



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 741
DEPARTMENT OF TRANSPORTATION
RAIL DIVISION

FILED

10/14/2025 3:33 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: State Oversight of Rail Fixed Guideway Systems that receive federal funding

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 11/21/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

These rules are mandated for and establish state oversight of rail transit agencies, pursuant to 49 USC 5330 and 49 CFR Part 670, 671, 672, 673, and 674.

Furthermore, the amendment of OAR 741-060-0010 establishes that state oversight of rail agencies shall be conducted pursuant to all legislation listed above and to the requirements contained in the State Safety Oversight Program Standard.

ODOT is repealing rules that are now redundant because they address requirements that are addressed in the Program Standard, which is being adopted into rule. Rules addressing emergency suspension of service, removal of track and equipment from service, and the application of civil penalties and individual liability, are not being repealed.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

49 CFR Part 670, 671, 672, 673, 674, and 49 USC 5330, available from Oregon Department of Transportation Rail Division: 455 Airport Road Southeast, Building A, Salem, OR 97301.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

These rules will not impact racial equity in Oregon.

FISCAL AND ECONOMIC IMPACT:

There are two rail transit agencies that are subject to these rules and the Program Standard: the Tri-County Metropolitan Transportation District of Oregon (TriMet) and Portland Streetcar. A rail transit agency is an entity that operates a rail fixed guideway system.

Concurrently with this proposed rulemaking, additional requirements have been added to the Program Standard requiring the installation and maintenance of cab cameras in all operational rail transit vehicles (Program Standard Section 17). The Oregon State Safety Oversight Agency has coordinated with the rail transit agencies to determine the estimated cost of compliance with this camera policy. TriMet and Portland Streetcar have provided cost estimates as follows:

TriMet:

Category / Cost Estimate

Installation / \$2,700/vehicle*

Equipment Costs / \$1,500/vehicle*

Engineering / \$100,000

*TriMet has 156 vehicles in revenue service.

Portland Streetcar:

Category / Cost Estimate

Administrative (safety, maintenance, project management, and contracting/procurement) / \$60,000

Installation / \$50,000

Equipment Costs / \$45,000

Software Engineering and Deployment / \$20,000

Integration / \$10,000

Licensing / \$4,000

Additional revisions to the Program Standard affect the manner in which rail transit agencies respond to safety-critical items identified by the State Oversight Agency; required training and qualifications for rail transit agency personnel; and the state's oversight of rail transit agencies' roadway worker protection programs, as required by 49 CFR Part 671. Rail transit agencies may determine to allocate resources to comply with these revised procedures. Failure of the rail transit agencies to comply with the Program Standard may result in the withholding of federal funds from those agencies or a penalty under ORS 824.990(1)(a).

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) TriMet and Portland Streetcar (see above).

(2) Small businesses will not be affected by these rule changes, as no small business operates a rail fixed guideway system.

(2)(a) No small businesses are subject to the rules, as no small business operates a rail fixed guideway system.

(2)(b) Small businesses will not be affected by these rule changes, as no small business operates a rail fixed guideway system.

(2)(c) Small businesses will not be affected by these rule changes, as no small business operates a rail fixed guideway system.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small Business were not involved in the development of these rules, as they are not affected.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The changes to these rules bring Oregon's state oversight program into compliance involve only two stakeholders; therefore, Rail Division staff held a Rules Review Committee with the rail transit agencies where comments were addressed prior to filing notice for public comment.

RULES PROPOSED:

741-060-0010, 741-060-0020, 741-060-0030, 741-060-0040, 741-060-0070, 741-060-0072, 741-060-0076, 741-060-0078, 741-060-0079, 741-060-0090, 741-060-0092, 741-060-0094, 741-060-0098, 741-060-0100

AMEND: 741-060-0010

RULE SUMMARY: Updating 741-060-0010 to reference the new Oregon State Safety Oversight Agency Program Standard, which will be replacing many of the rules in Chapter 741 in accordance with 49 CFR 674 and ORS 824.045. Because this program standard is replacing much of this Division's rules, the reference to said rules have also been removed. The Program Standard has been attached to this rule.

CHANGES TO RULE:

741-060-0010

General Provisions ¶¶

Designating the Procedures and Standards of the State Safety Oversight Agency

- (1) OAR 741-060-0010 through 741-060-0107 establish a state safety oversight program that applies to all rail transit agencies (RTAs) that own or operate rail fixed guideway public transportation systems (RFGPTS) in Oregon that receive federal funds and are not subject to regulation by the Federal Railroad Administration. ¶¶
- (2) The Oregon Department of Transportation (ODOT) is designated as the sOregon State sSafety eOversight aAgency (SSOA) for the State of Oregon, in accordance with 49 U.S.C. 5329. ¶¶
- (3) Federal Transit Administration (FTA) statutes, 49 U.S.C. 5329, and regulations, 49 CFR 670, effective 9/11/2016, 49 CFR 672, effective 8/20/2018, 49 CFR 673, effective 7/19/2019, and 49 CFR 674, effective 4/15/2016, are hereby adopted by reference as the minimum acceptable standards for oversight of RFGPTS, including those in the process of being designed, engineered, or constructed, that receive federal financial assistance authorized under 49 U.S.C. Chapter 53. ¶¶
- (4) OAR 741-060-0010 through 741-060-0107 apply to all rail transit agencies (RTAs) that own or operate RFGPTS in the State of Oregon and that receive federal funds. ¶¶
- (5) RTAs shall provide written certification of compliance with these rules to the SSOA a minimum of 90 days prior to beginning new revenue operations or revenue operations on an expanded or modified RFGPTS. ¶¶
- (6) In carrying out its authority, the SSOA may: ¶¶
- (a) Monitor, inspect, investigate and enforce the safety of a RFGPTS; ¶¶
- (b) Conduct inspections, investigations, employee interviews, audits, examinations, and require testing of equipment, facilities, rolling stock, and operations of the RFGPTS; ¶¶
- (c) Review, approve, oversee, audit and enforce the implementation of and compliance with the public transportation agency safety plan, emergency preparedness and response plan and RTA rules, standards, policies and procedures; ¶¶
- (d) Make reports and issue directives with respect to thProgram Standard as the procedures and standards for establishing and implementing the State Safety Oversight Program in accordance with 49 CFR 674 and ORS 824.045. The State sSafety of the RFGPTS; ¶¶
- (e) Investigate public transportation events and provide guidance to RTAs regarding prevention of events; ¶¶
- (f) Take, in conjunction with an event or complaint investigation, or an inspection or audit, or an investigation into a pattern or practice of conduct that negatively affects public safety, the statement of any employee or contractor of an RTA; ¶¶
- (g) Require the production of documents, camera footage, audio recordings and data downloaded from electronic devices and recorders from an RTA and its employees or contractors; ¶¶
- (h) Prescribe recordkeeping and reporting requirements for an RTA; ¶¶
- (i) Enter RTA property to conduct announced and unannounced inspections of equipment, facilities, infrastructure, rolling stock, operations and relevant records; ¶¶
- (j) Remove a vehicle, equipment or track segment from service; ¶¶
- (k) Suspend operations of the RFGPTS and issue civil penalties against RTAs for non-compliance with these or transit agency safety rules; and ¶¶

~~(L) Issue civil penalties against individual RTA employees only for willful violation of these or transit agency safety rules~~Oversight Program shall be conducted following the State Safety Oversight Agency Program Standard, OAR 741-060-0101, OAR 741-060-0102, OAR 741-060-0103, OAR 741-060-0105, and OAR 741-060-0107.

Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329

Statutes/Other Implemented: ORS 183.745, 824.045

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.



**Oregon
State Safety Oversight Agency**

PROGRAM STANDARD

November 2025

Version 7.0

Copies of this document can be obtained from the Oregon Department of Transportation, Commerce and Compliance Division, Rail Safety Section, State Safety Oversight Program, by sending an email to sso@odot.oregon.gov - or by writing to ODOT Rail Safety, SSO program, 455 Airport Rd SE, Bldg. A, Salem, Oregon 97301

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Revision History

Revision No.	Date	Summary of Changes
0	November 1, 2017	Original document
0.1	February 15, 2018	Revised original document
0.5	December 23, 2020	Added Addendum
2.0	July 19, 2021 – November 1, 2021	Revised document to accommodate new FTA regulations in 49 CFR Parts 673 and 674; incorporate appendices from prior version(s) of the program standard into body of document; remove all references to “security,” since SSOA no longer is required to oversee security; and to remove all references to 49 CFR 659 as that no longer applies.
3.0	November 1, 2022	Revised document for SSOA revisions and RTA comments.
4.0	November 7, 2024	Revised document for inclusion of Risk-Based Inspections.
4.5	February 5, 2025	Added Addendum revising event notification requirements.
5.0	February 7, 2025	Revised document to expand on prioritization procedure for Risk-Based Inspections.
6.0	April 2, 2025	Revised document to accommodate new FTA regulations in 49 CFR Parts 673 and 674; removed references to OARs to codify regulatory language in this Program Standard; removed repetitive language throughout document for clarity; added requirement for reporting of AARs; added requirements for a Competency Management System and Configuration Management Plan.
7.0	November 2025	Removed references to OARs in Section 8; expanded Section 13 with requirements for RTA personnel conducting ISRs or safety event investigations; added Section 14 on RWP Program requirements; added Section 17 on vehicle cab camera policies; added definition of remedial action to Sections 3 and 8; removed requirement for reporting FRA safety events to FTA and SSOA.

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1 Program Management

This section of the State Safety Oversight Program Standard introduces the State Safety Oversight Agency (SSOA), 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 agency in managing its program.

1.1 Purpose and Organization of State Safety Oversight Program

This document describes the State of Oregon's State Safety Oversight (SSO) program for addressing regulations promulgated by the Federal Transit Administration (FTA). These regulations establish minimum requirements for safety programs at each rail fixed guideway public transportation system (RFGPTS) within the state's jurisdiction. This Program Standard describes the State's program for carrying out its primary responsibility for overseeing and enforcing the safety of each RFGPTS within its jurisdiction.

The purpose of this document is to provide standards, procedures, and technical direction to each rail transit agency (RTA), which manages its respective RFGPTS, to assist in implementing the program regulated by the State and mandated by the FTA. The Program Standard clarifies the roles and responsibilities within the State and at the RTA for implementing program requirements and provides designated points-of-contact for the SSOA and each covered RTA. Note that all timelines are written in calendar days, unless otherwise specified.

1.2 SSOA Agency Authority

Through Oregon Revised Statutes (ORS) 824.045, the Oregon State Legislature has designated the Oregon Department of Transportation (ODOT) as the agency responsible for rail transit safety oversight in the State. The Commerce and Compliance Division, Rail Safety Section, houses the SSO program within the Agency.

ORS 824.045 Department establishment of system safety program for rail fixed guideway system; fee; rules.

- (1) Subject to ORS 479.950, the Department of Transportation, by rule, shall establish a state safety oversight program that applies to all rail fixed guideway public transportation systems in Oregon that are not subject to regulation by the Federal Railroad Administration.*
- (2) For purposes of 49 U.S.C. 5329(e), the department is designated as the state safety oversight agency to monitor compliance with the program for rail fixed guideway public transportation systems that are not subject to regulation by the Federal Railroad Administration. The state safety oversight agency and rules:*

- (a) Shall implement the state safety oversight program in compliance with*

the requirements of 49 U.S.C. 5329.

- (b) Shall review, approve, oversee and enforce the implementation, by the owner and operator of a rail fixed guideway public transportation system, of the public transportation agency safety plan adopted pursuant to 49 U.S.C. 5329(d).*
 - (c) Shall inspect, investigate and enforce the safety of rail fixed guideway public transportation systems.*
 - (d) Shall audit rail fixed guideway public transportation systems for compliance with the public transportation agency safety plan.*
 - (e) May investigate any hazard or risk that threatens the safety of a rail fixed guideway public transportation system.*
 - (f) May investigate any event involving a rail fixed guideway public transportation system.*
 - (g) May investigate any allegation of noncompliance with a transit agency safety plan.*
- (3) The department shall implement the state safety oversight program for rail fixed guideway public transportation systems that are not subject to regulation by the Federal Railroad Administration and that are not subject to 49 U.S.C. 5329.*

FTA's authority to require this program derives from its authority to condition the receipt of FTA grant funds on compliance with FTA guidance (49 United States Code (U.S.C.) § 5329). The Intermodal Surface Transportation Efficiency Act (ISTEA), reauthorized by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), directed FTA to issue regulations requiring states to oversee the safety of RTAs (49 U.S.C. § 5330). ORS 824.045 and OAR Chapter 741, Division 60, combined with 49 CFR Part 670, Part 671, Part 672, Part 673 and Part 674, establish authority for the SSOA's program and the standards, procedures, and technical direction to each RTA that receives federal funding operating within the state's jurisdiction. All requirements of these regulations are incorporated in this Program Standard by reference.

To implement the statute, the development of administrative rules (OAR) pursuant to the Oregon Administrative Procedures Act is required. The rules for the SSO program are in Chapter 741, Division 60. These rules in combination document both RTA and SSOA-required activities to implement Oregon's State Safety Oversight Program and Part 674. It also specifies the program in place to ensure on-going

communication between the SSOA and each affected RTA regarding safety information, and to address SSOA communication with the FTA, including periodic submissions.

To fully implement the above requirements, the SSOA has adopted this Program Standard in OAR 741-060-0010.

1.2.1 SSOA Point of Contact

The SSOA program within ODOT is administered by the Rail Safety Manager and the SSOA team.

Oversight Agency:	Oregon Department of Transportation, Commerce and Compliance Division
Rail Safety Manager/ SSOA Program Manager:	Karla Tackett, Rail Safety and Regulatory Branch Manager 455 Airport Rd SE, Bldg. A Salem, OR 97301 Cell: (503) 476-6863 Karla.R.Tackett@odot.oregon.gov
SSOA Compliance:	Lynda Horst, Rail Transit Compliance Specialist 455 Airport Rd SE, Bldg. A Salem, OR 97301 Cell: (971) 600-7178 Lynda.Horst@odot.oregon.gov
SSOA Compliance:	Aaron Cowell, Rail Transit Compliance Specialist, Lead Worker & SSOA Program Manager 455 Airport Rd, SE Bldg. A Salem, OR 97301 Cell: (971) 304-4501 Aaron.J.Cowell@odot.oregon.gov
SSOA Compliance:	John Cyrus, Rail Transit Compliance Specialist 455 Airport Rd. SE Bldg. A Salem, OR 97301 Cell: (503) 930-6240 John.Cyrus@odot.oregon.gov
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The SSOA's oversight program is located within the Commerce and Compliance Division, Rail Safety Section. The Rail Safety & Regulatory Brach Manager administers the state safety oversight program and

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reports to the Commerce and Compliance Division Administrator, who reports information on the oversight program to ODOT's Director. The SSOA retains the authority to use contractors as needed to support the performance of safety oversight activities. Procurement activities are managed by the Rail Safety & Regulatory Branch Manager in conjunction with ODOT's procurement department.

1.2.2 Affected Rail Fixed Guideway Public Transportation System(s)

RFGPTS affected by this program include any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway operating within the State's jurisdiction. All RTAs that are not regulated by the Federal Railroad Administration are subject to this program. Those that receive federal funds through FTA are subject to both the state and federal regulations. RTAs subject to the provisions of the federal and state program include:

TriMet

101 SW Main St., Suite 700
Portland, OR. 97204

City of Portland – Portland Streetcar

1516 NW Northrup St.
Portland, OR. 97209

Municipal corporations having a legal interest in any rail fixed guideway public transportation system must endorse the plans, procedures, and policies developed by their RTA.

All RTAs shall provide to the SSOA points-of-contact of their various safety staff, as needed or as requested by the SSOA.

1.2.3 Conflict of Interest

The SSO Program is subject to a Conflict-of-Interest Policy. No individual or entity may provide services to both the SSOA and an RTA when that would create a conflict of interest or even the appearance of a conflict. A conflict of interest occurs when an individual or entity performing work for an RTA or the SSOA is potentially unable, or actually unable, to render impartial assistance or advice on the development or implementation of the standards and provisions of ODOT's SSO program or to objectively perform such work without bias. A third-party contractor to the SSOA or an RTA must not have an unfair competitive advantage over other contractors. Each contractor is subject to full disclosure of all present and potential conflicts of interest in its activities or relationships prior to being awarded a contract with the SSOA or an RTA.

1.3 SSOA Reporting Requirements

In accordance with the FTA State Safety Oversight rules, the SSOA must make specific, initial, annual, and periodic reports to the FTA. All submissions to FTA must be submitted electronically using a reporting

system specified by FTA, termed the SSOR – State Safety Oversight Reporting – tool. The objective of these reporting requirements is to provide the FTA with information regarding the operation of the SSO Program and the RTAs it oversees. These reporting requirements are further explained in chapter 12 of this Program Standard.

Annual certification. The certification is signed by the ODOT SSOA Program Manager, certifying compliance with 49 CFR 674. The SSOA must maintain a signed copy of this annual certification to FTA, subject to audit by FTA, except when the annual reporting is done electronically or there is no signature required.

Periodic submissions. Status reports of safety events, hazards and risk mitigations, and corrective action plans, along with any other program information requested must be forwarded to the FTA upon request.

Annual Safety Status Report. In compliance with 49 CFR 674.13(a)(7), The SSOA must provide a publicly available annual safety status report to the Governor of Oregon and to the TriMet (Tri-County Metropolitan Transportation District of Oregon) Board of Directors and the Portland City Council (for Portland Streetcar), and the FTA. This report includes updates on changes to SSO program implementation, if any, completed audits and significant findings, recent investigations, and data on CAPs. This reporting will generally occur in the second quarter of each year (no later than the end of June).

1.4 SSOA Program Policy and Objectives

The SSO program currently is staffed with five full-time program staff, including a Rail Safety and Regulatory Branch Manager, a Lead Rail Transit Compliance Specialist (who is the Program Manager), and three other Rail Transit Compliance Officers. The SSO program currently receives contractor support on an as needed basis to supplement full time staff. Additionally, the SSOA has access to FRA-certified inspectors within ODOT for specific expertise, when needed. The SSOA is required to assure that staff and any contractors are compliant with the training requirements delineated in Oregon SSO's Technical Training Plan, in accordance with FTA's Safety Certification Training Provisions, found in 49 CFR Part 672.

The SSO program collects and tracks data, in the SSOA Rail Online application, related to all reportable safety events that occur at the RTAs. Additionally, data and results from inspections, triennial audits, and spot audits are likewise captured and tracked, as well as the status of each CAP from approval through completion and verification. SSOA personnel must have access to the RTAs' database systems for operations and maintenance, as well as command and control, when necessary. This includes TriMet's TRI-NET and the Portland Streetcar's Trapeze Software Module. The SSOA monitors, reviews, oversees, and tracks investigations done by the RTAs as part of its ongoing safety monitoring of the RTA. These analytical activities are intended to support risk-based, data-driven decision-making for additional investigation or audit of the RTA safety programs and related SMS activities by the SSOA, including risk management.

