writing.

WSDOT will advise the RTA of the following:

- investigation processes;
- identity of individual(s) conducting the investigation; and
- tentative schedule of investigation elements.

The RTA shall assist WSDOT investigators by providing required information and resources necessary for conducting the investigation. WSDOT or its contractor will complete an investigation report that includes a description of activities, findings, identified causal factors, and a corrective action plan. The report will be finished within 30 calendar days after completion of the investigation, and will be delivered to the RTA for review. The RTA will have 15 days to prepare correction action plans that address investigation findings and submit them to the SSO Program Manager.

**7.6 Corrective Action Plans/Elimination and Control of Hazards**

The RTA must eliminate unacceptable hazardous conditions or mitigate them until an acceptable level of risk can be achieved. In addition, the RTA must work to mitigate or eliminate all hazards whenever possible.

The RTA shall develop a corrective action plan to correct those elements or activities identified as unacceptable. In addition, WSDOT may, during the course of an investigation, identify corrective actions to avoid or minimize the reoccurrence of the unsafe condition or to address a related, systemic problem. Procedures associated with development, submission, review and approval of corrective action plans are the subject of Section 10 of this document. At any time during an investigation, WSDOT reserves the right to request a full briefing from the RTA on the known circumstances of the investigation, including corrective actions.

Hazards with indices considered to be unacceptable are automatically entered as CAP items in the CAP log. For Hazards with indices considered to be Undesirable the risk must be accepted by the agency or a CAP item must be submitted to WSDOT within 6 months.

These corrective action plans must be included on the corrective action plan-tracking log described in Section 10 of this document. The tracking log must clearly state how unacceptable hazardous conditions will be mitigated or eliminated. WSDOT will review and approve proposed corrective action plans to address unacceptable hazardous conditions using the same process described in Section 10.

## **7.7 Required Hazard Management Program Quarterly Meetings**

To ensure an ongoing involvement in the RTA's hazard management process, as specified in 49 CFR Part 659.31, WSDOT requires quarterly meetings with the RTA to review ongoing hazard management program activities. These meetings should occur no later than the third week after the calendar year quarters ending on March 31, June 30, September 30, and December 31. By the first week after each calendar year quarter has ended, the RTA must submit to WSDOT a proposed date and location for the quarterly meeting and a proposed agenda. WSDOT will review and approve the agenda, making any modifications as appropriate, and schedule the quarterly meeting with the RTA.

During the quarterly meetings, WSDOT retains the authority to request and review any records maintained by the RTA documenting the results of its hazard management program. If these records are not available at the meetings, they will be transmitted to the SSO Program Manager via email or in hard copy via mail after the conclusion of the quarterly meeting.

The RTA should prepare meeting minutes from each quarterly meeting, being sure to document any identified action items or required activities. The meeting minutes should be prepared and submitted to WSDOT no later than two weeks after each quarterly meeting.

## Section 8: Safety Certification

For New Starts and other RFGPTS projects where a Safety and Security Management Plan (SSMP) is required, RTAs must also develop and implement an initial Safety and Security Certification Plan (SSCP). The SSCP must be updated, as necessary, to address subsequent system expansions or major enhancements regardless of any SSMP requirement. The following safety certification requirements, apply to the SSO Program:

- The major requirements and elements of the RTAs safety certification process must be described in its SSPP with reference to the SSCP as the primary plan for this process.
- The final version, as well as subsequent updates of the Safety and Security Certification Plan, must be submitted to WSDOT.
- Prior to the start of passenger service, all unresolved critical safety and security items identified through the certification process must be addressed through temporary workarounds or permanent mitigations until risk can no longer be considered critical.
- Following approval of the RTAs initial SSPP, The RTA must provide WSDOT with monthly updates of unresolved items.
- Prior to the start of passenger service, WSDOT must receive a letter from the RTA's chief executive officer declaring that the system has been certified safe and ready to carry passengers. The letter must state that all critical items are being addressed through temporary or permanent mitigations. Failure to provide this written verification is considered non-compliance with the safety certification element of the RTAs SSPP. If WSDOT does not accept this determination, the RTA must revise work-arounds and implement corrective action plans to address identified hazards. The RTA is strongly encouraged to provide WSDOT with ongoing updates during the safety certification process to ensure WSDOT acceptance is received prior to the scheduled start of passenger service.
- Following the start of passenger service, all temporary resolutions of critical items, must be addressed and tracked through a Corrective Action Plan until a permanent resolution can be implemented.

## **Section 9: Drug and Alcohol Program**

The RTA must develop and implement a drug and alcohol program that satisfies the requirements of the Federal Transit Administration in 49 CFR Part 655. The RTA must describe its program in its SSPP with reference to the procedures and rules in place for safety sensitive employees. In addition, the RTA must provide WSDOT with a copy of the final audit report following any FTA audit of the RTAs drug and alcohol program. WSDOT will coordinate with the RTA to develop corrective action plans to address any findings or to track corrective action plans required by the FTA Office of Drug & Alcohol Policy Compliance.

## Section 10: Corrective Action Plans.

### 10.1 Corrective Action Plan Minimum Requirements

The RTA must develop a Corrective Action Plan (CAP) to address:

- Hazards and deficiencies identified by the RTA's hazard management program;
- Findings from accident investigations;
- Findings from the RTA's internal safety audit process; and
- Findings from a WSDOT 3-Year Safety Review.

Each corrective action plan shall identify:

- An identified hazard or deficiency;
- Planned activities or actions to resolve the deficiency or hazard;
- RTA department(s) responsible for implementing the corrective action; and
- The scheduled completion dates for implementation.

The Corrective Action Plan shall be submitted to WSDOT for review and approval within 30 days of the identification of a casual factor, hazard, or deficiency.

### 10.2 RTA dispute of a required Corrective Action Plan

In the event that WSDOT and the RTA dispute the need, findings, or enforcement of a Corrective Action Plan, WSDOT will allow the RTA 30 calendar days to submit its case. WSDOT will then issue final direction to the RTA regarding the Corrective Action Plan, which may include WSDOT's creation of a Corrective Action Plan to be implemented by the RTA and included in WSDOT's annual reporting to FTA.

### 10.3 Tracking of Corrective Action Plans

The RTA shall develop and maintain a **Corrective Action Monitoring Log**, which identifies all Corrective Action Plans approved by WSDOT and presents their status. This log shall be submitted monthly to the SSO Program Manager via email or mail. If there are no active Corrective Action Plans, a letter stating that there are no known safety deficiencies or hazards that require a Corrective Action Plan, can be submitted in lieu of a Corrective Action Monitoring Log.

### 10.4 New Corrective Action Plans

A Corrective Action Plan must be developed by the RTA to mitigate and eliminate hazardous conditions as described in [section 7](#). A new CAP must be identified on the Corrective Action Monitoring Log submitted to WSDOT. This log, included as [Figure 5](#), must identify the action to be taken, expected date of completion, the individual responsible for its implementation, and a brief status update of the progress or issues preventing resolution. In addition, RTAs must identify the source of the finding that resulted in the development of the CAP, such as a specific investigation, study, audit, meeting, or report. For the consistent tracking of CAPs, WSDOT requires CAPs to be identified with the following numbering format: **yyymm-#**, where # refers the unique CAP number for the given month. [Figure 5](#) provides an example of a completed Corrective Action

Monitoring Log. Upon WSDOT approval of a new CAP proposed by an RTA, it is considered Open.

#### **10.4.1 New Corrective Action Plans for Unacceptable Hazardous Conditions**

Hazards with indices considered Unacceptable must have immediate mitigation before affected service, equipment, facilities, or other RTA controlled resources can be returned to operations. Per the requirements of Section 7.5.1, WSDOT must be notified within 2 hours of the identification of an unacceptable hazardous condition.

The RTA may take immediate or emergency corrective actions in order to bring service, equipment, facilities, or other RTA controlled resources back into operations. The RTA must provide WSDOT with documentation of the corrective action plan being implemented within 48hrs of the service, equipment, facilities, or other RTA controlled resources being brought back into service. This documentation must indicate how the corrective action plan reduces the hazard from an unacceptable level. WSDOT will review and approve the opening of this new CAP even if it has been already fully implemented, as a means of fully documenting the process.

#### **10.4.2 New Corrective Action Plans for Undesirable Hazardous Conditions**

WSDOT will create a new CAP item for undesirable hazardous conditions that remain on the RTA's hazard tracking log for more than 6 months without documented mitigation to an acceptable level that will prevent or significantly reduce the potential harm from happening.

#### **10.4.3 New Corrective Action Plans for NTSB findings**

In the event that the NTSB conducts an investigation, the RTA and WSDOT shall review the NTSB findings and recommendations to determine whether or not a corrective action plan should be developed by the RTA. The RTA must develop a corrective action plan if required to do so by either the NTSB or WSDOT.

### **10.5 Completed Corrective Action Plans**

As Corrective Action Plans are completed, the RTA must submit verification that the corrective action(s) has been implemented as described in the Corrective Action Plan. This verification should be submitted with the monthly Corrective Action Monitoring Log in electronic or hard copy format. Once WSDOT determines that sufficient documentation has been received to verify the completion of a CAP, a letter will be sent to the RTA indicating that WSDOT agrees with the RTAs determination that the CAP has been completed. Upon WSDOT approval of a completed CAP, it is considered Closed.

### **10.6 Corrective Action Plan Review and Approval**

Within 30 calendar days of receiving a status update or Corrective Action Monitoring Log, WSDOT will notify the RTA in writing of its approval or rejection of RTA recommendations to open or close CAPs. In the event WSDOT does not agree with an RTA's recommendation, it will state its reasons in writing and recommend revisions. The RTA must submit a written response or revised CAP within 15 days of receiving a written WSDOT response.

## 10.7 Monitoring and Tracking

The RTA shall maintain a Corrective Action Monitoring Log and provide WSDOT with monthly corrective action implementation updates. Completed CAPs must be included on this log, until WSDOT has approved them to be closed. Documentation verifying CAPs have been completed must be submitted to WSDOT for review. In certain instances, WSDOT may choose to conduct its own verification of completed CAPs. A Sample Corrective Action Monitoring Log is included as **Figure 5**.

**FIGURE 5: SAMPLE CORRECTIVE ACTION PLAN TRACKING LOG**  
**XYZ TRANSIT AGENCY: 321 RAIL TRANSIT SYSTEM**  
**CAP Tracking Log: September 2013**

WSDOT #	Source	Recommendation/Finding	Corrective Actions Planned	To Be Completed On or Before	Assigned To:	Comments / Issues Preventing Resolution	Status
201002-2	Accident Investigation 1/10/10 Collision	Media relations and signals superintendent did not receive notification.	Develop call out list and procedure.	Nov 2010	J. Doe	New call out list has been created and draft procedures are waiting for management approval.	OPEN
201007-1	August 2010 SSPP Internal Audit Report	Rules compliance activities are not consistent with the description the SSPP or in standard operating procedures.	Review rules compliance procedures and update SSPP and SOP 5.7 to reflect actual practices.	Dec 2010	T. Mainline	New CAP added Sept 2010.	New
201004-5	4/2/10 Employee Safety Meeting	Tripping hazard exists at Main St. Station.	Evaluate tripping hazard and determine appropriate mitigations.	Completed	M. Scada	Tile artwork on station floor becomes slippery when wet. A large section of platform floor has been replaced by contractor.	Completed

## **Section 11: Safety Program Annual Report**

### **11.1 RTA Safety Program Annual Report Submittal**

RTA's must submit a completed **Safety Program Annual Report** to the WSDOT SSO Program Manager by February 15<sup>th</sup> of each year. This report is included as **Figure 6**. This report summarizes RTA activity relating to **reportable accidents, unacceptable hazardous conditions, and internal safety audits**. If there is additional information, clarification, or revisions required, WSDOT will provide comments to the RTA within 30 days of receipt of the Annual Report. Otherwise, an approval letter will be provided to the RTA within 30 days. WSDOT is required to submit information provided in these reports as part of its annual reporting to FTA.

### **11.2 Requirements for internal audit section of Annual Report.**

RTAs must provide a summary of safety audit program activities, including:

- a listing of the internal safety audits conducted for that year;
- a discussion of where the RTA is in meeting its 3-year internal audit schedule, including the identification of any obstacles in meeting the schedule and any proposed mitigation measures;
- an updated schedule for the next year's audits;
- the status of all findings, recommendations, and corrective actions resulting from the audits conducted that year; and any challenges or issues experienced by the RTA system safety function in obtaining action from/compliance with these findings, recommendations, and corrective actions during that year.

### **11.3 Requirement for reportable accident section of Annual Report**

RTAs must complete the reportable accident section of the Annual Report including the number of reportable accidents, fatalities, and injuries and the total damages. For each reportable accident, RTAs must also submit all initial reporting forms that were previously completed and submitted to WSDOT.

