

Date: December 14, 2022

To: Board of Directors

From: Sam Desue, Jr.

Subject: **RESOLUTION NO. 22-12-67 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) APPROVING THE UPDATED AGENCY SAFETY PLAN**

1. Purpose of Item

This Resolution requests that the TriMet Board of Directors (Board) approve TriMet’s updated Agency Safety Plan (ASP) as required by the Federal Transit Administration (FTA).

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: Approval of ASP

3. Reason for Board Action

Board review and approval of the updated ASP is required by FTA regulations.

4. Type of Action

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading

5. Background

Pursuant to 49 CFR Part 673, a recipient of FTA funds like TriMet must develop a Public Transportation Agency Safety Plan (ASP) that includes the processes and procedures needed to implement its Safety Management System (SMS), and must update the ASP annually. On December 15, 2021, through Resolution No. 21-12-51, the Board approved TriMet’s current 2021 ASP. During 2022, TriMet engaged in the process of updating its ASP.

The FTA requires that the Board of each public transit system must take action to approve its updated ASP, and each agency’s accountable executive also must certify that the agency has formally adopted the updated ASP on or before December 31 of each year. Each Agency Safety Plan also must demonstrate that the transit agency’s Safety Management System contains each of the following elements:

- 1) a Safety Management Policy, which must contain safety objectives, a confidential employee reporting program, organizational safety accountabilities and responsibilities, plus designate a Chief Safety Officer;
- 2) a Safety Risk Management process, including processes for hazard identification, risk assessment, and mitigation of risk;

3) a Safety Assurance process, including safety performance monitoring and measurement, change management and continuous improvement; and

4) a Safety Promotion program, including comprehensive safety training and safety communication.

A copy of TriMet's updated Agency Safety Plan, dated June 30, 2022, accompanies this Resolution as Exhibit A. A review of the updated 2022 ASP confirms that it contains each of the above elements.

Before submitting the updated Agency Safety Plan to the Board for final approval, TriMet circulated it to the General Manager, the Chief Safety Officer and other Executive Directors for their review and approval during October and November of 2022. As shown on page 2 of the updated ASP, it has been reviewed, endorsed and executed by TriMet's General Manager, Sam Desue, Jr.; the Chief Operating Officer, Bonnie Todd; the Executive Director for Transportation, Inessa Vitko; the Executive Director for Maintenance, Roland Hoskins; the Executive Director for Engineering and Construction, Mark Dorn; and the Chief Safety Officer, Andrew Wilson.

As required by FTA regulations, TriMet's updated ASP also contains a confidential employee reporting program to help the agency regularly identify and address safety hazards, safety performance targets based on those described in the FTA's National Public Transportation Safety Plan, and specific criteria addressing all applicable requirements and standards set by the FTA's Public Transportation Safety Program and the National Safety Plan. Finally, TriMet's updated ASP includes a process and timeline for conducting the annual review and update of the ASP in accordance with the FTA regulations.

The FTA's required safety performance measures, which are included in TriMet's ASP, are:

- Fatalities
- Injuries
- Safety Events, and
- System Reliability (State of Good Repair).

These required measures are designed to allow TriMet to set targets and gauge its performance in each area, and take affirmative steps to make necessary improvements in each. Along with specifically addressing these critical safety measures, overall adherence to the ASP is essential for maintaining and improving TriMet's safety performance.

6. Financial/Budget Impact

The safety activities described in the ASP are integrated into TriMet's day-to-day operations and incorporated into its budgetary decisions.

7. Impact if Not Approved

If the Board does not approve the ASP on or before December 31, 2022, it will jeopardize or result in the elimination of funding from the FTA and the U.S. Department of Transportation.

RESOLUTION NO. 22-12-67

**RESOLUTION NO. 22-12-67 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) APPROVING
THE UPDATED AGENCY SAFETY PLAN**

WHEREAS, TriMet has authority under ORS 267.200 to develop, approve and implement safety plans applicable to all of its operations; and

WHEREAS, TriMet has a policy of providing safe public transportation services and safe workplaces for its employees, and is committed to ongoing identification of hazards, mitigation of safety risks, assurance that steps taken in mitigation are successful, and promotion of safe operations among all its employees and members of the public; and

WHEREAS, pursuant to 49 CFR Part 673, the Federal Transit Administration requires that public transportation agencies like TriMet develop, approve, implement and annually update a Public Transportation Agency Safety Plan; and

WHEREAS, TriMet's General Manager, Chief Operating Officer, Chief Safety Officer, Executive Director for Transportation, Executive Director for Maintenance, and Executive Director for Construction and Engineering each reviewed, endorsed and executed TriMet's updated Agency Safety Plan prior to its presentation to the TriMet Board of Directors (Board); and

WHEREAS, the Board has reviewed and has had an opportunity to inquire into TriMet's updated Agency Safety Plan, a copy of which accompanies this Resolution;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board hereby approves the updated TriMet Agency Safety Plan, dated June 30, 2022.
2. That the General Manager or his designee is authorized to confirm and convey the Board's approval of TriMet's updated Agency Safety Plan when submitting it to the FTA for certification.

Dated: December 14, 2022

Attest:

Presiding Officer

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department