1.5 SSOA Policy and Objectives for RTA Safety

FTA's SSO program rule, found at 49 CFR 674.27(a)(3), requires SSOAs in their Program Standards to "set an explicit policy and objectives for safety in rail fixed guideway public transportation systems throughout the State." The overall objective of the SSOA's State Safety Oversight Program is to reduce the potential for safety events and to increase the awareness of safety. The overall policy of ODOT's SSO Program is to address these objectives in a proactive manner, with the philosophy that preventing events through reasonable measures is preferable to reacting to them after they occur. Other primary objectives include:

- (a) Fewer RTA safety events;
- (b) Fewer RTA hazards that could result in injury or death;
- (c) Effective hazard identification, mitigation and implementation practices at the RTA to reduce the consequences of hazards, through the Safety Risk Management process;
- (d) Increased RTA compliance with the OAR and Program Standard;
- (e) RTA compliance with their ASPs;
- (f) Agency Identification of causal and contributing factors from safety events, incidents and occurrences;
- (g) Successful implementation of mitigations and application of the Safety Assurance process.

In addition, it is the SSOA's policy to work collaboratively with all levels of RTA personnel to achieve program objectives. In particular, the collaboration will flow through the Safety, Security, and Environmental Services Department at TriMet and the Safety and Risk Officer at Portland Streetcar. The TriMet Manager, Regulatory Compliance and Safety Assurance, will be carbon copied on all electronic communication between the SSOA and TriMet personnel.

1.6 SSOA Agency and RTA Communications

The SSOA conducts meetings and corresponds with transit agencies' safety representatives as needed. The SSOA and each RTA conduct quarterly meetings with RTA safety representatives and their executives; these meetings are scheduled by the RTA and both parties develop topics for discussion prior to the meeting. Informal meetings will be convened, as well, in addition to frequent phone calls and correspondence with key safety personnel. Meetings and communication protocols between the SSOA and the RTA are detailed in other sections throughout this Program Standard.

SSOA personnel meet with other RTA personnel regarding operations, maintenance, inspections, facilities and infrastructure, and other safety-critical topics during triennial audits, periodic inspections, in response to an identified hazard, risk or trend and as otherwise needed. The SSOA may also attend emergency drills and exercises, Fire/Life Safety Committees, Safety Certification Committees, the TriMet Transit Change Review Committee (TCRC), or ad hoc safety committee meetings at either RTA, as warranted. The SSOA reserves the right to conduct its own investigations and inspections at the RTAs, as detailed in the Inspections Section (Section 8), Safety Event Investigation Section (Section 10) and CAP Section (Section 11) of this Program Standard.

These meetings and correspondence with RTAs are intended to ensure ongoing communication between the SSOA and the RTA, such that both groups appreciate the other's perspectives, needs and obligations. Ongoing communications also help to ensure the best possible safety programs for all parties involved as more attention paid to these types of issues will mean fewer unexpected problems. The Rail Safety and Regulatory Branch Manager may assign certain meetings, correspondence, or reviews to SSOA personnel or SSOA contractors as well. All SSOA staff have responsibility for arranging meetings and reviews with covered RTAs, as necessary, to fulfill their obligations.

SSOA personnel are permitted through statute and rule access to any RTA property. Any SSOA contractors must take any requisite training as required by the SSOA. In the event SSOA personnel or contractors wish to access the RTA's right-of-way, the SSOA may coordinate such access through the RTA Safety Department or equivalent or relevant maintenance or operations group.

2 Program Standard Development

This section of the Program Standard introduces the SSOA's requirements for development of this Program Standard, as well as the requirements for periodic review and revision of this Program Standard. Additionally, this section describes the requirements for distribution of this Program Standard to the covered RTAs and, in certain circumstances, their respective governing bodies.

2.1 Program Standard Development and Minimum Safety Standards

This revision of the State Safety Oversight Program Standard is a product of the original SSOA System Safety Program Standard that was issued on September 9, 1997, and of the changes required when the FTA revised the SSO Final Rule in April 2005, and the new SSO Final Rule, 49 CFR 674. The SSOA has updated and will continue to revise the Program Standard based on enhanced enforcement, investigation, safety plans, and other requirements required under MAP-21 or state authority.

The SSOA reserves the authority to promulgate and enforce minimum safety standards for covered RTAs. These standards may be based upon FTA regulation or guidance; industry-recommended, best, or standard practices, including original equipment manufacturers' specifications; RTA-developed standards; or state-issued standards. The SSOA requires each covered RTA to have its own safety standards and to comply with those standards. The SSOA will enforce the RTAs' standards, practices, and policies, as necessary. This Program Standard contains the SSOA's standards for the RTAs to follow. The SSOA is able to pursue enforcement action against the RTAs for any failure to comply with this Program Standard.

Each RTA must develop and enforce safety policies and practices as applied to operations, construction and maintenance of all assets that belong to the RTA. Standards must meet or exceed transit industry standards, such as those recommended by the American Public Transportation Association (APTA) and the National Public Transportation Safety Plan. RTA employees and contractors are expected to follow all agency practices, procedures, policies and best practices; the RTA must ensure adherence by regular and routine rules compliance checks or competency management activities. The SSOA will oversee that the RTA is employing oversight activities to ensure employee compliance, as required by the RTA's PTASP.

2.2 Program Standard Review and Revision

To ensure currency, this document will be reviewed at least on a biennial schedule to determine if updates are necessary. If any changes are indicated, those changes will be incorporated into the next version of the document. The SSOA will provide proposed changes to RTAs for comment prior to publication of a Program Standard update. The SSOA will provide RTAs with a minimum of 30 days to review and comment on proposed changes. After each update, final versions of the revised document will be distributed to the RTA safety points-of-contact and significant changes will be highlighted in the SSOA's annual safety status report to the TriMet's Board of Directors, Portland's City Council, Oregon's governor and the FTA. A current version of the Program Standard will be submitted to FTA's Office of Transit Safety Oversight (FTA-TSO) as part of the SSOA's Annual Submission to FTA, generally due by March 15 of each year.

In addition to the biennial update, changes may be incorporated into this document based on reviews or audits from internal or external sources, such as FTA, or based on policy changes, statewide meetings, and/or organizational changes. As with the biennial updates, final copies of the revised version of this document will be submitted to the RTA safety points-of-contact and to the FTA as part of the SSOA's Annual Submission.

2.3 Program Standard Distribution

This document is distributed through the SSOA's Salem Office. Copies can be obtained from:

***Oregon Department of Transportation, Commerce and Compliance Division
Rail Safety Section, State Safety Oversight Program.***

Via email request to: sso@odot.oregon.gov

This document can also be obtained directly from an SSOA point-of-contact. Copies of this document have been distributed directly to the designated safety points-of-contact established by each affected RTA. Typically, these points-of-contact will be system safety administrators and the Accountable Executive at each of the covered RTAs. The SSOA will distribute the updated Program Standard following any revisions.

This document is also freely available to other RTA stakeholders and interested parties and may be distributed to all interested public parties.

3 Definitions Applicable to the SSO Program

As used in this Program Standard, the following definitions apply:

“Accountable Executive” means a single, identifiable person who has ultimate responsibility for carrying out the RTA’s PTASP and the Transit Asset Management (TAM) Plan and who has control or direction over the human and capital resources needed to develop and maintain both the RTA’s PTASP, in accordance with 49 U.S.C. 5329(d), and the RTA’s TAM Plan, in accordance with 49 U.S.C. 5326.

“Close call/near-miss” means a situation or circumstance that had the potential for safety consequences, but did not result in an adverse safety event.

“Collision” means any impact between a rail transit vehicle and any other vehicle, object, or any person.

“Comingled Service” means:

- (a) Any non-safety sensitive service at the direction of and performed for the RTA that is not separated from safety sensitive service by at least the minimum required number of continuous hours off duty. Such comingled service is counted as on-duty time; or
- (b) Performance of multiple safety sensitive job classifications within the same on-duty time performed for and at the direction of the RTA. Such on duty time will be subject to the most restrictive applicable RTA hours-of-service policy based on the safety sensitive functions performed during the on-duty time.

“Contractor” means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or an RTA, through contract or other agreement.

“Corrective action plan” (CAP) means a plan developed by an RTA that describes the actions the RTA will take to address an identified deficiency or safety concern, 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.

“Derailment” means a safety event in which one or more wheels of a rail transit vehicle unintentionally leaves the rails. It does not include vehicles only equipped with rubber tires designed for highway use.

“Designated personnel” means:

- (a) Employees and contractors identified by a recipient whose job functions are directly responsible for safety oversight of the public transportation system of the public transportation agency; or
- (b) Employees and contractors of a State Safety Oversight Agency whose job functions require them to conduct reviews, inspections, examinations and other safety oversight activities of the RFPGPTS subject to jurisdiction of the agency.

“Direct Recipient” means an entity that receives Federal financial assistance directly from the Federal Transit Administration.

“Disabling Damage” means damage to a rail transit vehicle resulting from a collision and preventing the vehicle from operating under its own power.

“Electronic Device” means an electronic or electrical device used to:

- (a) Conduct oral, written, or visual communication;
- (b) Place or receive a telephone call;
- (c) Send or read an electronic mail or text message;
- (d) Look at pictures;
- (e) Read a book or other written material;
- (f) Play a game;
- (g) Navigate the Internet;
- (h) Navigate the physical world;
- (i) Play, view, or listen to a video;
- (j) Play, view, or listen to a television broadcast;
- (k) Play or listen to a radio broadcast other than a radio broadcast by an RTA or railroad;
- (l) Play or listen to music;
- (m) Execute a computational function; or
- (n) Perform any other function that is not necessary for the health or safety of the person and that entails the risk of distracting the employee or another transit agency employee from a safety-related task.

“Electronic Device” does NOT mean:

- (a) Electronic control systems and information displays within the RTV whether the displays or systems are fixed or portable;
- (b) A digital watch whose only purpose and function is as a timepiece;
- (c) A medical device consistent with RTA standards for medical fitness for duty; or
- (d) An agency supplied fixed or portable radio used only for the purposes of RTA-related communications.

“Emergency Preparedness and Response Plan” means a document developed and adopted by the RTA describing its responsibilities and procedures to assure rapid, controlled, and predictable responses to various types of emergencies.

“Equivalent Authority” means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient’s Public Transportation Agency Safety Plan.

“Evacuation for life safety reasons” means a condition that occurs when persons depart from transit vehicles or facilities for life safety reasons, including self-evacuation. An evacuation for life safety reasons may include a situation such as a fire, the presence of smoke or noxious fumes, a fuel leak from any source, an electrical hazard, or other hazard to any person. An evacuation of passengers into the rail right of way (not at a platform or station) for any reason is presumed to be an evacuation for life safety reasons.

“Fatality” means a death confirmed within 30 days of a safety event. Fatalities include suicides, but do not include deaths in or on transit property that are the result of a drug overdose, exposure to the elements, illness, or natural causes.

“FTA” means the Federal Transit Administration, an operating administration 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.

“Incident” means an event that involves any of the following:

- (a) All collisions involving an RTV that do not meet the threshold of a safety event.
- (b) Vandalism, theft, or damage to catenary, track or signal systems that result in cancellation of service, issuance of a slow order, or delays rail service more than 30 minutes.
- (c) Application of an emergency braking device that results in an irretrievable stop to avoid a safety event or collision.

“Individual” means a passenger, patron, employee, contractor, other rail transit facility worker, pedestrian, trespasser, or any person on rail transit-controlled property.

“Immediate” means occurring or accomplished without delay.

“Injury” means any harm to persons as a result of a safety event that requires immediate medical attention away from the scene. It does not include harm resulting from a drug overdose, exposure to the elements, illness, natural causes or occupational safety events occurring in administrative buildings

“Inspection” means a physical observation of equipment, facilities, rolling stock, operations, personnel, or records for the purpose of gathering or analyzing facts or information.

“Investigation” means the process of determining the causal and contributing factors of a safety event, incident, occurrence, or hazard, for the purpose of preventing recurrence and mitigating risk.

“Inward-facing camera” means a camera that is oriented so that it may be used to monitor employee behavior, condition or state.

“National Public Transportation Safety Program” means the plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53

“National Transit Database (NTD) Program” means the program established in 49 U.S.C. 5335(a) to collect and analyze data related to transit systems and operations in the US. Congress established the NTD to be the Nation’s primary source for information and statistics on the transit systems.

“NTSB” means the National Transportation Safety Board, an independent federal agency

“Occurrence” means an event that involves any of the following:

- (a) Close calls/Near misses;
- (b) Unauthorized entry into a rail yard or rail operations facility or rail maintenance facility that results in a crime, vandalism, or theft; or
- (c) Violations of safety rules or safety policies

“On-duty time” means the actual time an employee reports for duty to begin a safety sensitive assignment. Such time shall continue until that employee is released or relieved from all responsibility for performing safety sensitive work.

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

“Person” means a passenger, employee, contractor, volunteer, official worker, pedestrian, trespasser, or any other individual on the property of a RFGPTS or associated infrastructure.

“Personal Electronic Device” means an electronic device that was not provided to the RTA employee or contractor by the employing RTA for a business purpose.

“Program Standard” means a written document developed and adopted by the SSOA that identifies the processes and procedures that govern the activities of the SSOA, and the processes and procedures an RTA must have in place to comply with the standard, pursuant to 49 CFR 674.27.

“Public transportation” means, as defined under 49 U.S.C. 5302, regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include:

- (a) Intercity passenger rail transportation provided by the entity described in 49 U.S.C. chapter 243 (or a successor to such entity);
- (b) Intercity bus service;
- (c) Charter bus service;
- (d) School bus service;
- (e) Sightseeing service;
- (f) Courtesy shuttle service for patrons of one or more specific establishments; or
- (g) Intra-terminal or intra-facility shuttle services.

“Public Transportation Agency Safety Plan (PTASP)” means the documented comprehensive agency safety plan for an RTA, which is required by 49 U.S.C. 5329 and 49 CFR 673.

“Public Transportation Safety Certification Training Program (PTSCTP)” 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 the employees of public transportation agencies directly responsible for safety oversight, established in accordance with 49 U.S.C. 5329(c), and 49 CFR 672.

“Rail fixed guideway public transportation system (RFGPTS)” means any fixed guideway system or any such system in engineering or construction, that uses rail, is within the jurisdiction of a State, and is not

subject to the jurisdiction of the Federal Railroad Administration. Rail fixed guideway public transportation systems include, but are not limited to, rapid rail, heavy rail, light rail, monorail, trolley, streetcar, inclined plane, funicular, and automated guideway used primarily for carrying passengers.

“Rail transit agency (RTA)” means any entity that provides services on a RFGPTS.

“Rail transit-controlled property” means property that is used by the RTA and includes property owned, leased, or maintained by the RTA.

“Rail transit vehicle (RTV)” means the RTA’s rolling stock used on a rail fixed guideway public transportation system, including but not limited to, passenger and maintenance vehicles.¹

“Recipient” means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under 49 U.S.C. chapter 53.

“Record” means any writing, drawing, map, recording, tape, film, photograph, or other documentary material by which information is preserved. The term “record” also includes any such documentary material stored electronically.

“Remedial action” means a mitigation that the RFGPTS will take to remedy any defect noted by the Oregon SSOA in an inspector's report.

“Revenue vehicle” means a rail transit vehicle used to provide revenue service for passengers. This includes providing fare free service.

“Risk-based inspection program” (RBI program) means an inspection program that uses qualitative and quantitative data analysis to inform ongoing inspection activities. Risk-based inspection programs are designed to prioritize inspections to address safety concerns and hazards associated with the highest levels of safety risk.

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

“Roadway” means land on which rail transit tracks and support infrastructure have been constructed to support the movement of rail transit vehicles, excluding station platforms.

“Safety” means freedom from harm resulting from unintentional acts or circumstances.

“Safety Committee” means the formal joint labor-management committee on issues related to safety that is required by 49 U.S.C. 5329 and 49 CFR Part 673.

“Safety Event” means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the

¹ A passenger vehicle is a light rail vehicle, streetcar, or trolley. A maintenance vehicle is any vehicle that rides on rail and is used for the inspection or repair of rail, signals or the overhead catenary system; when performing such duties, the maintenance vehicle is subject to safety event definitions prescribed by the SSOA.

environment. Reportable safety events occurring on a RFGPTS that require two-hour notification to the SSOA and FTA include one or more of the following:

- (a) Fatality
- (b) Two or more injuries
- (c) Derailment
- (d) Collision resulting in one or more injuries
- (e) Collision between two rail transit vehicles
- (f) Collision resulting in disabling damage to a rail transit vehicle
- (g) Evacuation for life safety reasons
- (h) Unintended train movement

The two-hour notification excludes crimination actions that result in fatalities or injuries, such as homicides and assaults.

“Safety Management System” (SMS) means a formal, top-down, organization-wide data-driven approach to managing safety risk and assuring the effectiveness of a recipient's safety risk mitigations. SMS includes systematic procedures, practices and policies for managing risks and hazards.

“Safety performance target” means a quantifiable level of performance or condition, expressed as a value for the measure, related to safety management activities, to be achieved within a specified time period.

“Safety risk” means the composite of predicted severity and likelihood of a potential consequence of a hazard.

“Safety risk management” means a method or methods to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard.

“Safety sensitive employee” means an individual employed by, contracted by, or a volunteer of, the RTA that:

- (a) Operates an RTV used for carrying passengers;
- (b) Dispatches or controls the movement of such vehicles;
- (c) Reports, transmits, receives or delivers orders pertaining to the movement of such vehicles;
- (d) Is engaged in the installation or maintenance of the on-track vehicles, train control, train protection, or signaling system; or
- (e) Is designated as such by the RTA.

“State Safety Oversight Agency” (SSOA) means the Oregon Department of Transportation, Commerce and Compliance Division, Rail Safety Section, as designated, to meet the requirements and perform the functions specified by 49 USC 5329(e) and (k) and ORS 824.045, et seq.

“Subrecipient” means an entity that receives Federal transit grant funds indirectly through a State or a direct recipient.

“Transit agency” means an operator of a public transportation system that is a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 or an RTA.

“Transit worker” means any employee, contractor, or volunteer working on behalf of the transit agency.

“Unacceptable hazard” means a hazard determined to rank as unacceptable using the hazard risk index adopted by the RTA and approved by the SSOA.

“Undesirable hazard” means a hazard determined to rank as undesirable using the hazard risk index adopted by the RTA and approved by the SSOA.

“Unauthorized Entry” is willful entry onto any RTA property, facility or structure, tunnel, or bridge, railyard, maintenance shop or administration area that results in a crime, vandalism, or theft.

“Unintended train movement” means any instance where a revenue vehicle is moving and is not under the control of the driver (whether or not the operator is physically on the vehicle at the time). This applies regardless of whether the event occurred in revenue service.

“Willful Violation” means an intentional voluntary act committed either with knowledge of the relevant law or reckless disregard for whether the act violated the requirements of the law.

4 Public Transportation Agency Safety Plans

Any RTA with an RFGPTS shall prepare a PTASP conforming to the requirements of 49 CFR 673. The RTA must document the processes and activities related to Safety Management System (SMS) implementation. The PTASP must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan, (see 49 CFR 670).