### **11.4 Requirement for unacceptable hazardous condition section of Annual Report**

RTAs must complete the reportable accident section of the Annual Report including the number of unacceptable hazardous conditions identified. For each unacceptable hazardous condition, RTAs must also include the reporting form that was previously completed and submitted to WSDOT.

### **11.5 Requirement for RTA Annual Certification section of the Annual Report**

As part of its Safety Program Annual Report, the RTA must submit an annual certification letter. This letter must indicate whether during the previous year the RTA remained in compliance with its SSPP and the Washington State Rail Safety Program Standard. The RTA's chief executive must sign this letter, and is encouraged to review all Program Standard requirements.

If the RTA determines that that it is not in compliance with its SSPP or with state and federal

regulations, the chief executive must then identify the activities that the RTA will take to achieve compliance. WSDOT must review and approve this action plan using the procedures specified in Section 10.

**Figure 6. Safety Program Annual Report**

**Name of Rail Transit Agency and System:** \_\_\_\_\_

**Calendar Year Completed and Reported:** \_\_\_\_\_

**Reportable Incidents**

Number of reportable incidents: \_\_\_\_\_

For each reportable incident, provide:

1. Date and Time
2. Location
3. Number and Type of Fatalities and Injuries (Passenger, Patron, Public, or Employee/Contractor)
4. Damages (\$)
5. Probable Cause (Equipment failure, poor maintenance, operating rules violation/human factor, slips and falls, imprudent action of customer, non-transit auto driver at fault, medically related, pedestrian actions, trespasser, suicide, other)
6. Initial Notification form submitted to WSDOT (Include as attachment)

**Reportable Unacceptable Hazardous Conditions (UHC)**

Number of unacceptable hazardous conditions: \_\_\_\_\_

For each unacceptable hazardous condition, provide:

1. Initial Notification form submitted to WSDOT (include as attachment)
2. Date identified
3. Location
4. Corrective Action Plan(s) developed/Implemented to address hazard. (include as attachment)

**Internal Safety Audits for Recently Completed Year**

For all SSPP internal audits in the recently completed calendar year provide:

1. List of dates audits were conducted.
2. Completed audit checklists and final reports for the recently completed calendar year.
3. Current status of any corrective action plans relating to audit findings.

**Internal Safety Audits for Current Year**

For all SSPP internal audits in the current calendar year provide:

1. List of dates audits conducted or scheduled.
2. Completed audit checklists and final reports for any completed in current year.
3. Current status of any corrective action plans relating to audit findings.

**Annual CEO Certification Letter (Include as attachment)**

Attach a letter from the agency’s executive officer stating that the agency remained in compliance with its SSPP and the Washington State Rail Safety Program Standard or a letter that identifies areas of non-compliance and actions being taken to address them.

---

**Signature of Person Responsible for Completing Annual Report**

*I certify that to the best of my knowledge and belief that this summary is true and correct, and contains all reportable accidents and internal safety audits that occurred and all unacceptable hazardous conditions that were discovered during the year stated.*

\_\_\_\_\_ Signature of person completing this summary

\_\_\_\_\_ Job Title of person completing this summary

\_\_\_\_\_ Date

This Page Intentionally Left Blank

## Section 12: WSDOT SSO Reporting to FTA

### 12.1 Reporting Requirements

This section addresses WSDOT's procedures for making initial, annual and periodic submissions to FTA's Transit Safety Oversight Office, in compliance with 49 CFR Part 674.39 and Part 674.27(b).

#### 12.1.1 Initial Submission

WSDOT made its initial submission to FTA's Office of Safety and Security in April 2006. This submission included:

- WSDOT's system safety *Program Standard*, with referenced procedures; and
- WSDOT's certification that the system safety program plan and emergency preparedness plan have been developed, reviewed, and approved.

##### *12.1.1(a) New Oversight Agency Designation*

In the event that the state should ever determine that oversight authority should be transferred to another agency of the state, WSDOT will work with this agency to ensure that a new initial submission is delivered to FTA within 30 days of determining to make the change. WSDOT will also work with this agency to ensure that at no point are the RTAs, affected by 49 CFR Part 674, left without a duly authorized oversight agency.

#### 12.1.2 Annual Submission and Certification

On or before March 15th of each year, WSDOT must submit the following to FTA:

- The SSO program standard adopted in accordance with § 674.27, with an indication of any changes to the SSO program standard during the preceding twelve months;
- Evidence that each of its employees and contractors has completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;
- A publicly available report that summarizes its 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;
- A summary of the triennial audits completed during the preceding twelve months, and the RTA's progress in carrying out CAPs arising from triennial audits conducted in accordance with § 674.31;
- Evidence that the SSOA has reviewed and approved any changes to the Public Transportation Agency Safety Plans during the preceding twelve months; and

**Washington State Rail Safety Oversight Program Standard: 2018**

- A certification that the SSOA complies with the requirements of this part.

With its annual submission, WSDOT must certify to the FTA that it has complied with the requirements of 49 CFR Part 674. WSDOT will submit this certification electronically to FTA using a reporting system specified by FTA. WSDOT will maintain a signed copy of each annual certification submitted to FTA, subject to audit by FTA.

**12.1.3 Periodic Submissions**

Status reports of accidents/incidents, hazardous conditions, and Corrective Action Plans or other program information must be forwarded to the FTA upon request.

## **Section 13: Information Sharing and Additional Resources**

### **13.1 Sharing of best practices**

RTAs participating in the Washington State Rail Safety Oversight Program are encouraged to keep current of issues and best practices relating to rail transit safety. RTAs are encouraged to learn of best practices being implemented by other RTAs through information sharing and exchange.

### **13.2 RTA requests for additional information and sample documents**

In addition, RTAs are encouraged to request from the SSO Program Manager, sample documents, procedures or other information that may further enhance their safety programs. Where best practices are already implemented at another Washington RTA, the SSO Program Manager may request these documents. An RTA can choose to not share this information with another RTA, if it determines it may contain security sensitive or proprietary information.

## **APPENDIX**

### **A**

- **1997 Governor’s Letter Designating WSDOT as State Safety Oversight Agency**
- **Current State Authorizing Law (Revised Code of Washington)**
- **Current State Implementation Regulations (Washington Administrative Code)**

### **B**

- **Organizational Charts of the Washington State Department of Transportation (WSDOT)**

### **C**

- **Safety Points-of-Contact for Rail Transit Agencies**

GARY LOCKE  
Governor



COPY

STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 753-6780 • TTY/TDD (360) 753-6466

October 27, 1997

Mr. Gordon J. Linton  
Federal Transit Administration  
400 7<sup>th</sup> Street, SW  
Washington, D.C. 20590

Dear Mr. Linton:

I am writing to report that I have designated the Washington State Department of Transportation (WSDOT) as the *permanent* safety oversight agency responsible for ensuring compliance with the Federal Transit Administration's (FTA) final rule on Rail Fixed Guideway Systems.

In March of this year, I designated WSDOT as the interim oversight agency. This allowed time for an inter-agency review to ensure we identified the most appropriate permanent oversight agency. Following that review, I have now designated WSDOT as the permanent oversight agency.

Sincerely,

A handwritten signature in cursive script that reads "Gary Locke".

Gary Locke  
Governor

cc: Sid Morrison, WSDOT  
Gretchen White, WSDOT  
Jim Slakey, WSDOT  
Paul Curl, WUTC  
Michael Wood, L&I

01

10



1 transportation. If required by the department, the city or town shall  
2 revise its plans to incorporate the department's review comments  
3 within sixty days after their receipt, and resubmit its revised plans  
4 for review.

5 (2) Each city or town shall implement and comply with its system  
6 safety program plan and system security and emergency preparedness  
7 plan. The city or town shall perform internal safety and security  
8 audits to evaluate its compliance with the plans, and submit its  
9 audit schedule to the department of transportation no later than  
10 December 15th each year. The city or town shall prepare an annual  
11 report for its internal safety and security audits undertaken in the  
12 prior year and submit it to the department no later than February  
13 15th. ~~((This))~~ The department shall establish the requirements for  
14 the annual report. The contents of the annual report must include, at  
15 a minimum, the dates the audits were conducted, the scope of the  
16 audit activity, the audit findings and recommendations, the status of  
17 any corrective actions taken as a result of the audit activity, and  
18 the results of each audit in terms of the adequacy and effectiveness  
19 of the plans.

20 (3) Each city or town shall notify the department of  
21 transportation within two hours of an occurrence of ~~((a reportable~~  
22 ~~accident, unacceptable hazardous condition, or security breach))~~ any  
23 incident, accident, security breach, identified hazard, or identified  
24 security vulnerability. The department may adopt rules further  
25 defining ~~((a reportable accident, unacceptable hazardous condition,~~  
26 ~~or security breach))~~ any incident, accident, security breach,  
27 identified hazard, or identified security vulnerability. The city or  
28 town shall investigate ~~((all reportable accidents, unacceptable~~  
29 ~~hazardous conditions, or security breaches))~~ any incident, accident,  
30 security breach, identified hazard, or identified security  
31 vulnerability and provide a written investigation report to the  
32 department within forty-five calendar days after the ~~((reportable~~  
33 ~~accident, unacceptable hazardous condition, or security breach))~~  
34 incident, accident, security breach, identified hazard, or identified  
35 security vulnerability.

36 (4) The system security and emergency preparedness plan required  
37 in subsection (1)(d) of this section is exempt from public disclosure  
38 under chapter 42.56 RCW. However, the system safety program plan as  
39 described in this section is not subject to this exemption.

1       **Sec. 2.** RCW 35A.21.300 and 2007 c 422 s 2 are each amended to  
2 read as follows:

3       (1) Each code city that owns or operates a rail fixed guideway  
4 system as defined in RCW 81.104.015 shall submit a system safety  
5 program plan and a system security and emergency preparedness plan  
6 for that guideway to the state department of transportation by  
7 September 1, 1999, or at least one hundred eighty calendar days  
8 before beginning operations or instituting revisions to its plans.  
9 These plans must describe the code city's procedures for (a)  
10 reporting and investigating (~~reportable accidents, unacceptable~~  
11 ~~hazardous conditions, and security breaches~~) any incident, accident,  
12 security breach, identified hazard, or identified security  
13 vulnerability, (b) submitting corrective action plans and annual  
14 safety and security audit reports, (c) facilitating on-site safety  
15 and security reviews by the state department of transportation, and  
16 (d) addressing passenger and employee safety and security. The plans  
17 must, at a minimum, conform to the standards adopted by the state  
18 department of transportation. If required by the department, the code  
19 city shall revise its plans to incorporate the department's review  
20 comments within sixty days after their receipt, and resubmit its  
21 revised plans for review.

22       (2) Each code city shall implement and comply with its system  
23 safety program plan and system security and emergency preparedness  
24 plan. The code city shall perform internal safety and security audits  
25 to evaluate its compliance with the plans, and submit its audit  
26 schedule to the department of transportation no later than December  
27 15th each year. The code city shall prepare an annual report for its  
28 internal safety and security audits undertaken in the prior year and  
29 submit it to the department no later than February 15th. (~~This~~) The  
30 department shall establish the requirements for the annual report.  
31 The contents of the annual report must include, at a minimum, the  
32 dates the audits were conducted, the scope of the audit activity, the  
33 audit findings and recommendations, the status of any corrective  
34 actions taken as a result of the audit activity, and the results of  
35 each audit in terms of the adequacy and effectiveness of the plans.

36       (3) Each code city shall notify the department of transportation  
37 within two hours of an occurrence of (~~a reportable accident,~~  
38 ~~unacceptable hazardous condition, or security breach~~) any incident,  
39 accident, security breach, identified hazard, or identified security  
40 vulnerability. The department may adopt rules further defining (~~a~~

1 ~~reportable accident, unacceptable hazardous condition, or security~~  
2 ~~breach))~~ any incident, accident, security breach, identified hazard,  
3 or identified security vulnerability. The code city shall investigate  
4 ~~((all reportable accidents, unacceptable hazardous conditions, or~~  
5 ~~security breaches))~~ any incident, accident, security breach,  
6 identified hazard, or identified security vulnerability and provide a  
7 written investigation report to the department within forty-five  
8 calendar days after the ~~((reportable accident, unacceptable hazardous~~  
9 ~~condition, or security breach))~~ incident, accident, security breach,  
10 identified hazard, or identified security vulnerability.

11 (4) The system security and emergency preparedness plan required  
12 in subsection (1)(d) of this section is exempt from public disclosure  
13 under chapter 42.56 RCW. However, the system safety program plan as  
14 described in this section is not subject to this exemption.

15 **Sec. 3.** RCW 36.01.210 and 2007 c 422 s 3 are each amended to  
16 read as follows:

17 (1) Each county functioning under chapter 36.56 RCW that owns or  
18 operates a rail fixed guideway system as defined in RCW 81.104.015  
19 shall submit a system safety program plan and a system security and  
20 emergency preparedness plan for that guideway to the state department  
21 of transportation by September 1, 1999, or at least one hundred  
22 eighty calendar days before beginning operations or instituting  
23 revisions to its plans. These plans must describe the county's  
24 procedures for (a) reporting and investigating ~~((reportable~~  
25 ~~accidents, unacceptable hazardous conditions, and security breaches))~~  
26 any incident, accident, security breach, identified hazard, or  
27 identified security vulnerability, (b) submitting corrective action  
28 plans and annual safety and security audit reports, (c) facilitating  
29 on-site safety and security reviews by the state department of  
30 transportation, and (d) addressing passenger and employee safety and  
31 security. The plans must, at a minimum, conform to the standards  
32 adopted by the state department of transportation. If required by the  
33 department, the county shall revise its plans to incorporate the  
34 department's review comments within sixty days after their receipt,  
35 and resubmit its revised plans for review.

36 (2) Each county functioning under chapter 36.56 RCW shall  
37 implement and comply with its system safety program plan and system  
38 security and emergency preparedness plan. The county shall perform  
39 internal safety and security audits to evaluate its compliance with

1 the plans, and submit its audit schedule to the department of  
2 transportation no later than December 15th each year. The county  
3 shall prepare an annual report for its internal safety and security  
4 audits undertaken in the prior year and submit it to the department  
5 no later than February 15th. ~~((This))~~ The department shall establish  
6 the requirements for the annual report. The contents of the annual  
7 report must include, at a minimum, the dates the audits were  
8 conducted, the scope of the audit activity, the audit findings and  
9 recommendations, the status of any corrective actions taken as a  
10 result of the audit activity, and the results of each audit in terms  
11 of the adequacy and effectiveness of the plans.

12 (3) Each county shall notify the department of transportation  
13 within two hours of an occurrence of ~~((a reportable accident,~~  
14 ~~unacceptable hazardous condition, or security breach))~~ any incident,  
15 accident, security breach, identified hazard, or identified security  
16 vulnerability. The department may adopt rules further defining ~~((a~~  
17 ~~reportable accident, unacceptable hazardous condition, or security~~  
18 ~~breach))~~ any incident, accident, security breach, identified hazard,  
19 or identified security vulnerability. The county shall investigate  
20 ~~((all reportable accidents, unacceptable hazardous conditions, or~~  
21 ~~security breaches))~~ any incident, accident, security breach,  
22 identified hazard, or identified security vulnerability and provide a  
23 written investigation report to the department within forty-five  
24 calendar days after the ~~((reportable accident, unacceptable hazardous~~  
25 ~~condition, or security breach))~~ incident, accident, security breach,  
26 identified hazard, or identified security vulnerability.

27 (4) The system security and emergency preparedness plan required  
28 in subsection (1)(d) of this section is exempt from public disclosure  
29 under chapter 42.56 RCW. However, the system safety program plan as  
30 described in this section is not subject to this exemption.

31 **Sec. 4.** RCW 36.57.120 and 2007 c 422 s 4 are each amended to  
32 read as follows:

33 (1) Each county transportation authority that owns or operates a  
34 rail fixed guideway system as defined in RCW 81.104.015 shall submit  
35 a system safety program plan and a system security and emergency  
36 preparedness plan for that guideway to the state department of  
37 transportation by September 1, 1999, or at least one hundred eighty  
38 calendar days before beginning operations or instituting revisions to  
39 its plans. These plans must describe the county transportation

1 authority's procedures for (a) reporting and investigating  
2 (~~reportable accidents, unacceptable hazardous conditions, and~~  
3 ~~security breaches~~) any incident, accident, security breach,  
4 identified hazard, or identified security vulnerability, (b)  
5 submitting corrective action plans and annual safety and security  
6 audit reports, (c) facilitating on-site safety and security reviews  
7 by the state department of transportation, and (d) addressing  
8 passenger and employee safety and security. The plans must, at a  
9 minimum, conform to the standards adopted by the state department of  
10 transportation. If required by the department, the county  
11 transportation authority shall revise its plans to incorporate the  
12 department's review comments within sixty days after their receipt,  
13 and resubmit its revised plans for review.

14 (2) Each county transportation authority shall implement and  
15 comply with its system safety program plan and system security and  
16 emergency preparedness plan. The county transportation authority  
17 shall perform internal safety and security audits to evaluate its  
18 compliance with the plans, and submit its audit schedule to the  
19 department of transportation no later than December 15th each year.  
20 The county transportation authority shall prepare an annual report  
21 for its internal safety and security audits undertaken in the prior  
22 year and submit it to the department no later than February 15th.  
23 (~~This~~) The department shall establish the requirements for the  
24 annual report. The contents of the annual report must include, at a  
25 minimum, the dates the audits were conducted, the scope of the audit  
26 activity, the audit findings and recommendations, the status of any  
27 corrective actions taken as a result of the audit activity, and the  
28 results of each audit in terms of the adequacy and effectiveness of  
29 the plans.

30 (3) Each county transportation authority shall notify the  
31 department of transportation within two hours of an occurrence of (~~a~~  
32 ~~reportable accident, unacceptable hazardous condition, or security~~  
33 ~~breach~~) any incident, accident, security breach, identified hazard,  
34 or identified security vulnerability. The department may adopt rules  
35 further defining (~~a reportable accident, unacceptable hazardous~~  
36 ~~condition, or security breach~~) any incident, accident, security  
37 breach, identified hazard, or identified security vulnerability. The  
38 county transportation authority shall investigate (~~all reportable~~  
39 ~~accidents, unacceptable hazardous conditions, or security breaches~~)  
40 any incident, accident, security breach, identified hazard, or

1 identified security vulnerability and provide a written investigation  
2 report to the department within forty-five calendar days after the  
3 (~~reportable accident, unacceptable hazardous condition, or security~~  
4 ~~breach~~) incident, accident, security breach, identified hazard, or  
5 identified security vulnerability.

6 (4) The system security and emergency preparedness plan required  
7 in subsection (1)(d) of this section is exempt from public disclosure  
8 under chapter 42.56 RCW. However, the system safety program plan as  
9 described in this section is not subject to this exemption.

10 **Sec. 5.** RCW 36.57A.170 and 2007 c 422 s 5 are each amended to  
11 read as follows:

12 (1) Each public transportation benefit area that owns or operates  
13 a rail fixed guideway system as defined in RCW 81.104.015 shall  
14 submit a system safety program plan and a system security and  
15 emergency preparedness plan for that guideway to the state department  
16 of transportation by September 1, 1999, or at least one hundred  
17 eighty calendar days before beginning operations or instituting  
18 revisions to its plans. These plans must describe the public  
19 transportation benefit area's procedures for (a) reporting and  
20 investigating (~~reportable accidents, unacceptable hazardous~~  
21 ~~conditions, and security breaches~~) any incident, accident, security  
22 breach, identified hazard, or identified security vulnerability, (b)  
23 submitting corrective action plans and annual safety and security  
24 audit reports, (c) facilitating on-site safety and security reviews  
25 by the state department of transportation, and (d) addressing  
26 passenger and employee safety and security. The plans must, at a  
27 minimum, conform to the standards adopted by the state department of  
28 transportation. If required by the department, the public  
29 transportation benefit area shall revise its plans to incorporate the  
30 department's review comments within sixty days after their receipt,  
31 and resubmit its revised plans for review.

32 (2) Each public transportation benefit area shall implement and  
33 comply with its system safety program plan and system security and  
34 emergency preparedness plan. The public transportation benefit area  
35 shall perform internal safety and security audits to evaluate its  
36 compliance with the plans, and submit its audit schedule to the  
37 department of transportation no later than December 15th each year.  
38 The public transportation benefit area shall prepare an annual report  
39 for its internal safety and security audits undertaken in the prior

1 year and submit it to the department no later than February 15th.  
2 ~~((This))~~ The department shall establish the requirements for the  
3 annual report. The contents of the annual report must include, at a  
4 minimum, the dates the audits were conducted, the scope of the audit  
5 activity, the audit findings and recommendations, the status of any  
6 corrective actions taken as a result of the audit activity, and the  
7 results of each audit in terms of the adequacy and effectiveness of  
8 the plans.

9 (3) Each public transportation benefit area shall notify the  
10 department of transportation within two hours of an occurrence of ~~((a~~  
11 ~~reportable accident, unacceptable hazardous condition, or security~~  
12 ~~breach))~~ any incident, accident, security breach, identified hazard,  
13 or identified security vulnerability. The department may adopt rules  
14 further defining ~~((a reportable accident, unacceptable hazardous~~  
15 ~~condition, or security breach))~~ any incident, accident, security  
16 breach, identified hazard, or identified security vulnerability. The  
17 public transportation benefit area shall investigate ~~((all reportable~~  
18 ~~accidents, unacceptable hazardous conditions, or security breaches))~~  
19 any incident, accident, security breach, identified hazard, or  
20 identified security vulnerability and provide a written investigation  
21 report to the department within forty-five calendar days after the  
22 ~~((reportable accident, unacceptable hazardous condition, or security~~  
23 ~~breach))~~ incident, accident, security breach, identified hazard, or  
24 identified security vulnerability.

25 (4) The system security and emergency preparedness plan required  
26 in subsection (1)(d) of this section is exempt from public disclosure  
27 under chapter 42.56 RCW. However, the system safety program plan as  
28 described in this section is not subject to this exemption.

29 **Sec. 6.** RCW 81.104.115 and 2007 c 422 s 7 are each amended to  
30 read as follows:

31 (1) The department of transportation is established as the state  
32 safety oversight agency. As such, the state must ensure that:

33 (a) The department is financially and legally independent from  
34 any public transportation agency that the department is obliged to  
35 oversee;

36 (b) The department does not directly provide public  
37 transportation services in an area with a rail fixed guideway system  
38 that the department is obliged to oversee;

1 (c) The department does not employ any individual who is also  
2 responsible for administering a rail fixed guideway system that the  
3 department is obliged to oversee; and

4 (d) The department has investigative and enforcement authority  
5 with respect to the safety and security of all rail fixed guideway  
6 systems in Washington state.

7 (2) The department ((may)) shall collect ((and)), audit, review,  
8 approve, oversee, and enforce the system safety program plan and the  
9 system security and emergency preparedness plan prepared by each  
10 owner or operator of a rail fixed guideway system operating in  
11 Washington state. In carrying out this function, the department may  
12 adopt rules specifying the elements and standard to be contained in a  
13 system safety program plan and a system security and emergency  
14 preparedness plan, and the content of any investigation report,  
15 corrective action plan, and accompanying implementation schedule  
16 resulting from ((a reportable accident, unacceptable hazardous  
17 condition, or security breach)) any incident, accident, security  
18 breach, identified hazard, or identified security vulnerability.  
19 These rules may include due dates for the department's timely receipt  
20 of and response to required documents.

21 ((+2)) (3) The department shall promote the safety and security  
22 of Washington state rail fixed guideway systems. The department, in  
23 carrying out the duties under subsection (2) of this section, may  
24 compel the rail fixed guideway system to address, in a timely manner,  
25 any identified critical safety or security deficiencies and concerns.  
26 The department may also impose financial penalties for noncompliance  
27 with state or federal regulations, or both, related to state safety  
28 oversight. Specific financial penalties must be determined by rule.  
29 When critical safety or security deficiencies are identified and not  
30 immediately addressed by rail fixed guideway system owners and  
31 operators, the department may require the suspension or modification  
32 of service or the suspended use or removal of equipment. The  
33 department may impose sanctions upon owners and operators of rail  
34 fixed guideway systems for failure to meet deadlines for submission  
35 of required reports and audits.

36 (4) The system security and emergency preparedness plan as  
37 described in ((subsection (1)(d) of)) RCW 35.21.228(1)(d),  
38 35A.21.300(1)(d), 36.01.210(1)(d), 36.57.120(1)(d), 36.57A.170(1)(d),  
39 and 81.112.180(1)(d) is exempt from public disclosure under chapter  
40 42.56 RCW by the department when collected from the owners and

1 operators of fixed railway systems. However, the system safety  
2 program plan as described in RCW 35.21.228, 35A.21.300, 36.01.210,  
3 36.57.120, 36.57A.170, and 81.112.180 is not exempt from public  
4 disclosure.

5 ~~((3))~~ (5) The department shall audit each system safety program  
6 plan and each system security and emergency preparedness plan at  
7 least once every three years. The department may contract with other  
8 persons or entities for the performance of duties required by this  
9 subsection. The department shall provide at least thirty days'  
10 advance notice to the owner or operator of a rail fixed guideway  
11 system before commencing the audit. ~~((The owner or operator of each  
12 rail fixed guideway system shall reimburse the reasonable expenses of  
13 the department in carrying out its responsibilities of this  
14 subsection within ninety days after receipt of an invoice. The  
15 department shall notify the owner or operator of the estimated  
16 expenses at least six months in advance of when the department audits  
17 the system.~~

18 ~~(4))~~ (6) In the event of ~~((a reportable accident, unacceptable  
19 hazardous condition, or security breach))~~ any incident, accident,  
20 security breach, identified hazard, or identified security  
21 vulnerability, the department shall review the investigation report,  
22 corrective action plan, and accompanying implementation schedule,  
23 submitted by the owner or operator of the rail fixed guideway system  
24 to ensure that it meets the goal of preventing and mitigating a  
25 recurrence of the ~~((reportable accident, unacceptable hazardous  
26 condition, or security breach))~~ incident, accident, security breach,  
27 identified hazard, or identified security vulnerability.