4.1 Public Transportation Agency Safety Plan General Requirements (Part 673.11)

The SSOA has adopted a minimum agency safety plan standard, aligned with FTA requirements as detailed in 49 CFR Part 673. The SSOA encourages the RTAs to exceed this standard in their rail operations and to further enhance safety by applying safety management system principles throughout all life cycle phases of their RFGPTS's activities. Oregon SSOA includes additional state level requirements in addition to those stipulated by 49 CFR Part 673, which are described in this section.

4.1.1 Competency Management System

RTAs must have a Competency Management System or a Rules Compliance Program for all employees performing safety-sensitive functions as part of the Safety Assurance component of the PTASP. Each safety-sensitive employee must be evaluated through the Competency Management System or Rules Compliance Program at least once a year. The RTA must provide a quarterly report to the SSOA at each quarterly meeting demonstrating compliance with its Competency Management or Rules Compliance Program. This report should include a summary of the results of these safety-sensitive employee evaluations conducted in the preceding quarter and any ongoing monitoring activities.

The RTA must provide the SSOA with a list of the safety-sensitive job functions it reviews through its Competency Management System or Rules Compliance Program at the first quarterly meeting of each calendar year and when any changes to this job list is made.

4.1.2 Configuration Management Plan

RTAs must create a Configuration Management Plan that is compliant with the following:

- (a) Is detailed as part of the Safety Assurance portion of the PTASP;
- (b) At a minimum, describes how changes to the established transit system baselines will be proposed, accepted, monitored, and controlled within the RFGPTS. The Plan must apply to all equipment and systems related to the operation and maintenance of the RFGPTS including, but not limited to, vehicles, track, OCS and signals.

4.1.3 PTASP Submittals from New Starts Projects

An RTA New Starts project shall be incorporated into the RTA's existing PTASP. The RTA shall make an initial submittal of their revised PTASP that contains an emergency preparedness and response plan (EPRP) either as part of the PTASP or as a standalone document and all referenced

procedures/materials to the SSOA at least 180 calendar days before beginning revenue service operations on the New Start. The revised PTASP will be approved by the SSOA once all the requirements for such revision have been completed and thereafter adopted by the RTA as part of the New Starts safety certification process, in accordance with the process detailed in Section 4.1.4 below.

The SSOA will review and approve the initial PTASP using its review checklist and will transmit a formal letter of approval and the completed checklist to the RTA point-of-contact. While conducting its review, the SSOA may request additional information, clarifications or revisions from the RTAs. A meeting, telephone conference, or email exchange may also be conducted to address any issues identified by the SSOA during its review of the PTASP. Any additional requirements will be conveyed by the SSOA point-of-contact.

4.1.4 Safety Certification Program

The RTA is required to have a System Safety Certification (SSC) program to help ensure that safety concerns, hazards, threats and vulnerabilities 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. The SSOA shall provide general review and oversight of the SSC process as it relates to system safety.

The completion of a safety and certification process is required as a part of Safety Risk Management. The safety certification process is designed to ensure that safety-related elements and items that comprise the project at each phase (from design to revenue operations) identified on the Certifiable Items Lists (CIL) have been verified by the RTA as completed and/or safe and secure, or that there are appropriate workarounds in place. These CIL elements and items include physical systems and facilities that make up the new rail lines, as well as documents, plans, and training and certification programs.

The RTA shall submit its System Safety Management Plan (SSMP) and related documents to the SSOA for review and comment on all projects subject to the SSC process. RTAs can refer to FTA Circular 5800.1 for further guidance on SSMPs.

The SSOA will participate, as appropriate, in SSC-related meetings, document reviews, on-site activities, and may issue specific findings, guidance, or directives to the RTA in order to address safety issues related to certifiable elements, items and potential workarounds. The SSOA will be involved in such activities in the engineering/design and construction phases, with more attention to the project as it nears completion. Generally, the SSOA intends to be involved once the project has completed the environmental process, commonly known as NEPA.

4.1.4.1 Reviews of System Expansions and System Modifications

To assess safety of new projects, and to verify safety processes within the RFGPTS, the SSOA may review

or audit any major guideway system modifications and system expansions, and any projects that have a significant safety impact. The following lists types and examples of RFGPTS expansions or modifications eligible for SSOA review or audit:

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

The review and oversight by SSOA will depend significantly on the type of system expansion or modification under review. SSOA may review any and all development phases of applicable projects, including, but not limited to:

- (a) Project Planning
- (b) Preliminary Engineering
- (c) Final Design
- (d) Procurement
- (e) Construction
- (f) Operations and Maintenance Procedures and Plans
- (g) Training
- (h) Testing
- (i) Start-Up

After review of a particular project phase, the SSOA may issue written findings and recommendations, as appropriate. The RTA timeline to reply to any findings will be determined by the SSOA. SSOA will continue to review each phase of the project until project completion. At project completion, the system expansion and modification will be incorporated into the SSOA's triennial audit of the operating and maintenance activities of the RTA.

4.1.4.2 Pre-Revenue Reviews

The SSOA's Pre-Revenue Review is intended to ensure that the SSC process has been completed, or, if not completed, that there are appropriate workarounds in place for any unfinished certifiable elements and items and that these unfinished items do not preclude the safe operation of the rail system. As part of its Pre-Revenue Review, the SSOA will review operational and maintenance readiness, as well as the completeness of training programs and modifications to RTA plans, policies, and procedures.

The SSOA's Pre-Revenue Review activities may consist of topic-specific site visits and observations, meetings with relevant personnel, and document and records reviews. The review team will maintain

flexibility to account for unforeseen conflicts and minimize disruption to the routine duties of agency personnel and contractors.

The SSOA will provide feedback to managers during on-site meetings and discussions, as well as by summarizing findings during a close-out meeting at the conclusion of the on-site assessment. The SSOA will issue a written report to the RTA summarizing the review, documenting any unfinished items and potential hazards, and may issue findings or recommendations. If needed, RTAs may be required to prepare CAPs in accordance with Section 11 of this Program Standard.

4.1.5 Emergency Preparedness and Response Plan

All RTAs shall have an Emergency Preparedness and Response Plan (EPRP). The Plan may be combined with the RTA's PTASP, if desired, or prepared as a stand-alone document. The Plan must be formally reviewed and approved by the SSOA.

If the EPRP is part of the PTASP, the SSOA will review this document as part of its annual review of the RTA's PTASP. If the EPRP is a standalone document, the RTA must submit the EPRP with the PTASP by July 1 of each year for review.

Each RTA must include or incorporate by reference in its PTASP an emergency preparedness and response plan or as a stand-alone document that addresses, at a minimum:

- (a) Activities and programs in place at the RTA to support planning for emergency preparedness and response;
- (b) The assignment of employee responsibilities during an emergency;
- (c) The ability to coordinate with external response agencies, including Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area;
- (d) Training and procedures available to ensure employee proficiency with the emergency preparedness and response procedures and processes at the RTA; and
- (e) The process for annually reviewing and updating the plan including the process for its annual submission to the SSOA.
- (f) Requirements for after-action reports, which must be provided to the SSOA within 60 days of the conclusion of on-site activities for emergency drills and exercises.

All RTAs shall submit an annual schedule of planned emergency drills and exercises with their annual report, as detailed in Section 5.1.4.

4.2 Initial Review and Approval of PTASPs

This section applies only to a new RFGPTS submitting its first PTASP for SSOA approval. Any RTA with an RFGPTS shall prepare their initial PTASP conforming to the requirements of the most current versions of CFR 49 Part 673.

For any new RTA establishing an RFGPTS in Oregon, such RTA must submit their PTASP, in compliance with the program requirements specified herein, and all referenced procedures/materials, not less than 180 days prior to anticipated start of revenue service. Referenced materials could include checklists and training materials for safety event investigation, the internal safety audit or review program, the safety risk management process, the emergency response planning, coordination and training program, the rules compliance program, and the configuration management plan, if not detailed in the PTASP itself.

RTAs are required to submit their *initial first* draft PTASP to SSOA for review, throughout the drafting process and upon completion of each component – safety policy, safety risk management, safety assurance, and safety promotion – rather than submitting the plan in its entirety upon completion.

The SSOA will review the draft PTASP for full compliance with applicable state and federal rules with both a checklist and a comparison to the program standard requirements and the applicable rules and regulations to determine compliance. The RTA must complete the FTA's *Agency Safety Plan Checklist* to ensure that their PTASP meets all federal requirements.²

The SSOA may amend the checklist to include additional items based on changes to state or federal rules and also reserves the right to develop a checklist exclusive to Oregon SSOA. If the PTASP is determined to be in compliance, SSOA will issue a letter of provisional approval. After receipt of SSOA's provisional approval, the PTASP may then be submitted to the RTA's Safety Committee, Accountable Executive and its governing body, whether it be a Board of Directors or an equivalent authority, for signature.

4.3 Subsequent Reviews of PTASPs

This section applies to an established RFGPTS submitting all subsequent PTASPs for SSOA approval. The annual PTASP review process is as follows:

1. If the SSOA elects to amend the FTA's *Agency Safety Plan Checklist* or provide an additional PTASP checklist, the SSOA will provide such checklist(s) to the RTAs by February 1 of each year. RTAs must provide the completed PTASP checklist(s) with the annual PTASP submission.
2. The RTA's Safety Committee must review and approve the PTASP.
3. By July 1 of each year, each RTA shall submit their PTASP and completed PTASP checklist(s) to the SSOA. The PTASP must be signed by all RTA-designated representatives, excluding the governing body. The governing body may be a Board of Directors or an equivalent authority. Each PTASP submitted to the SSOA shall include a cover letter signed by the Accountable Executive identifying and explaining all changes made to the plan and any documentation referenced in the plan.

² At the time of revision of this Program Standard, the current *Agency Safety Plan Checklist* is available at <https://www.transit.dot.gov/regulations-and-programs/safety/public-transportation-agency-safety-program/asp-checklist-rail>.

- a. If no changes have been made to the plan, the PTASP should include a cover letter from the Accountable Executive certifying that no changes were made to the plan or any referenced materials.
 - b. As appropriate, referenced materials affected by any revisions should be submitted with the PTASP.
4. Within 15 business days of submission, the SSOA will either issue a letter of provisional approval or notify the RTA in writing of any required revisions. RTAs will have 45 calendar days from SSOA notification to revise and resubmit their revised PTASP and PTASP checklist(s). The SSOA will have 15 business days for any subsequent review.
5. After review and provisional approval by the SSOA, the PTASP can be submitted to the RTA's governing body for approval.
6. Upon submission of the fully executed PTASP to SSOA, the SSOA will provide a formal letter of final approval to the RTA.

Any proposed amendments or revisions to the PTASP by RTA personnel, including the Safety Committee, Accountable Executive, or governing body, must be approved by the SSOA. The SSOA will provide courtesy reviews of any proposed changes to the PTASP (and referenced materials) throughout the calendar year at the request of the RTA. RTAs do not need to collect signatures for documents submitted for courtesy review.

The SSOA has primary responsibility to investigate any allegations of non-compliance with the RTA's PTASP.

5 RTA Internal Safety Reviews

This section addresses the requirements for Internal Safety Reviews. RTAs must complete Internal Safety Reviews to evaluate the implementation, execution, compliance with, and effectiveness of its PTASP and its Emergency Preparedness and Response Plan. These reviews are in addition to the required annual review of the PTASP.

5.1.1 Minimum Requirements for Internal Safety Reviews

The RTA must develop and document an ongoing Internal Safety Review Process to ensure that all elements of an RTA's PTASP and Emergency Preparedness and Response Plan are implemented as intended. This process must ensure that all elements of its PTASP and Emergency Preparedness and Response Plan are reviewed within a three-year period. All associated plans or documents that support the PTASP or are included in the PTASP by reference, such as the Drug & Alcohol Program and Hours of Service Policy, must be reviewed within this three-year period as well.

The RTA must document its procedures for conducting Internal Safety Reviews, including its procedures for:

- (a) Identification of departments and functions subject to review;
- (b) Assigning responsibilities and scheduling reviews;
- (c) Conducting reviews, including the development of checklists and the issuing of reports and findings resulting from the reviews; and
- (d) Tracking the status of any resulting findings or recommendations.

These procedures must either be contained within the RTA's PTASP or within a standalone document incorporated in the PTASP by addendum or reference.

All reviewers performing internal safety reviews must be both technically qualified (as verified by the RTA) and independent from activity they are reviewing, i.e., the person(s) directly responsible for the activity being reviewed are not permitted to conduct the internal review, nor are their first-line supervisor(s).

5.1.2 Scheduling and Notification Requirements

The RTA shall notify the SSOA at least 30 days prior to any internal safety review. Notification must be in writing and transmitted to the SSOA via sso@odot.oregon.gov. Notification should include the time and location of the internal safety review and the RTA individual and department in charge of the internal safety review. The SSOA may participate in any internal safety review, at its discretion. The RTA must use checklists for its internal safety reviews and provide the SSOA with these checklists and any relevant procedures at the time of notification.

RTAs must provide the SSOA with a schedule of all planned internal safety reviews by February 15 of the current calendar year. This schedule must be provided to the SSOA in the annual report, as detailed in

Section 5.1.3. The RTA must ensure that all PTASP elements are reviewed within a three-year period. The RTA must ensure that it audits both its Competency Management System and its Configuration Management Plan within this triennial cycle.

The RTA must conduct a minimum of five internal safety reviews in each calendar year. The SSOA may change the number of required annual internal safety reviews or identify specific topics for review. The SSOA will notify the RTA of any changes to annual Internal Safety Review requirements by December 1 of the preceding year.

5.1.3 Report Requirements

Within 30 days of conclusion of the last on-site audit activity, the RTA must produce and submit a written report to SSOA detailing the results of the internal safety review. The SSOA will review and respond to these reports within 30 days of receipt.

The SSOA may require additional information or clarification for any reviewed report, directing any questions to the RTA Point of Contact.

The reports for all internal safety reviews must include:

- (a) Identification of departments and functions subject to internal safety review;
- (b) Identification of the person(s) conducting the internal safety review(s);
- (c) Identification of the person responsible for scheduling the internal safety review;

The process for conducting the internal safety review, including the completed checklist(s) used in the review; and Resulting findings, recommendations, and corrective action plans, as applicable.

The RTA must develop CAPs to address all findings of non-compliance from internal safety reviews. Proposed CAPs must be developed within 30 days of finalization of the internal safety review written report. The RTA must record and track any recommendations to completion on the RTA's respective Hazard Log.

5.1.4 Minimum Requirements for Annual Report on the Internal Safety Review Program

No later than February 15 of each year, the SSOA requires the RTA to submit an annual report addressed to the SSO Program Manager that documents the internal reviews conducted in the previous calendar year. This report must be submitted in electronic copy to sso@odot.oregon.gov under the signature of the Accountable Executive. This report may be a stand-alone report or be included in the RTA Annual Report to the SSOA.

This annual report must include:

- (a) A list of the internal safety reviews conducted in the previous year;
- (b) A summary of the results of each review;

- (c) Whether the RTA completed all scheduled internal safety reviews; if the RTA did not complete all scheduled safety reviews, the annual report must include:
 - (i) a description of the obstacles that prevented completion;
 - (ii) proposed mitigation measures;
- (d) The current status of all findings, recommendations and corrective actions resulting from the internal safety reviews conducted that year;
- (e) Any challenges experienced by the RTA in addressing issues identified through the Internal Safety Review program; and
- (f) An annual schedule of planned emergency drills and exercises for the current calendar year
- (g) An annual schedule of planned internal safety reviews for the current calendar year.

In reviewing this report, the SSOA may request additional information, clarifications or revisions from the RTA safety point-of-contact. A meeting or teleconference may also be conducted to address any issues identified by the SSOA during its review. Any additional requirements will be conveyed to the RTA by the SSOA.

In addition to the annual report, the RTA must submit a signed letter from the RTA's Accountable Executive certifying the RTA's compliance with its PTASP, based on the evaluation performed during the internal safety review process in the previous year.

If the RTA determines that findings from its internal safety reviews indicate that the RTA is not in compliance with its PTASP, the Accountable Executive must then identify the activities that the RTA will take to achieve compliance in the form of corrective action plans. The SSOA must review and approve these corrective action plans using the procedures specified in the Corrective Action Section of this document, Section 11.

6 Safety Risk Management

This section introduces the SSOA's requirements for the Safety Risk Management Process (SRM), which is part and parcel of a functional Safety Management System (SMS). A functional SMS supports management decisions on how to prioritize the allocation of resources to address safety concerns. In SMS terms: the allocation of resources to address safety concerns is based on safety risk.

The RTA must develop, document and implement a Safety Risk Management Process for all elements of its public transportation system in its PTASP, including processes for new starts and other capital projects. The Safety Risk Management Process must be comprised of activities to identify, assess, mitigate and resolve hazards for all elements of its RFGPTS. The SSOA reserves the right to participate in and observe any part of this process.

Each RTA that operates an RFGPTS shall use a Hazard Risk Index (HRI) to determine classification of a hazard in terms of likelihood and severity of the consequences. The RTA may develop its own HRI or utilize already established standards. Each RTA shall submit their initial HRI and subsequent revisions to SSOA for review and approval.

The Safety Risk Management Process must, at a minimum:

- (a) Establish methods or processes to report, identify and assess the safety risks and consequences of identified hazards.
- (b) Use, as a source for hazard identification, data and information provided by an oversight authority, including but not limited to FTA, the State, or as applicable, the State Safety Oversight Agency having jurisdiction
- (c) Define minimum thresholds for notification and reporting of hazards to the SSOA.
- (d) Using an SSOA-approved HRI, conduct an assessment of the consequences and severity of identified hazards, including existing mitigations in this assessment and a prioritization of the hazards based on safety risk.
- (e) Establish methods or processes to identify mitigations or strategies to reduce the likelihood and severity of the identified consequences.
- (f) Identify a mechanism to track hazards from identification to assessment and then resolution.
- (g) Specify the process by which the RTA will provide on-going reporting of hazard mitigation and resolution activities to the SSOA.
- (h) Develop and implement a safety assurance process to monitor its operations to identify safety risk mitigations that may be ineffective, inappropriate or were not implemented as intended.

The RTA will report hazard identification and resolution activities in the RTA monthly report to the SSOA by use of a Hazard Tracking Log. This monthly report must include both hazards identified by the RTA and the SSOA as a result of inspections, investigations, audits or other reviews and observations.

6.1 Hazard Evaluation

In its PTASP, the RTA must specify its approach to identifying and assessing hazards. Each RTA may use a variety of information sources in its evaluation, such as reports from operations and maintenance personnel; SSOA inspection reports; results from rules compliance checks and employee evaluations; operations and maintenance data; results from facilities and vehicle inspections; employee safety reporting, including employee requests for safety assessments (RSAs); data collected from the anonymous reporting hotline; findings from internal safety reviews; and regular review of RTA events. To conduct analysis, the RTA may use inductive processes (e.g., Preliminary Hazard Analysis, Failure Modes and Effects Analysis, Job Hazard Analysis) and deductive processes (Fault Tree Analysis). The RTA may also employ more formal approaches, such as trend analysis.