28 (a) The department may, at its option, perform a separate,  
29 independent investigation of ~~((a reportable accident, unacceptable  
30 hazardous condition, or security breach))~~ any incident, accident,  
31 security breach, identified hazard, or identified security  
32 vulnerability. The department may contract with other persons or  
33 entities for the performance of duties required by this subsection.

34 (b) If the department does not concur with the investigation  
35 report, corrective action plan, and accompanying implementation  
36 schedule, submitted by the owner or operator, the department shall  
37 notify that owner or operator in writing within forty-five days of  
38 its receipt of the complete investigation report, corrective action  
39 plan, and accompanying implementation schedule.

1       ~~((5))~~ (7) The secretary may adopt rules to implement this  
2 section and RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120,  
3 36.57A.170, and 81.112.180, including rules establishing procedures  
4 and timelines for owners and operators of rail fixed guideway systems  
5 to comply with RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120,  
6 36.57A.170, and 81.112.180 and the rules adopted under this section.  
7 If noncompliance by an owner or operator of a rail fixed guideway  
8 system results in the loss of federal funds to the state of  
9 Washington or a political subdivision of the state, the owner or  
10 operator is liable to the affected entity or entities for the amount  
11 of the lost funds.

12       ~~((6) The department may impose sanctions upon owners and  
13 operators of rail fixed guideway systems, but only for failure to  
14 meet reasonable deadlines for submission of required reports and  
15 audits. The department is expressly prohibited from imposing  
16 sanctions for any other purposes, including, but not limited to,  
17 differences in format or content of required reports and audits.~~

18       ~~(7))~~ (8) The department and its employees have no liability  
19 arising from: The adoption of rules; the review of or concurrence in  
20 a system safety program plan and a system security and emergency  
21 preparedness plan; the separate, independent investigation of ((a  
22 reportable accident, unacceptable hazardous condition, or security  
23 breach)) any incident, accident, security breach, identified hazard,  
24 or identified security vulnerability; and the review of or  
25 concurrence in a corrective action plan for ~~((a reportable accident,~~  
26 ~~unacceptable hazardous condition, or security breach.~~

27       ~~(8) The department shall set by rule an annual fee for owners and  
28 operators of rail fixed guideway systems to defray the department's  
29 direct costs associated only with the system safety program plans,  
30 system security and emergency preparedness plans, and incident  
31 investigations, as described in this section, and the fee shall not  
32 be a flat fee but shall be imposed on each owner and operator in  
33 proportion to the effort expended by the department in relation to  
34 individual plans. The department shall establish by rule the manner  
35 and timing of the collection of the fee)) any incident, accident,  
36 security breach, identified hazard, or identified security  
37 vulnerability.~~

38       (9) At least once every year, the department shall report the  
39 status of the safety and security of each rail fixed guideway system  
40 to the governor, the federal transit administration, the board of

1 directors or equivalent entity of the rail fixed guideway system, and  
2 the transportation committees of the legislature.

3 **Sec. 7.** RCW 81.112.180 and 2007 c 422 s 6 are each amended to  
4 read as follows:

5 (1) Each regional transit authority that owns or operates a rail  
6 fixed guideway system as defined in RCW 81.104.015 shall submit a  
7 system safety program plan and a system security and emergency  
8 preparedness plan for that guideway to the state department of  
9 transportation by September 1, 1999, or at least one hundred eighty  
10 calendar days before beginning operations or instituting revisions to  
11 its plans. These plans must describe the authority's procedures for  
12 (a) reporting and investigating (~~reportable accidents, unacceptable~~  
13 ~~hazardous conditions, and security breaches~~) any incident, accident,  
14 security breach, identified hazard, or identified security  
15 vulnerability, (b) submitting corrective action plans and annual  
16 safety and security audit reports, (c) facilitating on-site safety  
17 and security reviews by the state department of transportation, and  
18 (d) addressing passenger and employee safety and security. The plans  
19 must, at a minimum, conform to the standards adopted by the state  
20 department of transportation. If required by the department, the  
21 regional transit authority shall revise its plans to incorporate the  
22 department's review comments within sixty days after their receipt,  
23 and resubmit its revised plans for review.

24 (2) Each regional transit authority shall implement and comply  
25 with its system safety program plan and system security and emergency  
26 preparedness plan. The regional transit authority shall perform  
27 internal safety and security audits to evaluate its compliance with  
28 the plans, and submit its audit schedule to the department of  
29 transportation no later than December 15th each year. The regional  
30 transit authority shall prepare an annual report for its internal  
31 safety and security audits undertaken in the prior year and submit it  
32 to the department no later than February 15th. (~~This~~) The  
33 department shall establish the requirements for the annual report.  
34 The contents of the annual report must include, at a minimum, the  
35 dates the audits were conducted, the scope of the audit activity, the  
36 audit findings and recommendations, the status of any corrective  
37 actions taken as a result of the audit activity, and the results of  
38 each audit in terms of the adequacy and effectiveness of the plans.

1           (3) Each regional transit authority shall notify the department  
2 of transportation within two hours of an occurrence of (~~(a reportable~~  
3 ~~accident, unacceptable hazardous condition, or security breach)~~) any  
4 incident, accident, security breach, identified hazard, or identified  
5 security vulnerability. The department may adopt rules further  
6 defining (~~(a reportable accident, unacceptable hazardous condition,~~  
7 ~~or security breach)~~) any incident, accident, security breach,  
8 identified hazard, or identified security vulnerability. The regional  
9 transit authority shall investigate (~~(all reportable accidents,~~  
10 ~~unacceptable hazardous conditions, or security breaches)~~) any  
11 incident, accident, security breach, identified hazard, or identified  
12 security vulnerability and provide a written investigation report to  
13 the department within forty-five calendar days after the (~~(reportable~~  
14 ~~accident, unacceptable hazardous condition, or security breach)~~)  
15 incident, accident, security breach, identified hazard, or identified  
16 security vulnerability.

17           (4) The system security and emergency preparedness plan required  
18 in subsection (1)(d) of this section is exempt from public disclosure  
19 under chapter 42.56 RCW. However, the system safety program plan as  
20 described in this section is not subject to this exemption.

--- END ---

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-010 Purpose.** This chapter is adopted to comply with 49 C.F.R. Part ~~((659))~~ 674 and RCW 81.104.115, which requires the state of Washington to oversee the ~~((system))~~ agency safety program ~~((and the security and emergency preparedness plans))~~ of rail fixed guideway ~~((systems (RFGS) not regulated by the Federal Railroad Administration))~~ public transportation systems (RFGPTS) as defined in 49 C.F.R. Part 674.7. These rules prescribe the ~~((system))~~ safety ~~((and security))~~ criteria to be met by ~~((RFGS))~~ RFGPTS and are intended to improve the safety ~~((and security of RFGS))~~ of RFGPTS in Washington state. 49 C.F.R. Part 674.11c and Part 674.13a require the establishment of a state safety oversight agency (SSOA) in accordance with the requirements of 49 U.S.C. 5329c and 5329e(3)c. The Washington state department of transportation was designated in 1997 by Governor Gary Locke as the SSOA for the state of Washington. WSDOT's designation and authority as the SSOA is codified in RCW 81.104.115 and more recently in chapter 33, Laws of 2016 (Senate Bill 6358).

NEW SECTION

**WAC 468-550-015 Effective date.** These rules are necessary to comply with C.F.R. Part 674 and take effect upon filing with the code reviser for emergency rule making per the requirements outlined in RCW 34.05.350.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-020 Applicability.** These rules are applicable to all Washington state entities, public or private, which own, operate, or maintain ~~((RFGS that are not regulated by the Federal Railroad Administration))~~ RFGPTS as defined in 49 C.F.R. Part 674.7.

These rules apply to all owners of rail fixed guideway public transportation systems, as defined by ~~((RCW 81.104.015))~~ 49 C.F.R. Part 674, which are required by RCW 81.112.180, 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, ~~((or 81.112.180))~~ 81.104.015 to comply with the requirements of the Washington state department of transportation for the development and implementation of ~~((a system))~~ an agency safety program plan ~~((and a security and emergency preparedness plan)).~~

**WAC 468-550-030 Definitions.** For the purposes of this chapter, the following definitions of terms shall apply unless the context clearly indicates otherwise:

~~(1) Accident(, reportable)) means ((any)) an event ((involving the operation of a RFGS along a revenue line segment, if as a result:~~

~~(a) An individual dies; or  
(b) An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or  
(c) A collision, derailment, or fire causes property damage in excess of \$25,000.~~

~~(2) APTA Guidelines means the American Public Transit Association's "Manual for the Development of Rail Transit System Safety Program Plans."~~

~~(3) Chief executive officer means, but is not limited to, the mayor, county executive, or chair of the municipality, or corporate president of the public or private entity that owns, operates, or maintains a RFGS.~~

~~(4) Contractor means an entity that performs tasks required by this chapter on behalf of the department or a RFGS.~~

~~(5)) that involves any of the following: A report of a serious injury to a person; a collision involving a rail transit vehicle; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.~~

~~(2) Accountable executive means a single, identifiable person who has ultimate responsibility for carrying out the safety management system 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) Agency means any entity that provides rail fixed guideway public transportation services.~~

~~(4) Agency safety plan is a document developed and implemented for each rail fixed guideway system, which describes its safety policies, objectives, responsibilities, and procedures. The requirements for this plan are established by the Federal Transit Administration in C.F.R. 49 Part 674 and further by the Washington state rail safety oversight program standard.~~

~~(5) APTA guidelines means the American Public Transit Association's Manual for the Development of Rail Transit System Safety Program Plans.~~

~~(6) Collision means a vehicle/vessel accident in which there is an impact of a transit vehicle/vessel with:~~

- ~~• Another transit vehicle;~~
- ~~• A nontransit vehicle;~~
- ~~• A fixed object;~~
- ~~• A person(s) (suicide/attempted suicide included);~~
- ~~• An animal;~~
- ~~• A rail vehicle;~~
- ~~• A vessel;~~
- ~~• A dock.~~

(7) Contractor means an entity that performs tasks required by this chapter on behalf of the department or a RFGPTS.

(8) Department means the Washington state department of transportation, which has been designated as the state safety oversight agency.

~~((6))~~ Directional route mile means the mileage in each direction over which public transportation vehicles travel while in revenue service. Directional route miles are a measure of the route path over a facility or roadway and not the service carried on the facility. Directional route miles are computed with regard to direction of service, but without regard to the number of traffic lanes or rail tracks existing in the right of way. Directional route miles do not include staging or storage areas at the beginning or end of a route.

~~((7))~~ (9) Emergency means a situation which is life-threatening to passengers, employees, or others or which causes damage to any rail fixed guideway vehicle or facility or results in a significant ((theft)) loss of services which severely affects the ability of the system to fulfill its mission.

~~((8))~~ (10) Evacuation (reportable) is a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuations for life safety reasons. Evacuations to a location that may put passengers or patrons in imminent danger (such as controlled rail right of way) must also be reported.

(11) Fatality means a death or suicide confirmed within thirty days of a reportable event. Excludes deaths in or on transit property that are a result of illness or other natural causes.

(12) FTA means the Federal Transit Administration, or its successors, an agency within the U.S. Department of Transportation.

~~((9))~~ (13) Hazardous condition means a set of circumstances that if not identified and corrected has or will result in personal injury or property damage. It includes unacceptable hazardous conditions.

~~((10))~~ (14) 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.

(15) Incident reporting thresholds are criteria established by Federal Transit Administration in C.F.R. 49 Part ((659)) 674 and further by the Washington state rail safety oversight program standard for determining which accidents/incidents require investigation.

~~((11))~~ (16) Investigation means a procedure that the department or a ((RFGS)) RFGPTS utilizes to determine the cause of a reportable accident, hazardous condition, or security breach.

~~((12))~~ (17) Major system enhancement means any modification to an existing RFGPTS that will significantly impact the operations and maintenance of the system, including opening new stations, system wide modification or replacement of equipment, expanded operations and maintenance facilities, or significant increases to system capacity.

(18) Medical attention means emergency care at a state-licensed general hospital, critical access hospital, or health clinic, or by a religious practitioner.

~~((13))~~ Plan means the system safety program plan and the security and emergency preparedness plan of rail fixed guideway systems not regulated by the Federal Railroad Administration adopted by the RFGS detailing its safety and security policies, objectives, responsibilities and procedures.

~~(14))~~ (19) Procedure means an established and documented method to perform a task.

~~((15))~~ (20) Rail fixed guideway public transportation system or ~~("RFGS")~~ "RFGPTS" means ~~((a light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or other fixed rail guideway component of a high capacity transportation system that is not regulated by the Federal Railroad Administration or its successor. "RFGS" does not include elevators, moving sidewalks or stairs, and vehicles suspended from aerial cables, unless they are an integral component of a station served by a rail fixed guideway system))~~ any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a state, and is not regulated by the Federal Railroad Administration, or its successor. Rail fixed guideway public transportation system (or "RFGPTS") also means any such projects in engineering or construction phases. 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.

~~((16))~~ (21) Rail transit agency (RTA) means any city, town, county, transportation authority, public transportation benefit area, regional transit authority, or other agency that owns a RFGPTS and bears ultimate accountability for it.

(22) Revenue line segment means that portion of a fixed guideway system upon, under, or through which a ~~((RFGS))~~ RFGPTS provides service available to the ~~((general))~~ public. It includes stations used by the system's passengers to enter or leave the ~~((RFGS's))~~ RFGPTS's conveyance.

~~((17))~~ Risk means the probability that a security breach will occur.

~~(18))~~ (23) Safety means freedom from danger.

~~((19))~~ Security and emergency preparedness plan or "SEPP" is a document developed and implemented for each rail fixed guideway system which describes its security policies, objectives, responsibilities, and procedures. This plan is a requirement of RCW 81.104.115 and meets the standards established by the Federal Transit Administration in C.F.R. 49 Part 659 and the Washington state rail safety oversight program.

~~(20)~~ Seasonally means the provision of service available to the general public fewer than a total of one hundred eighty days within a twelve month period. The provision of service any time on a calendar day is a day counted towards the threshold of one hundred eighty days.

~~(21))~~ (24) Security means freedom from intentional danger.

~~((22))~~ (25) Security breach means an unforeseen event or occurrence that endangers life or property and may result in the loss of services or system equipment.

~~((23))~~ Service available to the general public does not include operations for a specific private function when a RFGS accepts hire, such as group charters, weddings, or other private events that are not available to the general public on a walk-in basis.

~~(24)~~ Standard means the system safety and security program standard which is the standard developed and adopted by the department which complies with the requirements of C.F.R. 49 Part 659.

~~(25)~~ System means a composite of people, property, environment, and procedures which are integrated to perform a specific operational function in a specific environment.

~~(26)~~ System safety program plan or "SSPP" is a document developed and implemented for each rail fixed guideway system which describes

its safety policies, objectives, responsibilities, and procedures. The requirements for this plan are established by the Federal Transit Administration in C.F.R. 49 Part 659 and further by the Washington state rail safety oversight program standard.

~~(27) Triennial safety and security audit means a formal, comprehensive, on-site examination by the department of a RFGS's safety and security procedures to determine whether it complies with the RFGS's policies and procedures as outlined in the RFGS's plan.~~

~~(28) Washington state rail safety oversight program is the program administered by the Washington state department of transportation to ensure compliance by rail fixed guideway systems with the Washington state rail safety oversight program standard.~~

~~(29)) (26) System expansion means any modification to an existing RFGPTS that will increase the distance over which trains can travel in passenger service, including line extensions or new lines.~~

~~(27) Washington state rail safety oversight program is the program administered by the Washington state department of transportation to ensure compliance by rail fixed guideway public transportation systems with the Washington state rail safety oversight program standard.~~

~~(28) Washington state rail safety oversight program standard is a document developed and adopted by the Washington state department of transportation that describes the policies, objectives, responsibilities, and procedures used to provide safety and security oversight of rail fixed guideway systems. This document is a requirement established by the Federal Transit Administration in C.F.R. 49 Part ((659)) 674.~~

~~((30) Unacceptable hazard is a real or potential condition that may endanger human life or property that after an assessment of its severity and probability cannot remain and must be mitigated.~~

~~(31)) (29) Unacceptable hazardous condition means a hazardous condition classified by the rail transit agency as being unacceptable based on a hazardous resolution matrix or other evaluation methodology approved by the department.~~

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-040 Requirements for ((system safety program plan and security and emergency preparedness plans)) agency safety plans.**

~~((1) Each RFGS, except any that operate seasonally, shall prepare a system safety program plan and security and emergency preparedness plans. Such plans shall describe the RFGS's procedures for:~~

~~(a) Reporting and investigating reportable accidents and unacceptable hazardous conditions;~~

~~(b) Submitting corrective action plans and annual safety and security audit reports;~~

~~(c) Facilitating on-site safety and security reviews by the department; and~~

~~(d) Addressing passenger and employee security.~~

The plans and any revisions thereto shall, at a minimum, conform to the standard set forth in WAC 468-550-050, be approved by the RFGS's chief executive officer and submitted for departmental review, or within three months prior to beginning operations or instituting revisions to the plans. The RFGS shall not transmit the security por-

tions of its security and emergency preparedness plan to the department. The RFGS shall notify the department of the location and availability of the security portions of its plan.

(2) Each RFGS shall implement and comply with the provisions of its plans and any revisions thereto. Further, should the RFGS change ownership or operating or maintenance providers, the RFGS shall require its successors, assigns, and contractors to continue to comply with the RFGS's established plans and shall notify the department of any change of ownership or operating or maintenance providers within thirty days of the effective date of transfer or contract.

(3) The security section of the security and emergency preparedness plan is exempt from public disclosure under chapter 42.56 RCW. Each RFGS may develop procedures to implement this subsection. Completed reports of reportable accidents and unacceptable hazardous conditions, corrective action plans, annual safety and security audit reports, published reviews of the department, published RFGS internal safety and security audits, and notifications of reportable accidents and unacceptable hazardous conditions are not subject to this exemption.

(4) Each RFGS that operates seasonally shall submit a system description and organization structure to the department within ninety days of commencing operations. Each RFGS shall update this submittal within thirty days after any changes to the system description or organizational structure occur.

(a) The system description shall identify the revenue line segments, revenue equipment, and all locations for embarking or debarking passengers.

(b) The organizational structure shall identify the decision-making structure for the RFGS, including any firm or organization contracted to undertake its seasonal operations.

(c) This submittal shall include safety contact information for the RFGS and any firm or organization contracted to undertake its seasonal operations.) (1) Rail transit agencies must establish an agency safety plan that complies with the requirements set forth in the Washington state rail safety oversight program standard, which conforms to current federal regulations for agency safety plans. These requirements include the establishment of an agency safety policy, a safety and risk management program, a safety assurance program, and a safety promotion program.

(2) Agency safety plans must establish the agency procedures for the review and revision of the plan. The filing, submittal, review, and approval of agency safety plans must comply with the standard set forth in WAC 468-550-050.

(3) As described in WAC 468-550-060, agency safety plans are subject to reviews and audits from the Washington state rail safety oversight program and the Federal Transit Administration.

(4) Rail transit agencies must conduct internal audits of agency safety plans per the requirements of WAC 468-550-060.

(5) Agency safety plans must establish procedures for the notification, investigation, and reporting of accidents, incidents, and hazards in conformance with the requirements of WAC 468-550-070.

(6) Agency safety plan policy statements must be approved and signed by the agency's accountable executive. The policy statement must assign responsibility for carrying out the plan to the designated agency accountable executive.

(7) Each RFGPTS shall implement and comply with the provisions of its plans and any revisions thereto. Further, should the RFGPTS expe-

rience a change in ownership or a change in operating or maintenance providers, the RFGPTS shall require continued compliance with the RFGPTS's established plans and shall notify the department of any change of ownership or operating or maintenance providers within thirty days of the effective date of transfer or contract.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-050 ((Department)) Procedures for ((reviewing, approving)) the submittal, review, approval, and filing ((rail-fixed guideway system safety program plan and security and emergency preparedness plans and inspections)) of agency safety plans.** ((1)(a) The department shall review each RFGS system safety program plans, and all subsequent revisions, for compliance with these rules and the standard, using the system safety checklist which includes:

- Policy statement and authority for the plan
- Description of purpose for the plan
- Clearly stated goals for plan
- Identifiable and attainable objectives
- System description and organizational structure
- The plan control and update procedures
- Hazard identification and resolution process
- Accidents, hazardous conditions and reporting and investigation procedures
- Internal safety audit process
- Facilities inspections (includes system equipment and rolling stock)
- Maintenance audits and inspections (all systems and facilities)
- Rules and procedures review
- Training and certification reviews and audits
- Emergency response planning, coordination and training
- System modification review and concurrence process
- Safety data acquisition and analysis
- Interdepartmental and interagency coordination
- Configuration management
- Employee safety program
- Hazardous materials program
- Drug abuse and alcohol misuse programs
- Contractor safety coordination
- Procurement

(b) The department shall provide written concurrence with the RFGS's system safety program plan or provide written comments to the RFGS specifying required changes. The RFGS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGS of its concurrence with the plans. The plans and the department's concurrence shall be maintained by the department in a permanent file.

(2)(a) The department shall review RFGS's security and emergency preparedness plan, and all subsequent revisions, for compliance with

~~these rules and the standard, using the WSDOT security and emergency preparedness checklist which includes:~~

- ~~• Policy statement for the plan~~
- ~~• Purpose for the plan~~
- ~~• Clearly stated goals and identifiable and attainable objectives~~
- ~~• Scope of plan and system security program~~
- ~~• Security and law enforcement functions that manage and support plan~~
- ~~• Management authority which oversees the operation and management of the agency~~
- ~~• Interface of the plan with local, state and federal authorities~~
- ~~• Security acronyms and definitions~~
- ~~• Background and history of agency's rail transit services~~
- ~~• Organization charts and lines of authority~~
- ~~• Description of passenger and ridership characteristics~~
- ~~• Description of operations and services including operating environment~~
- ~~• Description of how the plan integrates with other plans including the SSPP~~
- ~~• Current security conditions~~
- ~~• Capabilities and practices~~
- ~~• Identification of person(s) responsible for establishing SEPP policy and developing and approving plan~~
- ~~• Identification of person(s) responsible for the management of the SEPP program~~
- ~~• Listings of the SEPP related responsibilities of individuals working within the security function~~
- ~~• Description of equipment used to support implementation of the plan~~
- ~~• Description of training, exercises, and procedures in place to ensure employee proficiency and readiness~~
- ~~• Description of activities to identify threats and vulnerabilities and to assess their likely impacts~~
- ~~• Response strategies for prioritizing vulnerabilities~~
- ~~• Identification and schedule of tasks to be performed for implementing the plan~~
- ~~• Description of methods for evaluating the effectiveness of the plan~~
- ~~• Process for reviewing and revising the plan and for implementing any revisions~~

~~(b) The department shall provide written concurrence with the RFGS's security and emergency preparedness plan or provide written comments to the RFGS specifying required changes. The RFGS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGS of its concurrence with the plan. The plan and the department's concurrence shall be maintained by the department in a permanent file.)~~ (1) Agency safety plans must be submitted within three months prior to operations of a new RFGPTS, a system expansion, or a major system enhancement to an existing RFGPTS.

(2) Full compliance and approval of agency safety plans must be obtained in writing from WSDOT prior to commencing RFGPTS operations. The department and the RTA must accelerate review and revision time-

lines as necessary to ensure agency safety plan approval prior to the RFGPTS start of service date.

(3) The department must review and evaluate plans according to criteria set forth in the Washington state rail safety oversight program standard.

(4) Each calendar year, as part of its annual safety program report submittal, the transit agency must provide the department with documentation of its annual review of the agency's safety plan.

(5) The department shall provide written approval of the RFGPTS's agency safety plan or provide written comments to the RFGPTS specifying required changes. The RFGPTS shall revise its plan to incorporate the department's review comments, if any, within sixty days after receipt thereof, and resubmit its revised plan for review. After resolving issues arising in the review process, the department shall notify the RFGPTS of its concurrence with the plans. The plans and the department's concurrence shall be maintained by the department in a permanent file.

(6) The RFGPTS shall not transmit any security sensitive portions of its plans, as defined by 49 C.F.R. Part 1520. The RFGPTS shall notify the department of the location and availability of any security sensitive information.

(7) Each RFGPTS may develop procedures to implement this subsection. The Washington state rail safety oversight program standard may require these procedures to be included, summarized, or cited in the agency safety plan.

(8) Failure to comply with the requirements established in WAC 468-550-040, 468-550-050, 468-550-060, 468-550-070, and the Washington state rail safety oversight program standard may result in financial or other penalties. Financial or other penalties will be determined in accordance with WAC 468-550-080.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-060 Annual ~~((and triennial))~~ internal safety ~~((and security))~~ audits and reports.** ~~(1)((a) Each RFGS))~~ Each RFGPTS shall perform scheduled internal safety ~~((and security))~~ audits to evaluate compliance with the Washington state rail safety oversight program standard, to identify hazardous and risk conditions, and ~~((measure the effectiveness of its plans. The RFGS))~~ to verify that it is fully implementing its safety program as described in its plans and procedures. The RFGPTS shall include its internal safety ~~((and security))~~ audit schedule for the ~~((next year with))~~ following year in the annual report as required ~~((in))~~ by WAC 468-550-070(5). These audits shall ~~((include, but are not limited to:~~

~~(i) Observing work practices and employee performance during system operations;~~

~~(ii) Sampling and inspecting selected system components to verify proper maintenance; and~~

~~(iii) Reviewing RFGS records for all phases of system operations, maintenance, and security.))~~ determine the level at which the agency has implemented the agency safety plan. Audits may include, but are not limited to, the observation of employees performing system operations and maintenance activities, employee rules compliance checks,

the sampling and inspection of selected system components, interviews, and records reviews.