Depending on the size, complexity, and available resources of the RTA, agencies may not want to or be able to formally track all safety concerns. Agencies may establish safety risk thresholds, such as only tracking safety concerns above a certain likelihood and severity. Agencies may decide that some safety concerns are beyond their span of control or not relevant to their operations and thus do not warrant more follow-up. Alternatively, agencies may decide to track and monitor all safety concerns. The RTA must have a policy in place that establishes these standards and thresholds, if not already described in the PTASP.

Each RTA must use an approved Hazard Risk Index to determine the severity and probability of the hazard. Regardless of any internally developed standard or threshold, hazards that the RTA evaluates as “unacceptable or “undesirable” must be developed into corrective action plans (see Section 11 herein).

6.2 Hazard Tracking Log

The SSOA requires the RTA to establish and maintain a Hazard Tracking Log, an information management tool that documents the Safety Risk Management Process. The Hazard Tracking Log must contain all identified hazards that meet the RTA’s established recording thresholds.

At a minimum, the Hazard Tracking Log must incorporate the following information³:

- (a) Hazard ID
- (b) Hazard description
- (c) Hazard type
- (d) Hazard identification date and time
- (e) Hazard Source (how the hazard was identified)
- (f) Hazard Group
- (g) Location of the hazard

³ The Hazard Tracking Log requirements in this Program Standard were adopted from the FTA’s [Sample Safety Risk Register for Rail Transit Agencies](#).

- (h) Date the hazard risk analysis was performed
- (i) Potential consequences associated with the hazard (worst possible, worst credible, or most common)
- (j) Current mitigations in place to address potential consequences associated with the hazard
- (k) Initial HRI, as defined by the severity of the consequences and the likelihood of the consequences considering existing safety risk mitigations only
- (l) Added mitigations to reduce the likelihood of consequences of the hazard
- (m) Revised HRI with additional safety risk mitigations implemented
- (n) Department responsible for implementing the safety risk mitigations
- (o) A primary and secondary contact person
- (p) Estimated implementation date
- (q) Corrective Action Plan ID (if applicable)
- (r) Status of the hazard
- (s) RTA notes and comments

The Hazard Tracking Log must identify any hazards for which a corrective action plan has been or will be developed. All approved corrective action plans must be managed as prescribed in this Program Standard and added to the RTA's CAP Log.

RTAs must provide the Hazard Tracking Log to the SSOA with the RTA's monthly report (see Section 12). The SSOA will review the monthly submission of the Hazard Tracking Log and forward any questions or requests for information to the RTA safety point-of-contact. The SSOA retains the authority to request and review any records maintained by the RTA documenting the results of its Safety Risk Management Process.

6.3 SSOA Oversight of RTA Safety Risk Mitigations

The SSOA oversees each covered RTA's development, implementation, and monitoring of safety risk mitigations related to rail fixed guideway transportation. The SSOA does this through monthly receipt and review of the RTA Hazard Tracking Logs; receipt and review of RTA internal safety reviews, receipt and review of the RTA annual reports, and through its risk-based inspection program (see Section 8).

7 SSOA Triennial Safety Audits

This section introduces the SSOA's obligation to conduct triennial reviews of the RTA's implementation of its PTASP at least once every three years. The SSOA is obligated to conduct audits to verify each RTA's compliance with its SSOA-approved PTASP and the SSOA Program Standard, the RTAs' own rules and procedures, including the Emergency Preparedness and Response Plan (EPRP), and other applicable rules and standards, as appropriate. This section describes the SSOA's processes for conducting audits.

7.1 Scheduling and Conducting Triennial Audits

The SSOA or its contractor shall audit each RTA to its PTASP to verify compliance, implementation, and the effectiveness of this plan. This auditing process occurs every three years; the SSOA may audit RTAs once every three years or on a rolling basis over a three-year period.

Within this three-year period, the SSOA or its contractor must also conduct an on-site audit of the implementation of each RTA's EPRP to verify the RTA's compliance with and the effectiveness of this plan. If the EPRP is contained within the RTA's PTASP, the SSOA may audit the RTA to both its PTASP and EPRP simultaneously.

The SSOA will notify RTAs a minimum of 60 days before the start of on-site audit activities. For each triennial audit, the SSOA will develop a review schedule and create checklists to ensure all PTASP elements are assessed within a three-year audit period. The SSOA will provide these checklists to the RTA a minimum of 30 days before the start of on-site audit activities. The review criteria will be established using the Program Standard, FTA regulations and guidelines related to the PTASP, and industry best practices. The SSOA will provide any documentation requests to the RTA a minimum of 30 days before the start of on-site audit activities. The SSOA will request these supporting documents by a date specified by the SSOA. The SSOA may conduct the Triennial Audit utilizing its own staff, qualified contractors, or a combination of the two.

The SSOA will provide a detailed schedule outlining specific audit activities, which may include interviews, records reviews, or field activities, to the RTA. The SSOA will conduct an entrance briefing at the start of on-site audit activities. If requested, the RTA must update this schedule with meeting locations and participant information and return the completed schedule to the SSOA.

The SSOA reserves the right to revise the triennial audit schedule. In the event that the audit needs to be rescheduled, the SSOA will immediately notify the RTA. The RTA may request that triennial audit dates be moved; if this request is accepted, all parties shall agree within 10 business days to an alternate date. While the SSOA will coordinate with appropriate RTA personnel in order to comply with access control and RTA safety requirements, the SSOA personnel and/or the SSOA's contract staff may perform unannounced audit activities without prior notice to the RTA.

If necessary, the SSOA will schedule a pre-audit meeting with the RTA for clarification of any questions and concerns. Each formal audit will begin with an entrance meeting with the RTA to discuss the audit process, the audit report, the schedule of activities, and other logistics, when possible and practicable.

7.2 Triennial Audit Activities

On-site SSOA audit activities may include, but are not limited to:

- (a) Entrance Briefings
- (b) Document Review
- (c) Rules Review
- (d) Records Review;
- (e) Interviews with RTA Senior and Executive Management
- (f) Interviews with RTA Safety Personnel
- (g) Interviews with Other RTA Personnel
- (h) Field Observations

7.3 Vehicle Maintenance and Testing Auditing

As part of its triennial audit cycle, the SSOA will audit the process by which the RTA reviews its rail transit vehicle maintenance program, including the RTA's periodic testing of rail transit vehicle braking systems to ensure performance and to detect potential latent system failures.

7.4 SSOA Triennial Audit Report

At the conclusion of the on-site audit, the SSOA (and its contractor, if applicable) will conduct an exit briefing with the RTA and provide an overview of the preliminary results and potential findings. Immediately following the audit, the SSOA or its contractor will prepare a draft report that includes any supplemental documentation and incorporates information from each phase of the on-site audit activities. The RTA has 30 days from receipt of the report to respond to the SSOA with any comments or corrections and additions. Upon receipt of the RTA's response, the SSOA will make any necessary factual revisions to the draft and issue the final report. The final report shall be issued no later than 30 calendar days after receipt of the RTA's response.

The SSOA will issue a comprehensive final report to the RTA containing results from the audit, including its findings and recommendations, if applicable. SSOA Triennial Audit findings identify areas where the audited RTA is operating out of compliance with an applicable internal or external written requirement, plan, policy, rule, standard, or procedure. If a finding is identified, the audited RTA is required to develop an appropriate CAP and, once the CAP is reviewed and approved by the SSOA, take action to achieve compliance. The SSOA will monitor the status of findings through its mechanism for tracking CAP implementation (see Section 11). The RTA must provide a list of corrective actions to resolve all triennial audit report findings within 30 days of the issuance of the SSOA's final audit report. The SSOA will also include recommendations for improvement in the audit report, as applicable.

Any findings that present safety-critical or hazardous conditions which must be resolved immediately will be communicated to the RTA as soon as they are discovered by the audit team.

7.5 Other SSOA Safety Audits and Reviews

The SSOA may conduct audits, studies or reviews of issues related to the safety of RTAs at its discretion, or at the direction of the FTA or the National Transportation Safety Board (NTSB). The SSOA may initiate an audit of a particular subject matter area in response to a safety event, incident, occurrence, hazard, or trend/pattern in a safety-related area. Such audits and studies may result in SSOA-issued findings that shall be subject to the CAP process outlined in Section 11 of this Program Standard. To the extent applicable and practicable, the SSOA will adhere to the audit procedures outlined above, including advance notification and final report transmission to the RTA.

8 Inspections

The Oregon SSOA program is obligated to conduct inspections that are risk-based to verify rail fixed guideway public transportation system (RFGPTS) compliance with 49 U.S.C. 5329(k), the RFGPTS Agency Safety Plan, the Oregon SSOA Program Standard and other applicable rules and standards. This section describes Oregon SSOA inspections and oversight activities at TriMet and Portland Streetcar. Given the similarities in rail equipment, rail infrastructure and rail maintenance standards at TriMet and Portland Streetcar, Oregon SSOA performs similar inspections and oversight activities at both agencies. Specific and differing requirements for each RFGPTS are noted in this section of the Oregon SSOA Program Standard.

The intent of Oregon's risk-based inspection program is to initiate and continue ongoing assessments of rules compliance, employee training, safety-related conditions, and generally to keep apprised of the workings of each RFGPTS. Safety data supplied by the RFGPTS, in addition to Oregon SSOAs own observations and data collection, direct SSOA resources to areas that present the highest level of safety risk and guide the risk-based inspection program. Inspections may occur along or on the RFGPTS alignment, on RFGPTS rail transit vehicles including in-cab, rail stations/platforms, rail crossings, rail yards, rail equipment maintenance facilities, operations facilities, substations, signal bungalows, track structures and signals, rail operations control centers, overhead catenary, or any other area that the Oregon SSOA deems necessary to conduct an inspection.

Oregon SSOA inspectors may notify the RFGPTS in advance of upcoming inspection activities but will also conduct inspections without notice. The RFGPTS will not be notified of inspections taking place along open portions of the RFGPTS alignment that are publicly accessible. TriMet and Portland Streetcar must provide SSOA and SSOA contractors the required identifications, access cards and codes that allow for unrestricted access to any RFGPTS asset, building or structure subject to inspection.

At TriMet, a TriMet identification contractor card will be issued by the Transit Safety and Security Office to new Oregon SSOA compliance specialists as part of the onboarding process, granting SSOA access privileges to all RFGPTS facilities. TriMet must provide any door codes for entry into its facilities.

At Portland Streetcar, the Maintenance Manager will arrange for access key card permissions to all RFGPTS facilities; access privileges at Portland Streetcar are added to the TriMet issued identification card. Portland Streetcar must provide any door codes for entry into its facilities.

Oregon SSOA consulted with TriMet and Portland Streetcar to develop the processes and procedures necessary to implement a risk-based inspection program and successfully perform risk-based inspections. In the next iteration of each RTAs PTASP, TriMet and Portland Streetcar must indicate their adoption of the inspection processes and procedures, which include, but are not limited to: scheduling inspections; inspection reports; immediate safety concerns; inspections of equipment, infrastructure, and practices specific to each RTA; event verification; ongoing monitoring; defects and safety risk mitigations; corrective

action plans and remedial actions. These requirements are detailed in subsequent sections of this chapter (Sections 8.1 to 8.11). TriMet and Portland Streetcar have two options to attest their adoption of Oregon SSOA risk-based inspection requirements:

Option 1: The RTA will append Oregon SSOA Program Standard Chapter 8 Inspections, section 8.1 and 8.2, to the RTA PTASP. Each RTA must include a cover sheet stating that the RTA will adopt and fully comply with all processes and procedures therein. The memo must be submitted along with each RTAs annual PTASP submission to Oregon SSOA.

Option 2: The RTA can incorporate the entirety of sections 8.1 and 8.2 of the Oregon SSOA Program Standard into their PTASP, included in a new section named “RBI Requirements.”

8.1 Announced Risk-Based Inspections (with Notice)

Each Oregon SSOA inspector is responsible for certain elements of the SSOA program as outlined in the program’s workload assessment; therefore, any Oregon SSOA inspector may determine the need for a risk-based inspection at either RFGPTS based on their assigned area of work, and each is responsible for scheduling inspections and completing all reports and follow-up actions. The Oregon SSOA may use hired consultants to perform some or all parts of a risk-based inspection; all references to Oregon SSOA inspectors also mean SSOA-hired consultants.

For risk-based inspections that require RFGPTS staff support, escort or permits, the Oregon SSOA inspector will notify the RFGPTS no less than 10 calendar days prior to any announced risk-based inspection. The RFGPTS shall supply necessary forms or permits to the Oregon SSOA inspector if such forms or permits are required by the RFGPTS.

For risk-based inspections that do not require support, escort or special permits, the Oregon SSOA inspector will notify the RFGPTS no less than five calendar days prior to any announced inspection.

The Oregon SSOA notification for any announced risk-based inspection will occur by electronic mail and will be sent to the designated contact established by the RFGPTS. The designated contact is responsible for arranging specified access to the RFGPTS.

At Portland Streetcar, the Operations Manager is the designated contact for any risk-based inspection conducted by the Oregon SSOA. The Maintenance Manager is the secondary contact if the Operations Manager is unavailable or cannot be reached by telephone. The SSOA will carbon copy the Safety and Risk officer on all notifications for risk-based inspections.

At TriMet, the Regulatory and Safety Assurance Manager is the designated contact for any risk-based inspection conducted by the Oregon SSOA. The Director of Safety Systems and

Environmental Services Safety and Security is the secondary contact if the Regulatory and Safety Assurance Manager is unavailable or cannot be reached by telephone.

The Oregon SSOA must also include Safety@TriMet.org in all communications relating to the inspection. For inspections covering rail-related construction projects, the Manager of Construction Safety & Risk must also be included in all communications.

8.1.1 Oregon SSOA Notification to RFGPTS

The Oregon SSOA electronic mail notification will contain the following information:

- (a) The date, location, and approximate length of the inspection;
- (b) The Oregon SSOA staff or contractors that will be present for the inspection and an identified SSOA worker who is the point of contact for the RFGPTS;
- (c) The area of focus or asset(s) subject to Oregon SSOA inspection; and
- (d) If applicable, a request for any additional documentation Oregon SSOA determines necessary to conduct the inspection that has not already been supplied by the RFGPTS.

8.1.2 RFGPTS Acknowledgement

The RFGPTS must reply to the initial notification within five business days of the Oregon SSOA inspector's email notification being sent. The RFGPTS email reply is to be sent to the Oregon SSOA inspector arranging the inspection, in addition to the Oregon SSOA inbox at sso@odot.oregon.gov and must include the following information:

- (a) Contact information for the RFGPTS host or escort that will provide access to RFGPTS assets subject to inspection, including the full name, title, and cellular phone number of the host or escort.
- (b) If applicable, personal protective equipment requirements
- (c) If applicable, special operating instructions, train orders, work rules, training and other considerations specific to the area(s) or asset(s) being inspected in addition to any RFGPTS orders generated for the inspection.
- (d) If applicable, the RFGPTS may request verification of RFGPTS training for SSOA inspectors if access to certain areas requires it.

8.2 SSOA Unannounced Risk-Based Inspections (without Notice)

The Oregon SSOA will conduct unannounced risk-based inspections at each RFGPTS. The Oregon SSOA inspector will plan the unannounced risk-based inspection to not create risk to employees or contractors. Although the Oregon SSOA inspectors will aim to limit disruption to RFGPTS operations, there are situations that could cause prolonged delays up to and including the cancellation of service or suspension

of some RFGPTS activities. The SSOA will only require significant delays or suspension of service in response to a warranted safety deficiency.

Upon arrival at the RFGPTS, the Oregon SSOA inspector will notify the RFGPTS designated contact in person or by telephone to declare Oregon SSOAs presence and the intent to conduct the inspection.

Oregon SSOA recognizes that the RFGPTS designated contact may want to assign a representative to attend the inspection, depending on the area or assets subject to inspection. In most cases, Oregon SSOA inspectors are willing to wait up to 90 minutes before proceeding. Oregon SSOA will notify the department manager on-duty initially by telephone; if unreachable, an email or text will be sent. If the manager on-duty is not responsive, Oregon SSOA will notify the Operations Command Center Desk at TriMet or the Streetcar Controller Office at Portland Streetcar. Oregon SSOA will conduct the inspection regardless of contact with the manager on-duty. RTA contacts are located in WG Rail_Administration_Contacts_1-Rail Contact List.

Although all Oregon SSOA program staff have proximity card access to most areas at the RFGPTS, there are areas the Oregon SSOA may want or need to have RFGPTS staff present; these could include areas like tunnels, bridges, viaducts, maintenance bays or pits, mezzanines, or substations. If the RFGPTS cannot provide support or escort to the Oregon SSOA inspector, the inspection may be rescheduled at the discretion of the Oregon SSOA inspector.

If RFGPTS support or an escort is determined unnecessary by the Oregon SSOA inspector, the inspection will commence.

TriMet may require that a member of the TriMet Safety Department be present during some unannounced inspections. The RFGPTS is responsible for making those arrangements, and the Oregon SSOA will not delay the inspection if the safety department representative is not available within 90 minutes.

At Portland Streetcar, the OMSI Viaduct and PSC rail equipment maintenance facility have been identified as two areas that require the Oregon SSOA to notify PSC prior to entry for an unannounced inspection. Portland Streetcar may also assign representatives to escort Oregon SSOA staff in these areas. The RFGPTS manager will notify streetcar control and any other appropriate party of the inspection and establish any train order or special instruction, if necessary, to protect the Oregon SSOA inspectors. Most PSC assets are embedded in the public right of way, so observations and assessments can occur without RFGPTS support in most areas.

At TriMet, any rail flyover, any rail viaduct, the Robertson tunnel and the Vanport Bridge are identified as areas that require the Oregon SSOA to notify TriMet prior to entry for an

unannounced inspection. The RFGPTS designated contact will notify the Operations Command Center and any other appropriate party of the inspection and establish a train order or special instruction, if necessary, to protect the Oregon SSOA inspectors. TriMet may also assign representatives to escort Oregon SSOA staff in these areas. Oregon SSOA inspectors will not create hazardous situations by placing staff in high-speed areas of operation or maintenance areas that could introduce hazardous consequences to staff.

8.3 Other SSOA Regular Inspections

Oregon SSOA receives daily train orders from TriMet. At Portland Streetcar, orders are available by request. Daily orders list the permitted inspection activities to occur by the RFGPTS and its contractors, including the date, time and locations of the inspection. Oregon SSOA inspectors may join any RFGPTS work crew already scheduled by the RFGPTS; this activity is a standard oversight activity of the Oregon SSOA program and is not subject to notification procedures for inspections (as described in Section 8.1) and may or may not be a risk-based inspection linked activity. The work crew shall not deny the Oregon SSOA inspector's request to join any inspection. In this scenario, the RFGPTS work crew shall alert the operations command center (at TriMet) or the streetcar control center (at Portland Streetcar) that Oregon SSOA inspectors will be joining the crew. Oregon SSOA inspectors will complete an ODOT Inspection Report for inspections, summarizing findings with objective language and data supplied in the report, in addition to collecting and providing photographs, measurements or other evidence when practicable to support any finding of non-compliance or defect.