(2) The ((RFGS)) RFGPTS shall select a qualified person(s) or contractor to perform its internal audits and shall notify the department not later than ten days prior to performing the internal audits. The notification shall include date(s) of audit, what is to be audited, and the qualifications of those selected to perform the audit, such qualifications are subject to departmental concurrence and should describe what relevant experience and/or training qualifies the auditor(s) to conduct these audits. The department may assess the effectiveness of each ((RFGS)) RFGPTS audit program; however, any departmental review or concurrence shall not substitute for the ((RFGS's)) RFGPTS's own safety ((and security)) inspection audit programs, nor relieve the ((RFGS)) RFGPTS from its ((sole liability)) responsibility for the safety ((and security)) of its system.

~~((b) Each RFGS, as a basis for its audit process, shall prepare, maintain, and make available for departmental review records that document the results of all tests, inspections, and audits conducted by the RFGS or its contractor in compliance with the plans. These records shall include, but are not limited to:~~

- ~~(i) Start up test records;~~
- ~~(ii) Drug and alcohol test records;~~
- ~~(iii) Training and certification records;~~
- ~~(iv) Operation performance evaluation records;~~
- ~~(v) Facility inspections;~~
- ~~(vi) Maintenance audits and inspections (all systems and facilities);~~
- ~~(vii) Rules and procedures review;~~
- ~~(viii) Emergency response planning, coordination, and training;~~
- ~~(ix) System modification review and approval process;~~
- ~~(x) Safety and security data acquisition and analysis;~~
- ~~(xi) Interdepartmental and interagency coordination;~~
- ~~(xii) Employee safety and security program;~~
- ~~(xiii) Hazardous materials program;~~
- ~~(xiv) Contractor safety coordination; and~~
- ~~(xv) Procurement records.~~

~~These records shall be maintained by the RFGS for a minimum of three years.~~

(2)) (3) Where the agency is not fully implementing its agency safety plan, or is not implementing its safety program in accordance with the agency safety plan, the agency must clearly identify deficiencies in its audit report, per the requirements of Washington state rail safety oversight program standard.

(4) Each RFGPTS shall prepare, maintain, and make available for departmental review, records that document the results of all tests, inspections, and audits conducted by the RFGPTS or its contractor in compliance with the plans. These records shall be maintained by the RFGPTS for a minimum of three years. Failure to provide the department with audit reports and associated records and documentation may result in financial or other penalties as described in WAC 468-550-080.

(5) Internal safety ((and security)) audits shall be documented in an annual report that includes the dates the audits were conducted, the scope of the audit activity, the audit findings and recommendations, the status of any corrective actions taken as a result of the audit activity and the results of each audit in terms of the adequacy and effectiveness of the plan. This annual report for the internal safety ((and security)) audits performed during the preceding year

shall be included with the annual safety report ((required)) specified in WAC ((468-550-070(5))) 468-550-100.

~~((3))~~ (6) The department ((shall audit each RFGS plan at least once every three years. The RFGS shall be given written notification at least thirty days in advance of the department's audit. The notification shall include a proposed schedule, planned scope, and list of activities to be reviewed for the audit. Each audit shall be preceded by an on-site, preaudit conference attended by the department's audit team, the RFGS's owner, and the RFGS staff in charge of the activities subject to audit. Each audit shall be conducted in accordance with an audit checklist. Checklists shall not restrict the department from performing additional investigations as it deems appropriate. The department shall use as a basis for its checklist the RFGS's plan and records which shall include, but are not limited to:

(a) The RFGS operating rule book, bulletins, and procedures;

(b) The RFGS maintenance manuals and procedures for vehicles, track and signals;

(c) The RFGS procedures for identifying, documenting, evaluating, and correcting hazards;

(d) The RFGS system design criteria and project engineering procedures for system modifications;

(e) The RFGS annual internal audit reports for the previous three years;

(f) The RFGS corrective action plans for reportable accidents and unacceptable hazardous conditions reported to the department during the previous three years;

(g) APTA audit reports;

(h) National Transportation Safety Board accident investigation reports, and any other agency peer review reports, if any, prepared during the previous three years and previously prepared department audit reports.

(4) Upon the department's completion of the triennial on-site audit, the audit team leader shall prepare a draft final audit report and submit it to the RFGS. The RFGS shall respond, in writing to the recommendations made in the draft final audit report, with a plan and schedule of corrective actions within thirty days of receipt thereof. An on-site, post audit conference shall be held following each departmental audit to review the results of the audit. Audit results that identify a deficiency that is not corrected before the post audit conference is held shall be documented in the final audit report. The final audit report shall contain the department audit team's findings and recommendations and the RFGS plan and schedule for corrective action. The final audit report shall also include the department audit team's evaluation of the effectiveness of the RFGS plan and a determination of whether the plan should be updated.

(5) The department shall summarize oversight activities for all RFGS performed during the preceding twelve months in a publicly available annual report and submit it to the FTA before March 15 of each year.

(6) Each RFGS that operates seasonally shall be exempt from the provisions of this section) may conduct an independent investigation of the agency's audit program or of specific deficiencies and findings identified by the RFGPTS internal safety audits.

NEW SECTION

**WAC 468-550-061 Triennial safety program audits conducted by the department.** (1) The department shall audit each RFGPTS's compliance with the agency safety plan at least once every three years in accordance with the requirements of the Washington state rail safety oversight program standard. The RFGPTS shall be given written notification of the audit scope and schedule at least thirty days in advance of the department's audit. Each audit shall be conducted in accordance with an audit checklist. Documentation which may be requested by the department as part of the audit includes, but is not limited to:

- (a) The RFGPTS operating rule book, bulletins, and procedures;
- (b) Operations and maintenance logs and records;
- (c) The RFGPTS maintenance manuals and procedures for vehicles, facilities, track and signals;
- (d) The RFGPTS procedures for identifying, documenting, evaluating, and correcting hazards;
- (e) The RFGPTS system design criteria and project engineering procedures for system modifications;
- (f) The RFGPTS annual internal audit reports for the previous three years;
- (g) The RFGPTS corrective action plans for reportable accidents and unacceptable hazardous conditions reported to the department during the previous three years;
- (h) APTA audit reports;
- (i) National Transportation Safety Board accident investigation reports, Federal Transit Agency investigation or audit reports, or peer review reports, if any, prepared during the previous three years.

(2) Upon the department's completion of the on-site portion of the triennial safety program audit, the audit team leader shall issue a final audit report following the process established in the Washington state rail safety oversight program standard. The final audit report shall contain the department audit team's findings and recommendations. The final audit report shall also include the department audit team's evaluation of the RFGPTS agency safety plan's compliance with the Washington state rail safety oversight program standard and a determination of whether it should be updated. The RFGPTS must address all findings and recommendations identified in the final report by following the requirements set forth in the Washington state rail safety oversight program standard.

NEW SECTION

**WAC 468-550-062 Additional external audits conducted on RFGPTS safety programs and plans.** (1) The RFGPTS must notify the department of the schedule and scope for all external audits and investigations which will include the review of the agency safety plan, safety programs, safety critical functions, safety certification, transit asset management plan or drug and alcohol program. These include, but are not limited to, audits and investigations to be conducted by the Federal Transit Administration, USDOT, DHS, NTSB, or OSHA. The RFGPTS must notify the department of the schedule and scope at least one week prior to the start of audit activities.

(2) The Federal Transit Administration conducts an audit of WSDOT's state safety oversight program once every three years. The RFGPTS will participate in these audits and provide relevant safety program documentation and records if requested by the Federal Transportation Administration or the department.

NEW SECTION

**WAC 468-550-063 Audits conducted of department's state safety oversight program.** The RFGPTS will provide documentation if requested by auditors or by department personnel in support of external state or federal audits of the department's state safety oversight program. These include, but are not limited to, triennial reviews conducted by the FTA Transit Safety Oversight office of the department's SSO program compliance.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-070 Notifying of, investigating, and reporting accidents and unacceptable hazardous conditions.** (1) Each ((RFGS)) RFGPTS shall notify the department ((by telephone, electronic mail or facsimile)) per the requirements set forth in the Washington state rail safety oversight program standard within two hours of the occurrence of any reportable accident ~~((, or within twenty four hours of the identification or discovery of any unacceptable hazardous condition.~~ The department shall notify each RFGS of the person to notify and the telephone, electronic mail and facsimile numbers for notification. The notification shall include all of the following details:

- ~~(a) Name and title of the person making the notification;~~
- ~~(b) Time and date the notification is transmitted;~~
- ~~(c) Synopsis of what happened, such as, but not limited to: Collision with another RFGS revenue vehicle, derailment, collision with a motor vehicle, collision with a pedestrian, collision with a bicyclist, fire, bomb threat, or hostage taking;~~
- ~~(d) Specific location of the accident or unacceptable hazardous condition;~~
- ~~(e) Time of the accident or discovery of the unacceptable hazardous condition;~~
- ~~(f) Identification of RFGS vehicle(s) and/or facility involved;~~
- ~~(g) Initial number of fatalities and/or individuals who suffered bodily injury and immediately received medical attention away from the scene of the accident; and~~
- ~~(h) Description of and preliminary value of property damage.~~

(2) The department has authority to perform separate, independent investigations of reportable accidents or unacceptable hazardous conditions at its own discretion.

(3) Each RFGS shall investigate all reportable accidents and unacceptable hazardous conditions. The RFGS may use its own staff or a contractor to conduct its investigation and shall designate a staff person to be responsible for submitting written investigation reports

and findings to the department, on a department form, within forty five calendar days after the reportable accident or unacceptable hazardous condition was discovered. This report shall identify the causal factors contributing to the occurrence and contain a corrective action plan with an implementation schedule to prevent a recurrence of the accident, or to mitigate the unacceptable hazardous condition.

(4) The department shall review the RFGS investigation report, corrective action plan, and accompanying implementation schedule to ensure that it meets the goal of preventing and mitigating a recurrence of the reportable accident or unacceptable hazardous condition. In the event that the department does not concur with the findings of the RFGS investigation, the department shall confer with the RFGS of its preliminary review findings. The RFGS may amend its report to the department in writing, within ten calendar days after conferring with the department. If, after conferring with the RFGS, the department does not concur with the findings of the RFGS, the department shall notify the RFGS in writing of its review findings. The RFGS shall submit its response to the department's findings within forty five calendar days of receipt thereof. Should the department and the RFGS disagree, the department will notify the FTA.

(5) Each RFGS shall submit an annual summary report to the department covering all reportable activities. The RFGS shall ensure delivery of the annual report to the department no later than February 1 after the year being reported).

(2) Each RFGPTS shall notify the Federal Transit Administration (FTA) of reportable hazards, incidents, and accidents per the requirements of 49 C.F.R. 674.33.

(3) Each RFGPTS shall notify the department per the requirements set forth in the Washington state rail safety oversight program standard within two hours of the discovery of any unacceptable hazardous condition.

(4) Each RFGPTS shall notify the department of all other reportable hazards or incidents within the reporting timelines set forth in the Washington state rail safety oversight program standard.

(5) Each RFGPTS shall investigate all reportable accidents and unacceptable hazardous conditions. The RFGPTS may use its own staff or a contractor to conduct its investigation and shall designate a staff person to be responsible for submitting written investigation reports and findings to the department, on a department form, within forty-five calendar days after the reportable accident or unacceptable hazardous condition was discovered. This report shall identify the causal factors contributing to the occurrence and contain a corrective action plan with an implementation schedule to prevent a recurrence of the accident, or to mitigate the unacceptable hazardous condition.

(a) In the event that the RFGPTS does not have all of the data and analysis necessary to complete a final report, the RFGPTS must submit a draft within forty-five days that documents progress to date.

(b) Under no circumstance may the final report be submitted more than four months from the date of the incident.

(c) The department shall review the RFGPTS final investigation report, corrective action plan, and accompanying implementation schedule to ensure that it meets the goal of preventing and mitigating a recurrence of the reportable accident or unacceptable hazardous condition.

(d) In the event that the department does not concur with the findings of the RFGPTS investigation, the corrective action plan, or

the implementation schedule, the department shall take the following actions:

(i) Within forty-five calendar days of receipt of the investigation report, confer with the RFGPTS about its preliminary review findings and explain what needs to be changed;

(ii) If the RFGPTS agrees with the department's recommendations, then the RFGPTS shall amend its report to the department in writing within ten calendar days. This then follows the normal WSDOT approval process;

(iii) If the RFGPTS does not agree with the department's recommendations, then it must submit its concerns and issues in writing within ten days to the department. The department shall submit the plan to the FTA transit safety oversight office for their review. The FTA shall make the final determination.

(6) The department has authority to perform separate, independent investigations of reportable accidents or unacceptable hazardous conditions at its own discretion.

(a) WSDOT at its discretion may choose to conduct an independent investigation of any accident meeting the thresholds specified in WSDOT SSO program standard utilizing its own personnel or an authorized contractor.

(b) WSDOT may initiate its own investigation at any time prior to adopting the RTA's accident investigation report. WSDOT will inform the RTA of its intention to conduct an independent investigation in advance of beginning investigation activities on RTA facilities and infrastructure or involving interviews with RTA personnel. WSDOT will advise the RTA of the personnel who will be conducting the independent investigation, and provide a preliminary schedule of the investigation process prior to the start of investigation activities.

(c) All WSDOT authorized accident investigation personnel, including consultants hired for the purpose of conducting an accident investigation, are granted authority under the state safety oversight program to do all things reasonable and necessary to conduct their investigation including, but not limited to, entering RTA facilities, accident scenes, and other relevant locations; examining the property, vehicles, and records of the RTA; interviewing RTA personnel; and evaluating records, materials, data, analysis, and other information which is pertinent to the investigation. It is expected that the RTA will provide the WSDOT investigation team the resources and information necessary to conduct the investigation in an effective and efficient fashion.

(7) All reportable accidents and hazards must be included in an annual safety program summary report to the department per WAC 468-550-100.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-080 Notifying of and applying financial penalties.**

~~((1) The due dates for documentation required herein are specified in (a) through (e) of this subsection. The department shall provide a RFGS a written notification of the required due date no later than one month before the applicable due date.~~

~~(a) System safety program plan and security and emergency preparedness plan within three months prior to beginning operations;~~

~~(b) Internal safety and security audit schedule for the next year by February 1;~~

~~(c) Annual report for the internal safety and security audits performed during the preceding year by February 1;~~

~~(d) Annual summary report to the department covering all reportable occurrences by February 1;~~

~~(e) Written investigation reports and findings within forty five calendar days after a reportable accident occurred, or unacceptable hazardous condition was discovered.~~

~~(2) If any RFGS notified by the department fails to deliver the required documentation by the due date specified in subsection (1) of this section, the department shall schedule a meeting with the director responsible for the RFGS's operations and maintenance to discuss the RFGS's progress in completing the documentation and the potential consequences of further delay. In scheduling this meeting, the department shall notify the RFGS's chief executive officer of the purpose of the meeting and its time and location. The department shall attempt to schedule the meeting within one week of the specified due date.~~

~~(a) The department may cancel this meeting if the department receives the required documentation prior to the scheduled meeting.~~

~~(b) The department may defer scheduling the meeting in the event of a catastrophic event affecting the RFGS and its ability to conduct routine business.~~

~~(c) The department shall document the results of the meeting in writing to the director responsible for the RFGS's operations and maintenance and the RFGS's chief executive officer within one week of the meeting.~~

~~(d) Should the department determine that there is no reasonable cause for any further delay by the RFGS for submission of its required documentation, the department shall notify the RFGS's chief executive officer of the applicable financial penalty, as defined in subsection (5) of this section.~~

~~(e) If the department receives no further communication from the RFGS within ten calendar days of the notification made in accord with (d) of this subsection, the department shall proceed to notify FTA of the RFGS's failure to supply the required documentation and to apply the appropriate financial penalty in accord with subsection (5) of this section.~~

~~(3) If any RFGS delivers incomplete documentation by the required due date, the department shall notify the RFGS of any deficiency within one week. The RFGS shall supplement its required documentation within one week after receiving the department's notification. If the RFGS fails to supplement its documentation adequately, the department shall proceed to schedule a meeting and follow the procedures in subsection (2) of this section.~~

~~(4) If any RFGS fails to implement a corrective action plan, according to the implementation schedule developed pursuant to WAC 468-550-070(4), to prevent a recurrence of an accident or to mitigate an unacceptable hazardous condition, the department shall schedule a meeting with the director responsible for the RFGS's operations and maintenance to discuss the RFGS's progress in completing the corrective action plan and the potential consequences of further delay.~~

~~(a) The department may cancel this meeting if the department receives the required documentation prior to the scheduled meeting.~~

~~(b) The department may defer scheduling the meeting in the event of a catastrophic event affecting the RFGS and its ability to conduct routine business.~~

~~(c) The department shall document the results of the meeting in writing to the director responsible for the RFGS's operations and maintenance within one week of the meeting.~~

~~(d) Should the department determine that there is no reasonable cause for a RFGS's failure to implement the corrective action plan, the department shall notify the RFGS's chief executive officer that the department intends to notify FTA of the RFGS's noncompliance.~~

~~(e) If the department receives no further communication from the RFGS within ten calendar days of the notification made in accord with (d) of this subsection, the department shall notify FTA of the RFGS's failure to implement a corrective action plan action.~~

~~(f) This subsection shall apply also to a corrective action plan upon which the department and the RFGS disagree. In this situation, the department shall use the corrective action plan and implementation schedule proposed by the RFGS.~~

~~(5) Any RFGS that fails to comply with the timelines as set forth in this chapter shall be assessed the financial penalties following:~~

~~(a) One thousand five hundred dollars for each calendar month two months prior to beginning operations, for failure to deliver to the department an acceptable system safety and security program plan;~~

~~(b) Five hundred dollars for each calendar month, beginning with February, for failure to deliver to the department an acceptable:~~

~~(i) Internal safety and security audit schedule for the next year;~~

~~(ii) Annual report for the internal safety and security audits performed during the preceding year; or~~

~~(iii) Annual summary report to the department covering all reportable occurrences; and~~

~~(c) One thousand dollars applied each thirty day period, beginning the 90th day after a reportable accident occurred, or after an unacceptable hazardous condition was discovered for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule.~~

~~(6) If FTA notifies the department that it will impose a financial penalty on the state of Washington as a consequence of a RFGS's failure to take appropriate action in a safety or security situation, the department shall:~~

~~(a) Notify that RFGS's chief executive officer that the department will impose all FTA financial penalties to that RFGS if the RFGS fails to take adequate action to bring itself into compliance to FTA's satisfaction. Said notice shall include a copy of FTA's written communication and an estimate of FTA's financial penalty.~~

~~(b) Recommend steps to the RFGS' chief executive officer that the RFGS should take to bring it into compliance with FTA requirements.~~

~~(7) Any RFGS notified by the department of its failure to take appropriate action in a safety or security situation shall take immediate and adequate action to bring itself into compliance to FTA's satisfaction and provide adequate documentation to the department of its corrective measures. The department shall provide that documentation to FTA.~~

~~(8) If any RFGS notified by the department of its failure to take appropriate action in a safety or security situation also fails to respond to the department and FTA imposes a financial penalty on the~~

~~state of Washington as a consequence, the department shall apply the full amount of the financial penalty on the RFGS.~~

~~(9) In applying any financial penalty, the department shall take the following steps:~~

~~(a) Invoice the RFGS for the amount of financial penalty; the invoice shall identify:~~

~~(i) The documentation not received by the specified due date;~~

~~(ii) The number of calendar months or, for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule, thirty day periods past the specified due date;~~

~~(iii) The applicable financial penalty rate per calendar month or, for failure to deliver to the department an acceptable investigation report, corrective action plan, and accompanying implementation schedule, thirty day periods; and~~

~~(iv) Where payment should be made.~~

~~(b) If a RFGS fails to remit the full amount of the imposed financial penalty within sixty days of when due, the department may seek judicial enforcement to recover full payment. Venue for any action hereunder shall be Thurston County.)~~ (1) If any RFGPTS fails to comply with any of the requirements or due dates specified in the Washington state rail safety oversight program standard, the department shall notify the RFGPTS in writing of such a violation. These violations will be designated by the department to be one or more findings of noncompliance.

(2) The RFGPTS will have fifteen calendar days to respond to this notification with:

(a) Documentation and records of corrective actions taken, for department review, that fully address the violations and findings of noncompliance; or

(b) Justification for its failure to comply or to provide the required records. The justification must include records of all supporting documentation, corrective actions taken, and all other mitigation plans proposed, planned or implemented with intent to address the violation.

(3) Within thirty days of receipt of the RFGPTS response, the department will review and issue one of the following determinations:

(a) Determination of compliance - Where the department determines that violations have been fully addressed and noncompliance findings can be closed.

(b) Determination of noncompliance with exception - Where the department determines that the RFGPTS has taken action to address violations and has a corrective action plan, acceptable in scope and schedule, in place to come into compliance.

(c) The department may establish a new deadline by which the corrective action plan addressing violations must be fully implemented. Failure by the RFGPTS to meet this new deadline may result in the issuance of a determination of noncompliance.

(d) Determination of noncompliance - Where the department determines that violations have not been adequately addressed by the RFGPTS and there is an absence of acceptable corrective actions taken and/or of acceptable scope and schedule of corrective actions to be taken.

(4) Where, the department issues a determination of noncompliance, the department may issue a second and final notification in writing that states a new deadline by which a financial penalty will be imposed if noncompliance findings cannot be addressed. The amount of the financial penalty will be stated in the written notification.

If more than one finding of noncompliance exists, more than one financial penalty may be imposed. Financial penalties will be as follows:

(a) The department may issue a financial penalty of ten thousand dollars for each determination of noncompliance.

(b) Thirty days following the issuance of a financial penalty, the department will determine if the status of the violation remains in noncompliance status. This determination will be based on a review of all additional submittals and actions taken by the RFGPTS. If the status has not been changed to determination of compliance or determination of noncompliance with exception, the department may impose an additional financial penalty of ten thousand dollars per finding of noncompliance.

(c) Following each subsequent thirty-day period, the department will review all additional submittals and actions and impose an additional financial penalty of ten thousand dollars until the determination is reduced to either a finding of noncompliance with exception or a finding of compliance.

(d) If a RFGPTS fails to remit the full amount of the imposed financial penalty within sixty days of when due, the department may seek judicial enforcement to recover full payment. Venue for any action hereunder shall be Thurston County.

(5) Additionally, following any issuance by the department of a determination of noncompliance or of inadequate progress in addressing it, the department may require a meeting with the director responsible for the RFGPTS's operations and maintenance, or with the agency's chief executive, to discuss the RFGPTS's progress in completing the documentation and the potential consequences of delay.

AMENDATORY SECTION (Amending WSR 08-15-078, filed 7/15/08, effective 8/15/08)

**WAC 468-550-090** ~~((Reimbursement for costs associated with the management of the rail safety oversight program.))~~ **Suspension of service, modification of service, or the removal of equipment due to failure to mitigate to hazardous conditions.** ~~((1) Owners of rail fixed guideway systems shall reimburse WSDOT for costs incurred for its management of the Washington state rail safety oversight program. These reimbursable costs can be grouped as follows:~~

~~(a) Costs for conducting triennial safety and security audits.~~

~~(b) Costs for WSDOT staff and/or consultants to conduct investigations of incidents or unacceptable hazards, as necessary.~~

~~(c) Labor, administrative, and travel costs incurred by WSDOT for its administration of the Washington state rail safety oversight program. These include but are not limited to:~~

~~(i) Staff hours dedicated to the oversight of system safety program plan and security and emergency preparedness plan development and implementation.~~

~~(ii) Office support and supplies necessary to carry out this oversight.~~

~~(iii) Travel and labor costs associated with WSDOT's administration of the program including for the attendance at federal and state safety, security, and emergency preparedness conferences, workshops, meetings, and trainings which enhance WSDOT oversight of system safety~~

program plan and security and emergency preparedness plan development and implementation.