SSOA regular inspections are performed routinely by Oregon SSOA inspectors as a requirement established by the Oregon SSOA Rail Section Manager. These routine inspections afford Oregon SSOA many oversight opportunities including:

- (a) Verifying the completion of corrective action plans following RTA CAP closure requests;
- (b) Monitoring the progress or completion of safety risk mitigations resulting from CAPS, directives, safety risk assessments, hazards, and event investigations or hazard risk assessments;
- (c) Measuring and assessing overall safety performance and rules compliance of RTA rail operations and maintenance staff; and
- (d) Oregon SSOA field presence and communication opportunities with RTA rail staff.

8.4 Ongoing Monitoring

Oregon SSOA inspectors perform observations and monitoring activities at each RFGPTS as part of their ongoing oversight, and these activities will follow protocols established by Oregon SSOA Program Standard. Each Oregon SSOA inspector must conduct no less than 20 total observations of RFGPTS activities each calendar year; these observation activities support the visibility and availability of Oregon SSOA inspectors at each RFGPTS. These activities also support the verification of mitigations from corrective action plans and serve as a primary verification activity for hazard mitigations activities.

Routine observations include operator performance and compliance to rail rules, operating procedures, and special instructions and train orders. Most observations are conducted along the right-of-way by direct observation; at times, ODOT inspectors will ride in the operating cab of an in-service train. ODOT inspectors also participate in some RTA rule compliance missions or competency management system checks. Observation activities are recorded in an ODOT inspection report, and any noted defects are sent to the respective RFGPTS chief safety officer within 24 hours of conclusion of the activity. In communications to TriMet, the SSOA will also carbon copy the Manager of Regulatory Compliance and Safety Assurance and the Director of Safety Systems and Environmental Services.

Oregon SSOA inspectors will oversee routine operations of the transit system through observation activities, such as train handling, routine and special observations, employee adherence to operating rules and procedures, audits of administrative procedures and recordkeeping, training procedures and records and adherence to maintenance standards and procedures. All activities support the verification of mitigations from corrective action plans and serve as a primary verification activity for hazard mitigation activities at the RFGPTS.

8.5 Inspections of Equipment, Infrastructure and Practices Specific to Each RTA

TriMet's light rail system and Portland Streetcar's streetcar system share numerous commonalities, and Oregon SSOA has not identified any track, rail equipment maintenance, overhead catenary or signaling system that would require separate and distinct inspection protocols. Both systems operate electrified rail transit vehicles powered by 750 volts direct current provided by overhead catenary wire running on the same sized gauge T-Rail and embedded rail in similar topographies. Rail transit vehicles are under complete operator control, and those operators follow the same or similar rules requiring obedience and adherence to pre-empt, combination pre-empt and autoblock train signals common to both agencies. Operating practices amongst the operator workforce are similar and most rules and standard operating procedures at Portland Streetcar compliment TriMet rules and standard operating procedures.

While TriMet's Siemens light rail vehicles are larger in size than Portland Streetcar's smaller modern streetcars, both operator controls and operation of the vehicle are similar enough that separate and distinct inspection protocols are not necessary. All rail operators and rail equipment maintenance technicians for Portland Streetcar are provided by TriMet; these employees are dual qualified to operate and maintain rail transit vehicles on both systems, providing that they successfully complete supplemental training specific to the streetcar vehicles in the Portland Streetcar fleet.

Oregon SSOA inspections, therefore, cover the same types of systems and subsystems common across both TriMet and Portland Streetcar. These systems include Rail Equipment Maintenance, specifically the rail transit vehicle itself, and all systems and components that comprise the entirety of the RTV including, but not limited to: propulsion systems, braking systems, emergency braking systems, doors/bridgeplates, operator cab controls and passenger amenities. Oregon SSOA inspectors will audit employee inspection

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and repair practices, the generation and completion of work orders and safety campaigns, and maintenance employee adherence to standard operating procedures and repair guidelines specific to all fleets at either RFGPTS.

Likewise, TriMet and Portland Streetcar's overhead catenary and signaling systems are the same, including train pre-emption and autoblock signaling systems. TriMet provides routine inspection services for Portland Streetcar, as well as planned and emergency repair, under contractual agreement. Oregon SSOA inspectors will audit employee inspection and repair practices, the generation and completion of work orders and safety campaigns, and maintenance employee adherence to standard operating procedures and repair guidelines specific to signaling systems and overhead catenary systems without need for disparate inspection regimes.

8.6 Risk-Based Inspection Reports

The Oregon SSOA inspector will produce an inspection report generated by the SSOA Rail Online Application; the report will be distributed to the RFGPTS Chief Safety Officer within seven calendar days of completion of the inspection. The inspection report will be an aggregated report of all activities performed for the inspection. The supplied Oregon SSOA inspector narrative will be an objective summary of observations; in cases where photography, measurements or other evidence can verify observations, every effort will be made to collect and provide them. The ODOT inspection form narrative will contain the following information:

- (a) The data source(s) used to determine a need for inspection (safety event reports and other safety event reports, monthly incident and occurrence logs, SSOA observations and activities and internal safety review findings). A determination to conduct a risk-based inspection shall be an objective exploration of the RTA supplied and Oregon SSOA collected data and any findings shall remain objective in nature and measured by compliance or non-compliance to Oregon Administrative Rules and the Oregon SSOA Program Standard.
- (b) Findings and recommendations reviewed from data sources and what factors determined the need for the inspection; the specific data sources will be named.
- (c) Historical data (if applicable) supplied by the RFGPTS or recorded by the SSOA to determine and justify the need for inspection; the specific historical data will be named.
- (d) Current mitigations (if any) regarding the area to be inspected.

Oregon SSOA inspectors will list any observations noted during the inspection as a 'Comment' in the inspection report. Generally, comments note compliance. In cases where photography or video collection is practicable, photographic and video evidence will be collected and attached to the ODOT Inspection Report. Measurements may also be taken for system elements that appear out of manufacturer specifications or are out of compliance with RTA standards.

Oregon SSOA inspectors will list any findings of non-compliance as a 'Defect' in the inspection report. Findings of non-compliance must explicitly cover the defect observed. And, in cases where photography is practical, photographic evidence is collected and attached to the ODOT Inspection Report. Measurements may also be taken for system elements that appear out of manufacturer specifications or RTA requirements that directly relate to the finding.

Oregon SSOA inspectors will determine if any defect requires remedial action by the RFGPTS. The RFGPTS must remedy the defect within either 30 days of receiving the inspector's report or a timeframe mutually agreed on by the RTA and the SSOA. The RFGPTS shall record and track to completion all remedial actions in the RFGPTS hazard log, and the Oregon SSOA Inspector will monitor the Hazard Log to ensure inclusion of any required remedial actions.

Oregon SSOA inspectors will determine if any defect requires a corrective action plan to be developed by the RFGPTS. The RFGPTS will follow Corrective Action Plan procedures as defined in this Program Standard.

When FRA-certified inspectors are used to supplement Oregon SSOA inspection activities, the FRA-certified inspectors will provide their findings to the Oregon SSOA inspector for entry into the SSOA Rail Online Application to generate the ODOT inspection report.

8.7 On-Track Safety

Oregon SSOA inspectors must adhere to each RFGPTS on-track safety or rail roadway worker protection program when conducting all inspections.

At TriMet, Oregon SSOA staff are required to attend TriMet's on-track safety course annually and maintain their certification; this certification is applicable and valid toward compliance at TriMet.

At Portland Streetcar, Oregon SSOA staff are required to attend TriMet's on-track safety course annually and maintain their certification; this certification is applicable and valid toward compliance at Portland Streetcar.

The Oregon SSOA inspector will conduct a safety briefing with Oregon SSOA and RTA staff present to ensure that all safety requirements are met and that on-track safety commitments are understood.

Oregon SSOA inspectors are required to attend TriMet's On-Track Safety Certification Program annually; this is a TriMet requirement, and Oregon SSOA acknowledges and will abide by the requirement. Portland Streetcar accepts TriMet's certification as an acceptable replacement to their own roadway worker protection (RWP) training. Each ODOT SSOA inspector receives an On-Track Safety certification card with their name and the date of expiration; inspectors will present this card to the RTA representatives, if present for an inspection, and are always required to wear and visibly display their ODOT SSOA employee

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identification card and the RTA supplied contractor badge while performing inspections in the defined RTA right-of-way. The On-Track safety certification card must be attached to the RTA supplied contractor badge. RTA representatives, if present, will verify the certification is unexpired. The Oregon SSOA inspector will notify the designated RFGPTS staff when the inspection is complete.

8.8 Immediate Safety Concerns

The Oregon SSOA inspector will take the following actions to protect their own safety and those around them if a serious safety hazard is identified: Exit or remove oneself and others from the scene to a safe space, sufficiently away from the noted defect or hazard. The Oregon SSOA inspector shall make immediate point of contact with nearby employees, if applicable, and contact the identified RFGPTS host or escort, in addition to the RFGPTS designated contact. The Oregon SSOA inspector will contact the ODOT Rail Safety & Regulatory Branch Manager. Examples of immediate safety hazards include, but are not limited to, observed willful violations of processes, rules or procedures, flagrant disregard for safety, or an infrastructure or RTV defect that could cause an safety event or serious injury.

All inspections, whether attempted, cancelled or interrupted, will be entered into the SSOA Rail Online Application. For those inspections interrupted or cancelled by an immediate safety concern, the ODOT inspection report shall state all facts regarding cancellation of the inspection, and an inspection report will be submitted to the RFGPTS. The RFGPTS must demonstrate, within 7 days of receiving the ODOT inspection report, that the serious safety hazard is mitigated to reduce consequences of the hazard or the hazard is fully remediated. Mitigation or remediations steps taken by the RFGPTS must be included in a written reply to the Oregon SSOA inspector.

8.9 Defects and Corrective Action

The Oregon SSOA program reviews monthly submittals from each RFGPTS that covers all safety events, incidents, occurrences, rule violations and reported hazards in operations and maintenance divisions. These monthly reports are analyzed to determine trends for events occurring at the RFGPTS. Causal and contributing factor determinations for all safety events are also analyzed, and these factors can help form the basis of a risk-based inspection. Safety events that result in hazards meeting the unacceptable or undesirable thresholds in the RFGPTS hazard risk index automatically required formal corrective action plans to be developed by the RFGPTS, in accordance with the Oregon SSOA Program Standard. Oregon SSOA performs routine verification activities related to CAP milestones and eventual close-out and Oregon SSOA approval of any CAP. Follow up activities to monitor CAPS are tracked by the inspector in the SSOA Rail Online Application; the system is designed to record the date/time and inspector along with notes entered regarding any verification activity. The SSOA Rail Online Application can output a full report listing all activities associated with any CAP.

8.10 Event Verification

The Oregon SSOA, as part of its ongoing monitoring activities, requires that an Oregon SSOA inspector visits the scene of certain safety event events no more than 5 days after the safety event occurs. The purpose of the inspection is to ensure that RFGPTS infrastructure, that may have been damaged by the safety event, is repaired, or has temporary safety treatments applied to eliminate hazards until permanent repairs are completed.

Due to operating characteristics of RFGPTS within the state of Oregon, most safety events occur on city streets and supporting RFGPTS infrastructure is not damaged; most safety event scene 'clean-up' of debris is handled by scene response, such as tow operators or police and RFGPTS rail supervisors. However, there are safety events that can and do cause damage to RFGPTS infrastructure, such as railings, support poles, signal cases, walkways, curbing and signage, and these assets are the focus of post event assessments. Additionally, Oregon SSOA inspectors will review any RFGPTS operations orders to determine if any special operating restrictions have been placed and are adequate, and the Oregon SSOA inspector will affirm that those restrictions are practiced by directly observing train movement or employee activities. The Oregon SSOA inspector will enter any findings in an ODOT inspection report. Defects, non-compliance to special restrictions or insufficient temporary safety treatments determined by the Oregon SSOA inspector will be noted as defects and the ODOT inspection report will be sent to the RFGPTS Chief Safety Officer within 24 hours. In these cases, the Oregon SSOA inspector will reassess additional actions taken by the RFGPTS to address deficiencies noted in the original ODOT inspection report.

Incidents and occurrences could also require Oregon SSOA to perform post event inspections, and Oregon SSOA will, at its discretion, determine if the event requires the same post event assessments performed for safety event level events; most incidents and occurrences likely do not require post event assessments.

The final safety event investigation report submitted to the SSOA by the RFGPTS is reviewed by Oregon SSOA to assess that investigation activities are adequate to support the identification of hazards and causal determinations as required by the Oregon SSOA Program Standard. Oregon SSOA verifies the sufficiency of the investigation utilizing the SSOA Safety event Review Checklist. Hazards identified by the RFGPTS or the SSOA (in review of the RTA report) are tracked as Hazards in the RTA Hazard Log, and verification of entries are completed upon RTA monthly submission of the Hazard Log. The SSOA Rail Online Application can also output reports based on any parameter, such as location, Line, employee ID, etc.

8.11 Data Sources and Collection

Safety related data collection and analysis is a key component to the SSOA risk-based inspection (RBI) program. In accordance with Section 12.2 (RTA Reporting Requirements) of the Program Standard, each RFGPTS is required to provide safety program data each month. The summary data contained within those reports are provided by each RFGPTS safety department and forms the foundation of data collection

related to the RBI program. Additional requirements for the sharing of data related to hazard identification and assessment are outlined in this section of the ODOT SSOA Program Standard.

8.11.1 Additional Reporting Requirements

In addition to the monthly safety data required in Section 12, each RTA's operational, maintenance and safety departments must also provide the following data related to the identification and assessment of hazards each month. Required data must be submitted to the ODOT SSOA email inbox (sso@odot.oregon.gov) and must include:

- (a) Records of Near Misses
- (b) Employee rules compliance records
- (c) Maintenance data:
 - (1) RTV
 - (2) Track
 - (3) Signal
 - (4) OCS
- (d) Inspection data:
 - (1) RTV
 - (2) Track
 - (3) Signal
 - (4) OCS
- (e) Schedule and progress of major maintenance activities, which may include but are not limited to:
 - (1) Vehicle overhauls
 - (2) Track rehabilitation
 - (3) System extensions
- (f) Verification of safety event and safety risk mitigation activities, which may include but are not limited to:
 - (1) Verification of temporary mitigations after safety events
 - (2) Verification of effectiveness of implemented mitigations
 - (3) Field verification of CAP milestones and successful CAP closure
- (g) Schedule and progress of capital projects
- (h) Scheduled service campaigns (manufacturer or RTA)
- (i) Safety committee meeting minutes:
 - (1) MOW
 - (2) Transportation
 - (3) REM
 - (4) Safety Event Review Boards

TriMet's Transit System and Asset Support Division may act as an additional resource for safety and performance data. Data will be provided to ODOT SSOA from various data sources by the RTA upon request. SSOA reserves the right to request additional data not contained within the list above. Additional

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data requested by SSOA must be provided within the timeframe established when the data is requested. SSOA may choose to use RTA provided analysis or conduct their own analysis of any data provided by the RFGPTS. Additional safety data may be discussed as part of the regularly scheduled quarterly meeting with each RTA.

Each RFGPTS must also make additional data, including raw data, related to the identification and assessment of hazards available for SSOA to review in person during regular business hours upon request. RFGPTS that do not provide required or requested data related to hazard identification and analysis as part of the SSOA RBI program will be subject to enforcement action up to and including civil penalties issued under OAR 741-060-0105.

8.11.2 Data Management

Oregon SSOA uses a variety of tools to manage data related to RFGPTS safety functions and activities. Data submitted to SSOA from each RFGPTS will be stored within a secure server only accessible by SSOA personnel. That data includes, but is not limited to, internal safety reviews, hazard logs, CAP logs maintenance and inspection data, rule violations and records of near misses. Data within this system will be analyzed monthly to identify trends or issues that might inform decisions related to RBI.

Oregon SSOA stores data in two ways: a cloud-based application called SSOA Rail Online and computer network files that are accessible only to Oregon SSOA Staff. Both systems have the capacity to store information collected by the Oregon SSOA. ODOT's data warehouse has the capacity to store current and future RTA and SSOA Records; however, Oregon SSOA intends to transfer most relevant RBI and non-RBI work to SSOA Rail Online, which has the capacity to store information without limit due to cloud storage capabilities.

8.11.2.1 SSOA Rail Online

SSOA Rail Online has four modules that comprise the program: Safety Events, Corrective Action Plans, Inspections, and Hazards. Oregon SSOA staff enter all information relating to any safety event, CAP, tracked hazard or inspection into SSOA Rail Online. Each module serves as a repository for all data, information, forms, reports, notes and correspondences related to any record; the system also permits attachments to upload to any record. The system is protected by ODOT's modern network and web application firewalls. Only authorized users within ODOT's domain have access to the system. Authentication is handled with Azure Entra ID authentication. Users can be removed and added at the discretion of the Commerce and Compliance Dept. Records entered into SSOA Rail Online exist in perpetuity and cannot be deleted by any user so that historical data is not lost; this feature permits long term data trending and eliminates safety event record deletion. SSOA Rail Online also has the capacity to expand as new requirements or new features desired by Oregon SSOA become known. New Modules for data collection and storage are customized by ODOT IT based on SSOA requirements and can be added as needs evolve.

SSOA Rail Online includes a Power BI reporting capability that allows customizable and canned report production. Power BI will output routine SSOA forms for safety event investigation approvals and adoptions and the CAP process from initial approval to SSOA closure, including all milestones and notes entered by Oregon SSOA. Power BI can output customizable reports based on fields selected by Oregon SSOA; the report output capabilities are vast because they are customizable, and Oregon SSOA will utilize these reports to analyze trends based on, for example, safety event locations, RTV series, causal and contributing factors, and Rail Lines, to name few. The reporting outputs, based on parameters selectable by Oregon SSOA, will help inspectors determine locations, hazards, rail transit vehicles, etc. that demand focused RBI inspections.

Each module has undergone extensive testing to ensure the system will accurately store all records entered. Required data fields are marked in the module, and records cannot be saved without entry into the field. Each module is tested using a script testing process; that is, all module functions developed align with Oregon SSOA requirements and produce accurate reports based on the information entered. Oregon Department of Transportation's internal information technology group (called CCAD) is tasked with providing ongoing technical assistance and support for maintenance of SSOA Rail Online. Any federal or state rule changes that impact fields within any module will be updated by CCAD by request of Oregon SSOA. However, Oregon SSOA will have one identified administrator who will have some abilities to make minor changes, such as adding names to dropdowns but will have no ability to reprogram how any module stores and records data.

The data stored for the SSOA Rail application is a clustered SQL database that is backed up nightly and seated behind ODOT's firewalls. Data is never removed from the database. The application sits on a server inside ODOT's domain. The server is backed up on a nightly basis.