(2) ~~Triennial safety and security audits. Within ninety days after receipt of an invoice, each RFGS shall reimburse the reasonable expenses of the department in carrying out its responsibilities pursuant to WAC 468-550-060. The department shall notify the RFGS of the estimated expenses at least six months in advance of when the department audits the system.~~

(3) ~~Investigations of incidents or unacceptable hazards. WSDOT at its discretion may choose to conduct an independent investigation of unacceptable hazards or incidents given that they meet the incident reporting thresholds established in the Washington state safety program standard. Costs associated with these investigations are to be reimbursed in full by the owners of the rail fixed guideway systems being investigated. This includes the cost of hiring consultants to conduct investigations, if determined necessary by WSDOT.~~

(4) ~~Administrative costs. All other reimbursable costs of the Washington state rail safety oversight program are allocated to each rail fixed guideway system owner based on a formula. This formula allocates the total of all reimbursable costs for the management of the program to each rail fixed guideway system. The owners of the rail fixed guideway systems are responsible for the reimbursement of costs allocated to each rail fixed guideway system for which they own. The allocation of such reimbursable costs is determined as follows:~~

(a) ~~Fifty percent of all reimbursable costs, except those for investigations of unacceptable hazards or incidents, are allocated in equal share among rail fixed guideway systems. This allocation of reimbursable costs is equal among rail fixed guideway systems, regardless of the number of passengers they carry or the length of their system. The amount of all such reimbursable costs is arrived at by dividing all such reimbursable costs by the number of RFGS, and then multiplying that result by fifty percent or (reimbursable costs/number of RFGS) x fifty percent.~~

(b) ~~Fifty percent of all reimbursable costs, excluding those for investigations of unacceptable hazards or incidents, are allocated based on route mileage that is funded, obligated, and/or operational. These reimbursable costs are allocated to rail fixed guideway systems based on their share of the total directional route miles falling under the oversight of the Washington state rail safety oversight program. The owners of the rail fixed guideway systems are responsible for the reimbursement costs allocated to each rail fixed guideway system for which they own. The amount of all such reimbursable costs is arrived at by dividing the RFGS's route miles by total route miles, and then multiplying that result by the product of reimbursable costs multiplied by fifty percent or (RFGS route miles/total route miles) x (reimbursable costs x fifty percent).~~

(c) ~~The total allocation of reimbursable costs to owners of rail fixed guideway systems is the total of the fifty percent of costs allocated based on an equal share allocation, and the fifty percent allocated based on directional route miles.~~

(d) ~~WSDOT will provide monthly invoices to owners of rail fixed guideway systems for the reimbursement of costs described above.)~~  
When a known unacceptable hazardous condition is not mitigated to an acceptable level by RFGPTS owners or operators, the department may require the suspension or modification of service or the suspended use or removal of equipment. The department may impose sanctions per WAC

468-550-080 upon owners or operators of RFGPTS for failure to meet deadlines of submissions of required reports and audits.

NEW SECTION

**WAC 468-550-100 Safety program annual report.** (1) Per the requirements of the Washington state rail safety oversight program standard, the RFGPTS will prepare and submit to the department a safety program annual report which summarizes the agency's safety program activities during the most recent calendar year, including a summary of accidents, incidents, hazards, and internal safety program audits.

(2) The annual safety program annual report must be submitted to the department on or before February 15th of each year.

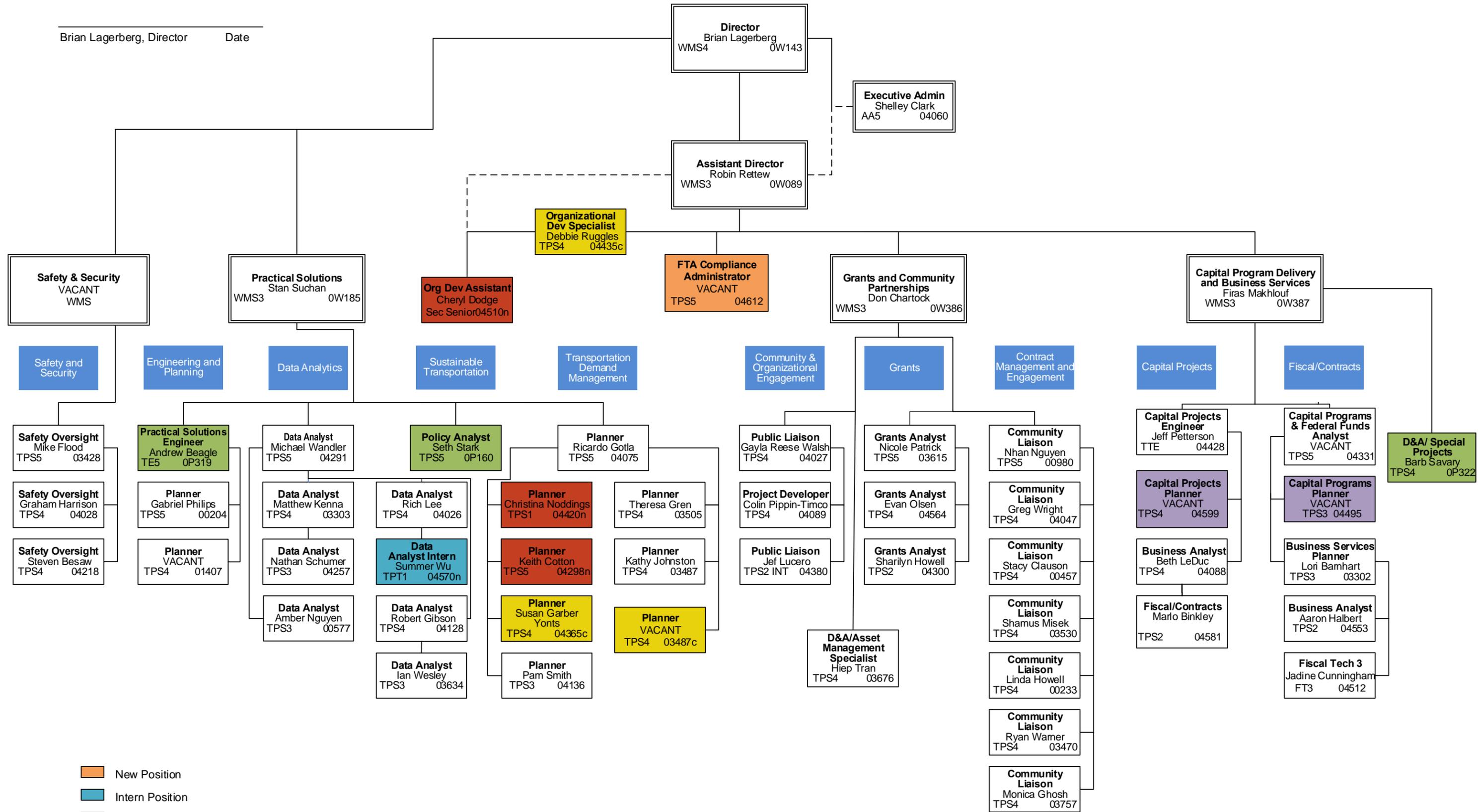
NEW SECTION

**WAC 468-550-110 Special provisions for rail fixed guideway public transportation systems crossing state lines and operating in both Washington and a bordering state.** (1) When a RFGPTS crosses state lines and is operating in Washington and a bordering state, the department will comply with the requirements set forth in 49 C.F.R. Part 674.15 for the designation of an oversight agency for a multistate system. The department will coordinate with the neighboring state SSOA and either ensure that both Washington's SSOA and the bordering state's SSOA are implementing uniform safety standards and requirements upon the RFGPTS (674.15a) or that a single SSOA is designated as the SSOA (674.15b).

(2) Where a bordering state agency is serving as the single entity SSOA, the bordering state's program standard and other safety standards and procedures will be used for oversight of the RFGPTS, unless otherwise stated through agreement or law. The Washington state rail safety oversight program standard will continue to apply to all other RFGPTS within Washington not subject to the special provisions of this section.

(3) An agreement will be established with the bordering state to set coordination of oversight duties and reporting for the RFGPTS subject to the program standard of a bordering state. The agreement must address the allocation of costs between the two states.

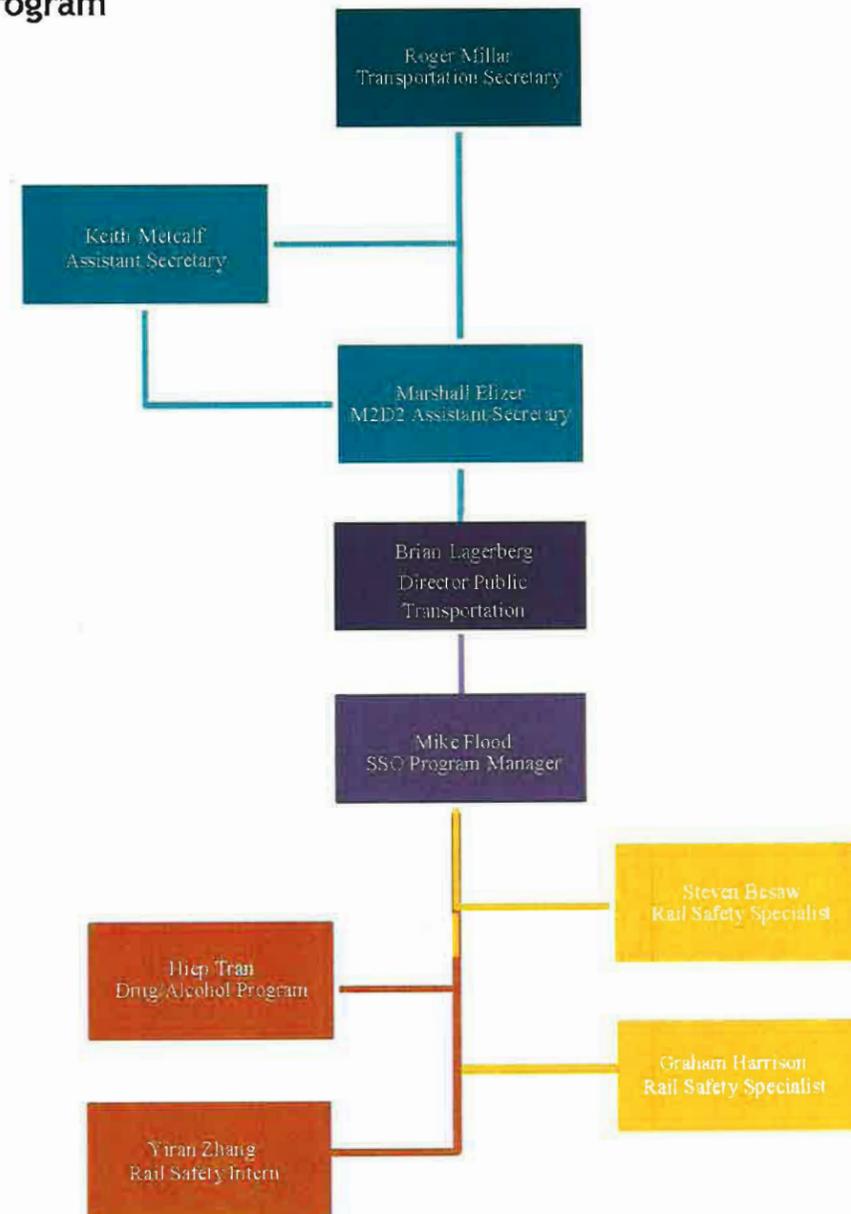
Brian Lagerberg, Director Date



- New Position
- Intern Position
- Vacant Position
- Project Position
- Temporary Position
- Clone Position

# Washington State Department of Transportation

## State Safety Oversight Program



# Rail Transit Agency Point-of-Contact Information

## Seattle Center Monorail

**Primary Safety Point-of-Contact:**

**Megan Ching**, General Manager  
Seattle Monorail Services  
370 Thomas Street  
Seattle, WA 98109  
Phone: (206) 905-2601  
Email: meganc@seattlemonorail.com

**Alternate Safety Point-of-Contact:**

**Chris Hem**, Safety/Security Manager  
Seattle Monorail Services  
370 Thomas Street  
Seattle, WA 98109  
Phone: (206) 396-7846  
Email: chrish@seattlemonorail.com

## Tacoma Link Light Rail

**Primary Safety Point-of-Contact:**

**Dale Lewis**, Rail Passenger Safety Manager  
Sound Transit  
401 S. Jackson Street  
Seattle, WA 98104-2826  
Phone: (206) 903-7363  
Email: dale.lewis@soundtransit.org

**Alternate Safety Point-of-Contact:**

**Salah Al-Tamimi** Safety/QA Director  
Sound Transit  
401 S. Jackson St.  
Seattle, WA 98104  
Phone: (206)-398-5006  
Email: salah.altamimi@soundtransit.org

## Seattle Streetcar: South Lake Union Line

**Primary Safety Point-of-Contact**

**Terence Murphy**, Transportation Compliance Administrator  
Streetcar and Light Rail, King County Metro  
11911 East Marginal Way South, Bldg. A  
Tukwila, WA 98168  
Phone: (206) 477-6039  
Email: terence.murphy@kingcounty.gov

**Alternate Safety Point-of-Contact**

**Rebecca Zelt**, Rail System Safety Chief  
Transit Safety-Light Rail  
Operations and Maintenance Facility 3407  
Airport Way S  
Seattle, WA 98134  
Phone: (206) 477-3976  
Email:rebecca.zelt@kingcounty.gov

**Central Link Light Rail**

**Primary Safety Point-of-Contact:**

**Dale Lewis**, Rail Passenger Safety Manager  
Sound Transit  
401 S. Jackson Street  
Seattle, WA 98104-2826  
Phone: (206) 903-7363  
Email: dale.lewis@soundtransit.org

**Alternate Safety Point-of-Contact: Salah**

**Al-Tamimi** Safety/QA Director Sound  
Transit  
401 S. Jackson St.  
Seattle, WA 98104  
Phone: (206)-398-5006  
Email: salah.altamimi@soundtransit.org