8.11.2.2 ODOT Server Storage

Oregon SSOA is the only department with access to Oregon SSOA files and folders within the server-based filing system. Permissions for access to all SSOA files are granted by ODOT Information Technology only upon approval by the Rail Section Manager. ODOT Information Technology manages security and access protocols to all ODOT information technology assets. Oregon SSOA will continue to store some records on the server-based filing system, such as some monthly RTA submissions, like occurrence logs. Most records, however, will be stored in SSOA Rail Online. Currently, Oregon SSOA follows retention schedules as promulgated in Oregon Administrative Rule 166-300-0015 State Agency General Schedule Retention Records; records stored in the network filing system fall under a 10-year retention timeline.

8.11.2.3 Information Security

Oregon Data containing personally identifiable information (PII) or security sensitive information (SSI) requested by SSOA must be provided by RFGPTS upon request. However, RFGPTS are encouraged and permitted to redact portions of any document containing PII or SSI.

The ODOT Commerce and Compliance Division uses the GovQA Exchange Platform (GovQA) for completing all public records requests. GovQA is a centralized, secure enterprise workflow software to help governments process all information in response to any urgent request. The intent of GovQA is to formalize the collection and control of information related to specific public records.

The Commerce and Compliance Division Public Requests Coordinator handles all requests for information, including SSOA documents, and the coordinator is responsible for ensuring that SSI or PII is redacted from any record before it is supplied. Any requests made directly to SSOA are forwarded to the Public Requests Coordinator for handling in accordance with Commerce and Compliant Division Policy BOP-24-01 *CCD Public Records Requests*.

8.12 Inspection Prioritization

Oregon SSOA will prioritize RBI functions through monthly analysis of all safety program, maintenance and inspection data collected from each RTA. In addition, SSOA will analyze data gathered as part of their own regular oversight activities. Frequency and severity of safety concerns will be evaluated during the data analysis process. Completed analysis of the data provided by each RTA will determine the level of priority assigned to all safety concerns as determined by SSOA staff. Priority rankings made by SSOA staff are entirely independent of any hazard ranking determination each RTA may have made previously.

Data to be analyzed includes, but is not limited to:

- (a) Safety Events
- (b) Corrective Action Plan (CAPs)
- (c) Hazards
- (d) RTA Inspections
- (e) Reported Defective Conditions
- (f) Maintenance Data
- (g) Rule Violations
- (h) Safety Meeting Minutes
- (i) SSOA Regular Inspections

Frequency of data provided to SSOA by each RFGPTS is outlined in Sections 12.2 and Section 8.11.1 of the Oregon SSOA Program Standard. Data received from each RTA will be analyzed by SSOA staff monthly with any identified safety concerns being assigned an RBI priority level. Each level designation will inform SSOA staff on how to address each concern going forward SSOA priority levels and their associated actions are shown below.

The SSOA performs safety risk assessments using the U.S. Military Standard 882E (MIL-STD-882E). The result of an assessment will be a safety risk rating based on the potential severity of the real or potential hazard, should its consequences come to fruition, and the likelihood in which that event may occur. The severity and likelihood ratings are then plotted together on a safety risk matrix to arrive at an overall safety risk assessment. The SSOA will use both quantitative and qualitative data to inform the assessment. The SSOA will prioritize concerns based on the ratings obtained through this process.

The SSOA's safety risk assessment process includes the following steps:

1. Determine the severity of potential consequences.
2. Determine likelihood of potential consequences.
3. Index the safety risk.

8.12.1 Determining Severity

When a real or potential hazard is identified, the SSOA determines the most severe, credible potential consequence. The SSOA determines the severity of each identified potential consequence according to the below table:

Description	Rating	Potential Consequence Could Result in One or More of the Following:
Catastrophic	1	<ul style="list-style-type: none"> • Death • Permanent total disability to employees, customers, contractors, or public-at-large • Severe environmental damage that violates law/regulation, necessitates evacuation • Permanent loss of in-service revenue equipment or infrastructure • Catastrophic impact to public and legislative trust in agency safety • Monetary loss equal to or exceeding \$10M
Critical	2	<ul style="list-style-type: none"> • Permanent partial disability • Injuries or illness that may result in hospitalization of at least 3 people • Reversible environmental damage causing a violation of law/regulation • Loss of non-revenue equipment • Incapacitation of in-service revenue equipment or infrastructure • Loss of safety critical system • Substantial impact to public and legislative trust in agency safety • Monetary loss equal to or exceeding \$1M but less than \$10M
Marginal	3	<ul style="list-style-type: none"> • Injury or illness resulting in one or more lost work/normal activity day • Reversible moderate environmental impact • Incapacitation of equipment/loss of a component • Moderate impact to public and legislative trust in agency safety • Monetary loss equal to or exceeding \$100K but less than \$1M
Negligible	4	<ul style="list-style-type: none"> • Injury or illness not resulting in a lost work/normal activity day • Minimal environmental impact • Superficial damage to equipment or infrastructure • Minor impact to public and legislative trust in agency safety • Monetary loss less than \$100K

8.12.2 Determining Likelihood

The SSOA determines the likelihood of most severe, credible potential consequence according to the below table:

Description	Rating	Individual	Fleet
Frequent	A	<ul style="list-style-type: none"> Likely to occur frequently Exposed to the potential consequence once a day MTBE is less than 1,000 operating hours 	Continuously experienced
Probable	B	<ul style="list-style-type: none"> Will occur several times Exposed to the potential consequence once a week MTBE is 1,000 to 100,000 operating hours 	Will occur frequently
Occasional	C	<ul style="list-style-type: none"> Likely to occur sometime Exposed to the potential consequence once a month MTBE is 100,000 to 1,000,000 operating hours 	Will occur several times
Remote	D	<ul style="list-style-type: none"> Unlikely but possible to occur Exposed to the potential consequence once a year MTBE is 1,000,000 to 100,000,000 operating hours 	Unlikely, but can be reasonably expected to occur
Improbable	E	<ul style="list-style-type: none"> So unlikely, it can be assumed it may not be experienced Exposed to the potential consequence once in a lifetime MTBE is greater than 100,000,000 operating hours 	Unlikely to occur, but possible
Eliminated	F	Incapable of occurring (only used when hazards and their potential consequences are eliminated)	

*MTBE = Mean Time Between Events

8.12.3 Indexing Safety Risk

Relative safety risk is a function of likelihood and severity. The SSOA will determine the level of safety risk according to the below matrix:

Severity Likelihood	Catastrophic (1)	Critical (2)	Marginal (3)	Negligible (4)
Frequent (A)	1A Unacceptable	2A Unacceptable	3A Unacceptable	4A Acceptable with Review
Probable (B)	1B Unacceptable	2B Unacceptable	3B Undesirable	4B Acceptable with Review
Occasional (C)	1C Unacceptable	2C Undesirable	3C Undesirable	4C Acceptable
Remote (D)	1D Undesirable	2D Undesirable	3D Acceptable with Review	4D Acceptable
Improbable (E)	1E Acceptable with Review	2E Acceptable with Review	3E Acceptable with Review	4E Acceptable
Eliminated (F)	1F Acceptable	2F Acceptable	3F Acceptable	4F Acceptable

The SSOA acknowledges that there may be instances where the RTA and the SSOA do not determine a hazard to have the same safety risk index. While RTAs may request an explanation to how safety risk was determined, the SSOA uses its own assessment of safety risk to prioritize risk-based inspections.

8.12.4 Safety Risk Tolerance and RBI Prioritization

Identified safety risks are prioritized for inspection based on the safety risk index generated through the safety risk assessment. Hazards with higher levels of frequency or severity are prioritized for inspection over those with lower levels of frequency or severity.

- (a) Unacceptable hazards: any hazard with a rating in an unacceptable category shall be investigated through a risk-based inspection as soon as practicable.
- (b) Undesirable hazards: any hazard with a rating in an unacceptable category shall be monitored by the SSOA for the duration of the hazard. In addition, the SSOA may elect to investigate the hazard through a risk-based inspection.
- (c) All other hazards shall be monitored through routine inspections conducted by SSOA staff as described in Section 8.4.

When determining whether to conduct an RBI, the SSOA may consider if the hazard is already being addressed by a CAP or other mitigation method, if an RBI has recently been conducted to inspect the hazard, and the expected efficacy of potential mitigation efforts. To maximize its impact, the SSOA may choose to prioritize more tractable concerns.

8.12.5 Prioritization in the Case of Multiple Identified Hazards

In the case that two or more separate real or potential hazards are identified simultaneously at two or more separate RTAs, and the SSOA does not also have adequate resources to conduct risk-based inspections at all RTAs, SSOA leadership (identified as the Rail Safety and Regulatory Branch Manager) will determine which RTAs will be prioritized for inspection.

8.12.6 Ongoing Prioritization

Prioritization of RBI activities will be evaluated monthly by all SSOA staff based on the review of RFGPTS supplied data, SSOA regular inspections and relevant information related to the safety of each RFGPTS. RBI related data will be assessed individually and may be discussed by SSOA staff during monthly staff meetings. Each SSOA staff person may conduct an RBI inspection based solely on their own review of evaluated data.

8.13 Data Analysis Procedure

General analysis of all RTA provided safety program, maintenance and inspection data will be assigned to SSOA staff with specific data being assigned to the subject matter expert(s) in each functional area and conducted on a monthly basis. The SSOA Rail Application will provide monthly (or as needed) reports to SSOA staff that will identify frequency, severity, location and other safety factors. Reports generated each month by the SSOA Rail Application in addition to manual analysis of safety program, maintenance and inspection data provided by each RFGPTS will be used to determine areas within each RFGPTS that might need additional attention. Data will be analyzed with a specific focus on, including but not limited to, the following items:

- (a) Frequency of event types
- (b) Severity of events
- (c) Causal and contributing factor data
- (d) Frequency of identified hazards

- (e) Severity of identified hazards
- (f) Corrective Action Plan monitoring
- (g) Multiple events occurring at the same location
- (h) Frequency of failures and defective conditions identified
- (i) Severity of failures and defective conditions identified
- (j) Frequency and severity of rule violations

Transit System	Rail Stations	Track Miles	Vehicles	Maintenance Facilities	Revenue Vehicle Miles (in 2023)	Max Speed (MPH)	Planned Risk-Based Inspections (annually)
TriMet	97	60	145	2	3,985,248	55	4
Portland Streetcar	65	16	17	1	376,056	25	4

Each RFGPTS is required to establish and maintain a Hazard Risk Index (HRI). The HRI and any subsequent revision to the index are required to be approved by SSOA prior to adoption of the matrix. SSOA staff may utilize each RFGPTS individual HRI as a tool to assist in the prioritization of RBI activities. However, SSOA priority ranking of safety concerns shall remain independent from RTA hazard rankings. RFGPTS are also required to establish safety metrics as part of their PTASP. Those metrics will be used to assist SSOA staff in prioritizing RBI activities. During the data analysis process SSOA staff will prioritize any safety concerns that might require risk-based inspection(s) to be conducted.

8.14 Risk-Based Inspection Programs Commensurate with Number, Size, Complexity of the RFGPTS

Oregon SSOA is authorized to conduct inspections, observations, and data reviews for Risk-Based Inspections at each RFGPTS. These inspections include train handling, routine observations, track inspection, employee adherence to operating rules and procedures, audit of administrative procedures and recordkeeping, and maintenance standards and guidelines. All these activities contribute to verifying mitigations from corrective action plans and serve as a primary verification activity for hazard mitigation at the RFGPTS.

8.14.1 Oregon SSOA Program Required Inspections

Oregon SSOA will continue to conduct regular inspections and observations at each RFGPTS to help and assist with data collection. These inspections aim to assess compliance with rules, employee training, and safety conditions, as well as to stay informed about the operation of the rail transit system. Each inspector will conduct a minimum of 20 regular inspections per calendar year. Inspections and observations may be initiated at the SSOA's discretion or in response to recent events and customer complaints.

At TriMet, Oregon SSOA will conduct four total risk-based inspections per calendar year. Inspections will be continuously carried out, with two completed during the first six months of the calendar year and the remaining two completed in the last six months. At Portland Streetcar, Oregon SSOA will conduct four total risk-based inspections per calendar year. Inspections will be continuously carried out, with two completed during the first six months of the calendar year and the remaining two completed in the last six months. These numbers are subject to increase or decrease as Oregon SSO receives and reviews qualitative and quantitative data from each RFGPTS; however, a minimum of four risk-based inspections will always be conducted at each RFGPTS in accordance with federal requirements. Oregon SSO will update these numbers every year during the first quarter based on any changes to the size and complexity of the transit agencies and adjust the total planned on-site risk-based inspections accordingly.

9 Safety Event Reporting and Notification Requirements

This section of the Program Standard introduces Oregon SSOA's requirements for notifications and reporting of safety events, incidents and occurrences. The RTA will be advised by Oregon SSOA of any change to reporting or notification requirements a minimum of 30 days prior to expected implementation at the RTA.

9.1 Definitions

As used in this Program Standard, the following definitions apply:

"Safety Event" means an event involving an RTV or occurring on a rail fixed guideway public transportation system that involves one or more of the following:

- (a) Fatality;
- (b) Two or more injuries;
- (c) Derailment;
- (d) Collision resulting in one or more injuries;
- (e) A collision between two rail transit vehicles;
- (f) Collision resulting in disabling damage to a rail transit vehicle
- (g) Evacuation for life safety reasons; or
- (h) Unintended train movement.

"Injury" means an event requiring immediate medical transport away from the scene.

"Incident" means any event of the following types:

- (a) All collisions involving an RTV that do not meet the threshold of a safety event;
- (b) Vandalism, theft, or damage to catenary, track or signal systems that results in cancellation of service, issuance of a slow order, or delays rail service more than 30 minutes; or
- (c) Application of an emergency braking device that results in an irretrievable stop to avoid a safety event or collision.

"Occurrence" means any event of the following types:

- (a) Close calls/Near misses;
- (b) Unauthorized entry into a rail yard or rail operations facility or rail maintenance facility that results in a crime, vandalism, or theft; or
- (c) Violations of safety rules or safety policies.

9.2 Safety Event Notifications

All safety events, as defined in Section 9.1, must be reported to the SSOA and the FTA no later than two hours after the safety event occurs. Notification of a safety event must be made by electronic mail to sso@odot.oregon.gov and must contain the following information:

- (a) Name of reporting agency;

- (b) Reporting agency's internal control number assigned to the safety event, if any;
- (c) Date and time of the safety event;
- (d) Specific location of the safety event and a description of what occurred (who, what, where);
- (e) The name of the rail line or route, such as Red Line or A Loop; and
- (f) Employee identification number of any employee(s) involved in the safety event.

Within 72 hours of a reported safety event, the RTA shall submit to the SSOA a status update of the safety event that, at a minimum, contains the following information:

- (a) Hours of Service records for involved employee(s) covering a period of no less than the 72 hours prior to the safety event;
- (b) The number of injuries or fatalities resulting from the safety event;
- (c) Causal and contributing factors if determined or suspected; and
- (d) Employee and supervisor reports, applicable train orders, special instructions, records, operating conditions, and a description of equipment involved based on information available at that time.

As part of reporting safety events that result in injuries or deaths, the RTAs must also identify the *category* of the injured persons. RTAs must provide this information at the time of initial notification, or if not feasible, within the 72-hour update. Persons involved in safety events are categorized into one of four categories. RTAs must report the number of injuries and fatalities for each person type, as follows:

Reporting categorization for persons	
Passenger	Individual on-board a rail transit vehicle, boarding or alighting a rail transit vehicle. This includes individuals riding between the cars of a train
Patron	Individual waiting for or leaving rail transit at stations, in mezzanines, on stairs, escalators, or elevators, in parking lots and other transit-controlled property
Public	All others who come into contact with the rail transit system, including pedestrians, automobile drivers, and trespassers. (Please note <i>suicide</i> and <i>attempted suicide</i> individuals are no longer automatically reported as "Public" but as the appropriate choice).
Worker	Rail transit agency employee or contractor

9.3 Incident and Occurrence Reporting

All incidents and occurrences, as defined in Section 9.1, must be reported to the SSOA on a monthly basis. This monthly report must contain the following information for each incident and occurrence:

- (a) Incident or occurrence type, as described in Section 9.1;
- (b) Reporting agency's internal control number assigned to the incident or occurrence, if any;
- (c) Date and time of the incident or occurrence;
- (d) Specific location of the incident or occurrence and a description of what occurred (who, what, where);
- (e) Employee identification number of any employee(s) involved in the incident or occurrence

- (f) Causal or contributing factors determined by the RTA.

The RTA may report violations of safety rules or safety policies in either a standalone monthly rail violation report to the SSOA or through incorporation into the RTA monthly occurrence report.

The RTA shall collect and make available to SSOA upon request all additional records regarding any incident or occurrence including, but not limited to, employee and supervisor reports, investigatory reports, applicable train orders, special instructions, photos, and available video. The SSOA may require the RTA to perform a hazard analysis utilizing safety risk management activities to determine if any incident or occurrence requires additional review, study or mitigation.

9.4 Protocols for Notifying Other Agencies

Safety event reporting to other oversight agencies or entities such as the FTA, FRA, NTSB, National Transit Database (NTD), et al., is required in certain circumstances. The requirements of this document do not preclude other reporting obligations.

9.4.1 Notifications to the FTA

All SSOA-reportable safety events must also be reported to the FTA no later than two hours after the safety event occurs.

9.4.2 Notifications to the NTSB

The RTA shall notify the NTSB of any safety events that meet the threshold reporting requirement for the NTSB within the NTSB's specified timeframe. The RTA must notify SSOA within two hours of occurrence of any NTSB-reportable safety event. The RTA shall ask the NTSB within three days of the safety event whether NTSB intends to investigate and inform the SSOA of the NTSB's decision as soon as this information is available.

9.5 Incident and Occurrence Notifications

The SSOA reserves the right to require the RTA to provide notification for select incidents and occurrences not more than 2 hours after the event takes place. The RTA shall notify the SSOA using the same notification process specified for safety events (Section 9.2). The SSOA will notify the RTA of specific event types it would like to monitor in this fashion. Events may be specific to an individual RTA and may be based on frequency or severity of select events occurring at the respective RTA.

9.6 Event Withdrawal or Reclassification

If the initial safety event notification to the SSOA and FTA needs to be withdrawn, the RTA will notify the SSOA by email as soon as such determination is made. The RTA must explain how they came to the decision for downgrading the safety event to one that does not require notification to the SSOA and FTA,

and furthermore, identify the downgraded event type, if applicable. The SSOA will notify the FTA of any withdrawn safety events.

If the RTA determines that a safety event was not reported to the SSOA and FTA, the RTA must notify both SSOA and FTA as soon as practicable.

10 Safety Event Investigation

This section of the Program Standard explains the SSOA's requirements for safety event investigations.

SSOA has delegated to the RTAs the obligation to investigate *all* safety events. SSOA reserves the right to conduct its own investigation in addition to an RTA's investigation, or work with an RTA to conduct a joint investigation. A representative of the SSOA may also participate as a member of the RTA's investigation team or review committee. The default requirement, however, is for the RTA to investigate all safety events, and the SSOA will adopt that investigation report as its own.

The purpose of an investigation is to determine causal and contributing factors by gathering and assessing pertinent facts, and then to identify corrective actions needed to prevent recurrence. Any final reports that do not contain causal and contributing factors will be considered incomplete and returned to the RTA for completion.

10.1 RTA Conducts Investigation

When conducting a safety event investigation, the RTA must provide the materials listed below to the SSOA on the following schedule:

1. *Initial Notification*: The initial notification must be transmitted to the SSOA and FTA including all safety event details described in Section 9.2.
2. *72-hour Status Update*: The 72-hour update must be transmitted to the SSOA including all safety event details described in Section 9.2.
3. *Investigation Status Report*: The SSOA may, at its discretion, request from the RTA an interim report on the status of the investigation, including any significant new results or preliminary investigation conclusions, at any time throughout the investigation.
4. *Final Investigation Report*: The RTA must transmit its final investigation report within 60 days of the event. Final investigation reports must be delivered to the SSOA in a format agreed to by the SSOA (electronic or hard copy).
5. *Audio and Visual Records*: The SSOA may request audio and visual records, to include:
 - a. RTV camera footage
 - b. RTA property footage
 - c. Photographs taken at the scene
 - d. Employee audio recordings either onboard the RTV or the controller radio logs

In the event the SSOA requires additional information not otherwise provided by the RTA, the RTA must provide the requested information within 10 calendar days of the request. If the requested information is not available or does not exist, the RTA must provide a statement that no such information exists and why.

10.1.1 Final Investigation Report Requirements

RTA final investigation reports must contain the following information sources, as applicable. These information sources must be analyzed in and appended to the final investigation report:

- (a) Rail Operator event report;
- (b) Supervisor event report, including diagrammatic sketch;
- (c) Information provided to an on-scene RTA Supervisor by a responding Police Officer, such as issuance of citation or determination of cause;⁴
- (d) Witness cards or statements;
- (e) Train signal and traffic signal downloads;
- (f) Event recorder data to include Operator actions taken before, during and after any safety event to include speed, propulsion, braking, application of emergency brake, use of warning sounds or any other measure relevant to the safety event;
- (g) Hours of service records for involved employees covering a period no less than 72 hours prior to the event;
- (h) Train Orders, Special Instructions or Operating Conditions that are applicable to the safety event or in effect at the time of the safety event; and
- (i) Any other information, including reports, statements or interviews, that aided in the identification of causal and contributing factors to the safety event, including information from other RTA departments, RTA contractors, or outside agencies.

Final investigation reports must contain a narrative section with the following information:

- (a) A summary of the safety event at the beginning of the investigation report (describing what happened);
- (b) Causal and contributing factors or probable cause;
- (c) A sequence of events, including a comprehensive description of injuries, fatalities and property damage;
- (d) A clear timeline of events immediately before, during, and after the safety event;
- (e) A description of the investigatory process and methodology;
- (f) A description of post-safety event testing and research conducted;
- (g) Conclusions and findings
- (h) Recommendations to prevent reoccurrence, if applicable (any recommendations must be added to the RTA Hazard Log for follow-up tracking and completion);
- (i) Any short- or long-term mitigations instituted, such as train orders or special instructions;
- (j) Changes to rules, policies, or procedures, if applicable; and

⁴ Police reports are not required for final investigation reports. However, if police are involved in determining causal and contributing factors at the scene, the supervisor must collect any relevant information that the officer is willing to provide that could be referenced in the final safety event investigation report to verify, validate, or substantiate cause.

- (k) Proposed CAP(s), to address any findings resulting from the investigation that caused or contributed to the safety event, if applicable.

More information may be included, based on the RTA's own investigation procedures or external recommendations. The SSOA may request more information in order to clarify or evaluate circumstances about a particular safety event or trends. All documentation used in the development of investigation reports must be retained by the RTA for a period of no less than 3 years and be available to SSOA upon request.

The investigator(s) writing a final investigation report must have a current PTSCTP certificate; if not, another RTA staffer who is PTSCTP certified must also review and sign the final investigation report.

10.1.2 Final Investigation Report Review, Adoption, and Dispute Resolution

Review

The SSOA will review the RTA's final report utilizing the SSOA Safety Event Investigation Review Checklist. The review will focus on the RTA's findings of causal and contributing factors or probable cause, investigation activities, compliance to RTA investigation procedures, and whether the RTA has developed recommendations or corrective action plans, as necessary or appropriate.

Adoption

If the RTA final investigation report is thorough and sufficient, the SSOA will notify the RTA in writing of its approval and adoption using the SSOA Safety Event Investigation Review Checklist. The SSOA intends to adopt most RTA final investigation reports within 60 days of submission, when practicable.

If the SSOA requires additional information for its review, the SSOA will communicate with the RTA report writer to request additional information. The RTA must supply a reason why any requested information is not available. In the event that the SSOA requests additional information be added to the report, the timeframe for revising the report will be negotiated by both parties.

Dispute Resolution

If the SSOA determines that the RTA's final investigation report is insufficient or incomplete, the SSOA will return the report to the RTA and require that the RTA address any shortcomings noted by SSOA. The SSOA will consult with the report writer to discuss the deficiencies and establish a negotiated timeline for corrections to the report. Ultimately, the SSOA must adopt a final investigation report, whether produced by the RTA or the SSOA.

10.2 SSOA Conducts Investigation

The SSOA, at its discretion, and depending upon the particular circumstances of the safety event, may choose to conduct an investigation utilizing its own personnel or an SSOA-authorized contractor. This may

be due to the severity of the safety event, particular circumstances surrounding the safety event, or the potential for a conflict of interest with the investigation, among other reasons. In such cases, the SSOA will conduct a thorough, unbiased inquiry and with cooperation and assistance from RTA personnel. The RTA must also conduct its own investigation concurrent to the investigation conducted by SSOA.

All SSOA-authorized investigation personnel have been granted authority pursuant to ORS 824.045, as well as the SSOA program itself, to conduct an investigation and evaluate records, materials, data, analyses, equipment, and other information which is pertinent to the investigation.

The SSOA has the authority to:

- (a) Enter RTA property to conduct announced and unannounced inspections, investigations, audits and reviews;
- (b) Review records, including maintenance, operations, or employee training records and the results of post-safety event drug and alcohol tests;
- (c) Conduct interviews with employees or contractors;
- (d) Review camera footage, audio recordings, and other data downloaded from electronic devices and recorders;
- (e) Take measurements and independently inspect equipment and facilities;
- (f) Observe employees in the performance of work;
- (g) Conduct independent assessments and evaluations, including laboratory tests and modeling;
- (h) Assess compliance with RTA's rules and procedures; and
- (i) Engage in any other activity necessary to complete a thorough investigation.

If the SSOA produces its own investigation report, the report will be submitted to the RTA for its review and concurrence. If the RTA has objections to the SSOA report, the RTA may submit to SSOA a written dissent to the report within 30 days of receipt of the SSOA report. It is at the SSOA's discretion whether to include the dissent in the investigation report or not.

If the SSOA does not elect to conduct its own investigation, it will oversee the RTA's internal investigation by review of investigation materials submitted by the RTA in its initial notification, subsequent status updates and documentation provided with the investigation report. The SSOA may, at its discretion, participate in RTA meetings and on-site visits concerning the safety event and may provide subject matter expertise available within ODOT's rail safety section or by use of contractor, when necessary.

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

10.3 Outside Agency Conducts Investigation

Depending on the safety event, another agency such as the National Transportation Safety Board (NTSB), the FTA, and the Federal Railroad Administration (FRA; applicable only in RFGPTS corridors shared with railroads under FRA jurisdiction), *et al.*, may conduct an investigation utilizing its own procedures and personnel. The SSOA and the RTA will provide the investigation team with the resources and information necessary to conduct the investigation in an effective and efficient fashion.

The SSOA may or may not conduct a separate and distinct investigation. Should the SSOA opt to conduct its own investigation, it will inform both the external investigating agency and the RTA. The SSOA will review the other agencies' final report and either formally adopt it as its own or prepare its own report.

When an external agency such as NTSB or FTA issues an investigation report for a safety event at the covered RTA, the SSOA will work with the RTA to incorporate that agency's findings into CAPs as necessary, utilizing the CAP process contained in this Program Standard.

10.4 SSOA and RTA Conduct Joint Investigation

The RTA and SSOA may choose to conduct a joint investigation of a safety event. The RTA and SSOA may use the RTA's procedures, the SSOA's procedures, or a combination of the two procedures to investigate the safety event. The procedures to be used must be established prior to the investigation and agreed upon by both the RTA and SSOA.

10.5 RTA Safety Event Investigation Procedures

The RTA must develop and follow standard operating procedures, policies and best practices in their investigation of any safety event. The RTA must submit its formal Safety Event Investigation Procedures to the SSOA for initial review and approval, as well as any subsequent revisions or updates. These procedures must be contained or referenced in the RTA's PTASP. The RTA's investigation procedures must contain adequate detail to guide the investigation process and must, at a minimum, adopt the investigation requirements contained in Section 10.1 of this Program Standard.

10.6 Confidentiality of Investigation Reports

To the extent allowed by law, the State of Oregon may withhold an investigation report prepared or adopted by the SSOA from being admitted as evidence or used in a civil action for damages resulting from a matter mentioned in the report. Oregon Data containing personally identifiable information (PII) or security sensitive information (SSI) requested by SSOA must be provided by RFGPTS upon request. However, RFGPTS are encouraged and permitted to redact portions of any document containing PII or SSI.

The ODOT Commerce and Compliance Division uses the GovQA Exchange Platform (GovQA) for completing all public records requests. GovQA is a centralized, secure enterprise workflow software to

help governments process all information in response to any urgent request. The intent of GovQA is to formalize the collection and control of information related to specific public records.

The Commerce and Compliance Division Public Requests Coordinator handles all requests for information, including SSOA documents, and the coordinator is responsible for ensuring that SSI or PII is redacted from any record before it is supplied. Any requests made directly to SSOA are forwarded to the Public Requests Coordinator for handling in accordance with Commerce and Compliance Division Policy BOP-24-01 *CCD Public Records Requests*.

11 Corrective Actions

This section introduces the legal obligations of the RTA in addressing corrective actions through corrective action plans (CAPs), including required RTA processes for CAP development, submitting to SSOA for approval, and tracking to resolution and closeout.

11.1 Corrective Action Plan Sources

CAPs are designed to address hazards or deficiencies that cannot be immediately mitigated. Potential sources of CAPs include the following:

SSOA or FTA On-Site Safety Audit

The RTA must develop CAPs for findings of non-compliance identified during an SSOA or FTA audit within 30 days of receipt of the final audit report.

Safety Event Investigations

Regardless of which agency conducts the investigation process (the RTA or SSOA) the investigation report must contain causal and contributing factors. Hazards and unsafe conditions that caused or contributed to the safety event must be addressed through the safety risk management process. Recommendations noted in the investigation report must be tracked in the RTA Hazard Log.

Hazards

Hazards are to be handled through the safety risk management process, as detailed in the RTA's PTASP. This process must include a determination of the severity and likelihood of reoccurrence of the hazard using a hazard risk index (HRI) that has been approved by the SSOA. If the RTA determines that a CAP is needed, a corrective action plan must be developed and submitted to SSOA for approval within 30 days of such determination.

RTA Internal Safety Audits and Reviews

The RTA must develop CAPs to address all findings of non-compliance from internal audits and internal safety reviews within 30 days of finalization of RTA's internal audit or internal safety review report.

Data and Trend Analyses

The RTA must conduct analyses of operational and maintenance data related to the safety of the system, including of repeated hazards and events to determine the existence of trends. This process must be detailed in the RTA's PTASP as part of its safety promotion process.

NTSB Investigations

In case of a National Transportation Safety Board (NTSB) safety event investigation, the RTA and SSOA will examine the NTSB's written safety event report recommendations to determine if CAPs are required and by whom.

If the RTA declines to adopt an NTSB or other agency recommendation, the RTA has 30 days from that decision to provide an explanation or an alternate corrective action plan to the SSOA.

Notification by the SSOA

In the course of performing or reviewing on-site safety audits, capital projects, investigations, annual safety audits and internal safety reviews, inspections, risk-based inspections, field observations, or any other means by which the SSOA becomes aware of a hazard that requires immediate attention, the SSOA will notify the RTA point of contact and Operations Control by phone, text message, or email of the identified hazard and direct the RTA to prepare a corrective action plan. An SSOA request for a CAP supersedes an RTA's risk ranking of the concern. Unless otherwise directed, the RTA must develop a corrective action plan within 30 days after notification from the SSOA.

11.2 Initial Notification

Once the RTA determines the need for a CAP, the RTA shall notify the SSOA by email to sso@odot.oregon.gov. The SSOA must review and approve proposed corrective actions before the RTA carries out the plan.

The SSOA will notify the RTA within 15 days whether the CAP has been approved, or if not, what needs to be done in order for it to be approved. If the SSOA determines the CAP needs additional conditions or if it is rejected outright, the RTA shall have 15 days to resubmit a new plan for review and approval.

In cases where an emergency CAP must be implemented to ensure the immediate safety of the system, the RTA shall notify the SSOA within two hours by email to sso@odot.oregon.gov. RTAs must send a complete CAP notification with all required components when practicable.

11.3 Corrective Action Plan Components

The SSOA requires that the RTA evaluate each proposed CAP through an interdepartmental committee to ensure that all parties are satisfied with the planned action and that it does not introduce unforeseen hazards into the system. Each CAP submitted to SSOA must include all elements below:

- (a) CAP ID
- (b) CAP Description
- (c) Hazard Type
- (d) Date Identified
- (e) Hazard Group
- (f) Source of the Hazard
- (g) Location of the Hazard
- (h) Initial HRI Analysis Date
- (i) Potential Consequences
- (j) Current Mitigations

- (k) Initial Hazard Rating
- (l) Post Mitigation Hazard Rating
- (m) Responsible Department and Person
- (n) Target Completion Date (when the CAP will be fully implemented)
- (o) CAP Status

The SSOA may reject a proposed CAP if an extended timeframe for implementation does not include any short-term mitigation. For CAPs that require long-term implementation, the RTA shall identify interim measures to address the deficiency until permanent measures can be completed.

Similarly, the RTA must also ensure that budget constraints do not prevent CAPs from mitigating deficiencies. Such constraints may necessitate the RTA to make the expensive CAP a long-term effort, while less expensive safety remedial actions occur in the meantime. Alternatively, less expensive remedial actions may be needed in place of, or as an alternative to, a CAP calling for prohibitively costly improvements.

11.4 CAP Tracking

The RTA must maintain a CAP log that contains all required CAP components as listed in Section 11.3. The RTA must submit the CAP log to the SSOA on a monthly basis. An incomplete CAP log will not be accepted by SSOA and will require that the RTA resubmit a corrected log in order to meet the requirements.

The CAP log must be current with CAP resolution information included and formatted to show, at a minimum, all open CAPs and all CAPs that were closed. Once a CAP is considered officially closed by the SSOA it must stay on the CAP log through the end of the following calendar year. For example, a CAP closed in September 2024 must remain on the log through December 2025, unless the SSOA has approved a different timeline for that specific CAP. Electronic corrective action plan log submissions are required; the RTA must send the document to the SSOA via electronic mail at the following address: sso@odot.oregon.gov.

11.5 CAP Verification and Closeout

For all CAPs, the SSOA must conduct a review and verification that each CAP has been adequately addressed before it may be closed. SSOA verification and closeout of a CAP will occur within 60 days of the RTA request to close out the CAP, when practicable.

The SSOA may request specific documents to verify CAP implementation and completion on a case-by-case basis. After the SSOA has verified CAP completion, SSOA personnel must sign off on its completion before it can be considered officially closed. The SSOA will provide a CAP Detail Report indicating the CAP has been closed.

12 Reporting Requirements

This section explains the RTA's reporting obligations to the SSOA and the SSOA's reporting obligations to the FTA.

12.1 SSOA Program Annual Reporting Requirements

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

- (a) The SSO Program Standard, adopted in accordance with 49 CFR 674.27, with an indication of any changes to the SSO Program Standard during the preceding twelve months;
- (b) The Annual Safety Status Report, as described in Section 1.3;
- (c) A summary of any SSOA triennial audits completed during the preceding twelve months and the RTA's progress in carrying out CAPs from these audits in accordance with 49 CFR 674.31;
- (d) Final investigation reports for all safety events meeting one or more of the criteria specified in 49 CFR Part 674.33;
- (e) A summary of the internal safety reviews conducted by RTAs during the previous twelve months and the RTA's progress in carrying out CAPs under 49 CFR Part 674.37(a)(3);
- (f) Evidence that the SSOA has reviewed and approved any changes to the RTA's PTASPs during the preceding twelve months; and
- (g) A certification that the SSOA is in compliance with the requirements of this part.

The SSOA submits these materials electronically through a reporting system provided by FTA.

12.2 RTA Monthly Reporting Requirements

Within 15 days of the end of the reporting month, an RTA shall submit to the SSOA a report which includes:

- (a) A Safety Event Log, an Incident Log and an Occurrence Log that summarizes each that occurred during the month. The Safety Event Log must include the categorization of any injured party or decedent as public, patron, passenger, or employee (see Section 9.2 for guidance on this categorization);
- (b) A Hazard Tracking Log (see Section 6.1 for Hazard Tracking Log requirements);
- (c) A corrective action plan monitoring log each month listing all corrective actions (see Section 11.3 for CAP Log requirements);
- (d) An Hours of Service (HOS) violations report;
 - (1) If there were no HOS violations that month, a statement must be included in the monthly report that none occurred.
- (e) A standalone rail rule violation report covering rule violations or violations of safety policies, if not already included in the monthly RTA Occurrence Log; and
- (f) All other operations, maintenance and safety data described in Section 8.11.1, Additional Reporting Requirements.

12.3 RTA Quarterly Reporting Requirements

Each RTA shall establish regular quarterly meetings with SSOA to discuss CAPs, open hazards, hazard and safety risk management activities, rules compliance, internal safety review activities, PTASP implementation and compliance, recent ODOT inspections, and overall safety of the RFGPTS.

The RTA shall schedule RTA-SSOA quarterly meetings and provide an agenda for the meeting. The RTA and SSOA shall provide and share meeting topics at least two weeks prior to the quarterly meeting, and the RTA will provide the agenda to SSOA at least 24 hours prior to the meeting.

12.4 RTA Annual Reporting Requirements

By February 15 of each year, each RTA's Accountable Executive shall submit to the SSOA a comprehensive written report for review and approval, certifying that the RTA has complied with this Program Standard and the provisions of OAR Chapter 741, Division 60 for the preceding year. The report shall include:

- (a) A formal letter signed by the Accountable Executive certifying that the RTA is in compliance with its PTASP and Emergency Preparedness and Response Plan; or, if not in compliance, then a detailed explanation of the noncompliance and a description of how such non-compliance will be corrected, with documentation of corrective actions that will be or have been taken to achieve compliance;
- (b) A summary of internal safety reviews conducted in the previous year, including any resulting findings, CAPs, or modifications to the PTASP and the Emergency Preparedness and Response Plan;
- (c) Non-compliance findings from its internal safety reviews, investigations, complaints, or through the Safety Risk Management Process, with documentation of corrective actions that will be or have been taken to achieve compliance;
- (d) Completed logs for the prior calendar year, to include the Hazard Tracking Log, CAP Log, Safety Event Log, Incident Log and Occurrence Log;
- (e) A summary of processes and activities completed as they relate to SMS implementation for that year; and
- (f) A review of the RTA's activities toward meeting the performance targets based on the safety performance measures for that year established under the National Public Transportation Safety Plan.

The SSOA will review the Annual Report for adequacy and completeness. If the SSOA rejects any part of the written report, the RTA will have 15 days to revise the report and resubmit it.

13 Training and Qualification of RTA Personnel

13.1 Federal Qualification Requirements for RTA Designated Personnel

As required by 49 CFR 672, each RTA must designate employees and contractors who are directly responsible for safety oversight of rail modes and must therefore complete the Public Transportation Safety Certification Training Program (PTSCTP).

Each RTA shall ensure that each designated individual is enrolled in the PTSCTP within 30 days of the individual's designation. Required coursework includes completion of the following courses:

- (a) Safety Management Systems (SMS) Awareness
- (b) SMS Safety Assurance
- (c) SMS Principles for Transit
- (d) Transit Rail System Safety
- (e) Effectively Managing Transit Emergencies
- (f) Transit Rail Incident Investigation

Designated employees and contractors shall complete applicable training requirements of the PTSCTP curriculum within three (3) years of their initial PTSCTP enrollment. Thereafter, upon completion of the PTSCTP curriculum, designated personnel must complete recertification every two (2) years. Required recertification training consists of two elements:

Element 1: Specific recertification training defined by FTA, and

Element 2: Recertification training defined by the rail transit agency, which must include, at a minimum, one (1) hour of safety oversight training.

13.2 State Qualification Requirements for RTA Personnel

All operations and maintenance employees in the rail division of each RFGPTS, regardless of designation, shall be required to complete FTA's SMS Awareness course, or an equivalent training course approved by the SSOA. Recertification is not required. The RTA shall record completion of this course by employee name, employee ID number, completion date, and employee signature. Alternatively, the RTA may retain a certificate of completion for the course in place of an employee signature.

All RTA employees and contractors who conduct safety event investigations on behalf of the SSOA, as outlined in Section 10 of this Program Standard, shall be required to complete FTA's Transit Rail Incident Investigation, or an equivalent training course approved by the SSOA. Recertification is not required. The RTA shall record completion of this training course by employee or contractor name, employee or contractor ID number (as applicable), completion date, and employee or contractor signature. The RTA may establish an on-the-job training or mentorship program by which RTA employees or contractors who have not completed FTA's Transit Rail Incident Investigation, or an equivalent training course approved by the SSOA, are permitted to conduct safety event investigations under the guidance of a lead

investigator who has completed this training. The lead investigator must review and sign off on all completed reports.

All employees and contractors who conduct internal safety reviews, as defined in Section 5 of this Program Standard, shall be required to complete FTA's SMS Awareness course. All employees and contractors who conduct internal safety reviews shall in addition be required to conduct FTA's SMS Principles for Transit course, or an equivalent training course approved by the SSOA. Recertification is not required. The RTA shall record completion of this training course by employee or contractor name, employee or contractor ID number (as applicable), completion date, and employee or contractor signature. The RTA may establish an on-the-job training or mentorship program by which RTA employees or contractors who have not completed FTA's SMS Principles for Transit, or an equivalent training course approved by the SSOA, are permitted to conduct internal safety reviews under the guidance of a lead auditor who has completed this training. The designated lead auditor must review and sign off on all completed reports.

13.3 PTSTP Reporting

The RTA shall include the SSOA as a recipient of any PTSTP-related reporting submitted to the FTA. This applies to any notification of employees or contractors who are designated as PTSTP participants and any course(s) the RTA has identified as required recertification training for designated PTSTP participants. Correspondence must be sent to sso@odot.oregon.gov.

This section of the Program Standard does not include other federal regulatory requirements applicable to the RTA or the SSOA stipulated by 49 CFR Part 672 Subparts A-D. The RTA is required to abide by and implement the entirety of the federal rule, in addition to any established state rules.

14 Roadway Worker Protection

Each RTA must develop and maintain a Roadway Worker Protection (RWP) Manual that details its RWP Program. The program and any subsequent changes must be in compliance with 49 CFR 671 reviewed and approved by the SSOA. The SSOA must also provide ongoing oversight of each RTA's RWP Program.

14.1 Initial Review and Approval of RWP Manuals

This section applies only to RTAs submitting RWP Manuals for initial SSOA approval.

The initial RWP Manual review process is as follows:

1. By September 26, 2025, each RTA shall submit their first draft of the RWP Manual and all referenced procedures to the SSOA. The SSOA will notify the RTA in writing of any required revisions. If no revisions are needed, the RTA may resubmit this draft as the final RWP Manual (Step 3).
2. By October 31, 2025, each RTA shall submit their second draft of the RWP Manual and all referenced procedures to the RTA. The SSOA will notify the RTA in writing of any required revisions. If no revisions are needed, the RTA may resubmit this draft as the final RWP Manual (Step 3).
3. By November 21, 2025, each RTA shall submit their final RWP Manual and all referenced procedures to the RTA.
4. After review and approval by the SSOA, the SSOA will provide a formal letter of approval to the RTA by December 2, 2025.
5. Within 30 days of issuance of this formal letter of approval, the SSOA will submit the approved RWP Manual to the FTA.

ODOT expects that RTAs will be ready to meet these draft submission deadlines. ODOT will work with RTAs to negotiate completion of these milestones.

14.2 Subsequent Reviews of RWP Manuals

This section applies to RTAs submitting RWP Manuals for subsequent SSOA review and approval. RTAs must submit their RWP Manuals on both an annual basis and before implementing any changes to their programs.

The annual RWP Manual review process is as follows:

1. By September 1 of each year, each RTA shall submit their RWP Manual and all referenced procedures and materials to the SSOA.
 - a. If no changes were made, the submission should include a cover letter signed by the Accountable Executive certifying that no changes were made to the program or any referenced materials.

- b. If changes were made, the submission should include a cover letter signed by the Accountable Executive listing updates and changes made to the manual and referenced materials.
2. Within 45 calendar days of submission, the SSOA will either issue a letter of approval or notify the RTA in writing of any required revisions. RTAs will have 45 calendar days from SSOA notification to revise and resubmit their RWP Manual. The SSOA will have 45 calendar days for any subsequent review.
3. After review and approval by the SSOA, the SSOA will provide a formal letter of approval to the RTA.
4. Within 30 days of issuance of this formal letter of approval, the SSOA will submit the approved RWP Manual to the FTA.

If an RTA wishes to update its RWP procedures between annual review cycles, it may submit its RWP Manual to the SSOA for a mid-cycle review. The RTA must not implement a revised program prior to written approval from the SSOA.

The mid-cycle RWP Manual review process is as follows:

1. The RTA submits their RWP Manual and any revised referenced procedures and materials to the SSOA. The submission should include a cover letter listing updates and changes made to the manual and referenced materials.
2. Within 45 calendar days of submission, or within an alternate timeline agreed upon by both the RTA and the SSOA, the SSOA will either issue a letter of approval or notify the RTA in writing of any required revisions. RTAs will have an agreed upon number of days from SSOA notification to revise and resubmit their RWP Manual. The SSOA will have an agreed upon number of days for any subsequent review.
3. After review and approval by the SSOA, the SSOA will provide a formal letter of approval to the RTA.
4. Within 30 days of issuance of this formal letter of approval, the SSOA will submit the approved RWP Manual to the FTA.

14.3 RWP Program Oversight

The SSOA oversees each RTA's execution of its RWP Program through an annual audit that includes all RWP program elements, as required by 49 CFR 671.25(c). The SSOA produces an annual report containing any applicable findings or recommendations identified in this audit.

The scope of the SSOA's RWP Audit includes an analysis of the following:

1. All RWP-related events over the period covered by the audit;
2. All RWP-related reports made to the Transit Worker Safety Reporting Program over the period covered by the audit;

3. All documentation of instances where a transit worker challenged and refused in good faith any assignment based on on-track safety concerns and documentation of the resolution for any such instance during the period covered by the audit;
4. An assessment of the adequacy of the track access guide, including whether the guide reflects current track geometry and conditions;
5. A review of training and qualification records for transit workers who must enter a track zone to perform work;
6. A representative sample of documented job safety briefings; and
7. The RWP Program compliance monitoring program as described in 49 CFR 671.43.

RTAs must address all findings through the CAP process (Section 11). RTAs will be given the opportunity to comment on any report findings or recommendations.

15 Hours of Service

Each RTA shall establish, implement and enforce an HOS Policy for its safety-sensitive employees. The policy and any subsequent changes must be reviewed and approved by the SSOA. The policy must establish limitations on the number of daily and monthly hours on duty and a minimum number of hours of rest required between on duty periods. In addition, the policy must prohibit a safety sensitive employee from:

- (a) Performing work in excess of the daily maximum hours allowed;
- (b) Remaining on duty in excess of the daily maximum hours on duty;
- (c) Performing work in excess of the maximum hours of cumulative on-duty time permitted during a calendar month;
- (d) Performing work in excess of the maximum consecutive days without a rest day; or
- (e) Going on duty until the employee has had the minimum required number of consecutive hours off.

On-duty time shall begin only after the safety sensitive employee has completed at least the minimum number of continuous hours off duty. In the event of comingled service, the safety sensitive employee shall be subject to the most restrictive RTA HOS requirements based upon the safety sensitive function(s) being performed. Any time spent during a work period doing safety sensitive work, if even for a few minutes, means the entire work period is subject to HOS requirements.

The RTA may temporarily waive HOS limitations under certain situations. The policy must contain a process for the RTA's declaration, administration and notification of this temporary waiver to the SSOA. During situations in which hours of service are temporarily waived, extended service of safety sensitive employees must be limited to the extent practical and monitored by the RTA. Increased service demand or special events including, but not limited to, civic events, festivals (such as the Rose Festival or the Starlight Parade), and sporting events are not considered unforeseeable and beyond the control of the RTA.

When a situation requiring the extended service of a safety sensitive employee occurs which is both unforeseeable and beyond the control of the RTA, the employee may be on duty in excess of the allotted hours. These situations are limited to severe winter storms, public emergencies such as an earthquake or fire, and safety events or events beyond the control of the RTA.

The RTA shall maintain hours-of-service records for safety sensitive employees for a period of three years, and upon request, make such records available to the SSOA for review.

15.1 Hours of Service Violations

RTAs must notify the SSOA of *any violations* of its HOS Policy by inclusion of all violations in the RTA monthly report. The RTA must include:

- (a) The employee's identification number;
- (b) The employee's work title;
- (c) The type of violation;
- (d) The schedule of work and rest for the period of 72 hours prior to the infraction; and
- (e) A description of the circumstances of the violation.

If no violations occurred, an affirmative statement shall be included in the report. In the event violations did occur, copies of all HOS reports shall be included in the monthly report.

16 Personal Electronic Devices

Each RTA shall establish, implement and enforce minimum safety standards for the use of Personal Electronic Devices (PEDs). These standards and any subsequent changes must be submitted to the SSOA for review and approval prior to implementation. After SSOA approval, these standards must be distributed to all personnel who are expected to comply.

An RTA employee or its contractor shall not use any PED if that use would interfere with the employee or contractor's or another RTA employee or contractor's performance of safety-related duties. An RTA employee or its contractor must have each PED turned off and remove any earpiece prior to performance of safety-related duties. PEDs are not permitted to be used by an RTA employee or contractor while fouling the track or inside the cab of an RTV. If necessary, the RTA must provide an agency-supplied electronic device for employees and contractors working in these areas.

An RTA employee or its contractor may use an agency-supplied electronic device only for an authorized business purpose as specified within the RTA standards governing the use of electronic devices. Agency-supplied electronic devices shall not be used if that use would interfere with the employee's or another RTA employee's performance of safety-related duties.

Because the use of PEDs is regulated, the RTA must have standards in place to ensure compliance with these rules and addressing the safety of their use. Any changes to the standard must be provided to SSOA for review and comment prior to implementation. Portable electronic devices issued by the RTA for specific business purposes are the only ones permitted to be turned on and in use by employees performing the work specified when given the portable electronic device.

No PED or other portable electronic device, whether owned by the employee or the RTA, can be used if such use would interfere with any RTA employee's performance of safety-related duties. Any PED owned by the RTA employee (such as a cell phone, tablet, smart watch, etc., anything that transmits) must be turned off, with earpieces removed, prior to performance of safety-related duties.

17 Cameras in Rail Transit Vehicle Cabs

Each cab of an RTV must have camera(s) that can simultaneously record both the operating environment directly in front of the RTV and the condition or state of the employee operating the RTV. Forward-facing and inward-facing cameras must actively record when the RTV is in motion under its own power.

RTAs must retain all footage from forward-facing and inward-facing cameras used in a safety event investigation for a minimum of three years (Section 10.1.1). Camera footage must be provided to the SSOA upon request. The RTA must consider any tampering with the function of a forward-facing or in-cab camera to be a major safety violation.

Acronym List

AAR – After Action Report

ASP – Agency Safety Plan (used interchangeably with PTASP in OARs)

CAP – Corrective Action Plan

CFR – Code of Federal Regulations

CIL – Certifiable Items List

EPRP – Emergency Preparedness and Response Plan

FRA – Federal Railroad Administration

FTA – Federal Transit Administration

FTA-TSO – Federal Transit Administration Office of Transit Safety Oversight

HOS – Hours of Service

Mil-Std – Military Standard

MOW – Maintenance of Way

NTSB – National Transportation Safety Board

NEPA - National Environmental Policy Act

OAR – Oregon Administrative Rule

OCS – Overhead Catenary System

ODOT – Oregon Department of Transportation

ORS – Oregon Revised Statutes

PED – Personal Electronic Device

PPE – Personal Protective Equipment

PSC – Portland Streetcar

PTASP – Public Transportation Agency Safety Plan

PTSCTP – Public Transportation Safety Certification Training Program

RBI – Risk-Based Inspection

REM – Rail Equipment Maintenance

RFGPTS – Rail Fixed Guideway Public Transportation System

RSA – Request for Safety Assessment

RTA – Rail Transit Agency

RTV – Rail Transit Vehicle

RWP – Roadway Worker Protection

SCADA – Supervisory Control and Data Acquisition

SMS – Safety Management System

SSMP – System Safety Management Plan

SSO – State Safety Oversight

SSOA – State Safety Oversight Agency

TCRC – Transit Change Review Committee

TriMet – Tri-County Metropolitan Transportation District of Oregon

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering definitions.

CHANGES TO RULE:

~~741-060-0020~~

~~Definitions~~

~~As used in OAR 741-060-0010 through 741-060-0107, the following definitions apply:~~

~~(1) "Accident" means any event involving an RTV or occurring on a rail transit-controlled property, involving one or more of the following:~~

~~(a) "Fatality," as defined in section (13) below;~~

~~(b) "Serious Injury," as defined in section (43) below;~~

~~(c) All collisions resulting in fatality, serious injury or substantial damage;~~

~~(d) "Runaway Train," as defined in section (38) below;~~

~~(e) A collision between an RTV and another RTV;~~

~~(f) Evacuation for life safety that constitutes a real or potential danger to any person, including but not limited to, a fire, a fuel leak, a vehicle fuel leak, the presence of smoke or noxious fumes, an electrical hazard, a bomb threat, or a suspicious item or other hazard.~~

~~(g) Derailment of an RTV at any time, at any location, whatever the cause.~~

~~(2) "Accountable executive" means a single, identifiable individual who has ultimate responsibility for carrying out the RTA's PTASP and the Transit Asset Management (TAM) Plan and who has control or direction over the human and capital resources needed to develop and maintain both the RTA's PTASP, in accordance with 49 U.S.C. 5329(d), and the RTA's TAM Plan, in accordance with 49 U.S.C. 5326.~~

~~(3) "Close call/near miss" means a situation or circumstance that had the potential for safety consequences, but did not result in an adverse safety event.~~

~~(4) "Comingled Service" means:~~

~~(a) Any non-safety sensitive service at the direction of and performed for the RTA that is not separated from safety sensitive service by at least the minimum required number of continuous hours off duty. Such comingled service is counted as on-duty time pursuant to OAR 741-060-0100; or~~

~~(b) Performance of multiple safety sensitive job classifications within the same on-duty time performed for and at the direction of the RTA. Such on-duty time will be subject to the most restrictive applicable RTA hours-of-service policy based on the safety sensitive functions performed during the on-duty time.~~

~~(5) "Contractor" means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or an RTA, through contract or other agreement.~~

~~(6) "Corrective action plan" (CAP) means a plan developed by an RTA that describes the actions the RTA will take to minimize, control, correct, or eliminate risks and hazards, and the schedule and responsibility for implementing those actions.~~

~~(7) "Derailment" means an instance when the wheel of an RTV comes off the head of the rail. It does not include vehicles only equipped with rubber tires designed for highway use.~~

~~(8) "Electronic Device" means:~~

~~(a) An electronic or electrical device used to:~~

~~(b) Conduct oral, written, or visual communication;~~

~~(c) Place or receive a telephone call;~~

~~(d) Send or read an electronic mail or text message;~~

~~(e) Look at pictures;~~

~~(f) Read a book or other written material;~~

~~(g) Play a game;~~

~~(h) Navigate the Internet;~~

~~(i) Navigate the physical world;~~

~~(j) Play, view, or listen to a video;~~

~~(k) Play, view, or listen to a television broadcast;~~

~~(L) Play or listen to a radio broadcast other than a radio broadcast by an RTA or railroad;~~

~~(m) Play or listen to music;~~

~~(n) Execute a computational function; or~~

~~(o) Perform any other function that is not necessary for the health or safety of the person and that entails the risk~~

of distracting the employee or another transit agency employee from a safety-related task.¶¶

(9) "Electronic Device" does NOT mean:¶¶

(a) Electronic control systems and information displays within the RTV whether the displays or systems are fixed or portable;¶¶

(b) A digital watch whose only purpose and function is as a timepiece;¶¶

(c) A medical device consistent with RTA standards for medical fitness for duty; or¶¶

(d) An agency supplied fixed or portable radio used only for the purposes of RTA related communications.¶¶

(10) "Emergency Preparedness and Response Plan" means a document developed and adopted by the RTA describing its responsibilities and procedures to assure rapid, controlled, and predictable responses to various types of emergencies.¶¶

(11) "Equivalent Authority" means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.¶¶

(12) "Event" means an accident, incident or occurrence.¶¶

(13) "Fatality" means a death or suicide confirmed within 30 days of a reportable event. Excludes deaths in or on transit property that are a result of illness or other natural causes and criminal homicides or assaults;¶¶

(14) "FTA" means the Federal Transit Administration, an agency within the U.S. Department of Transportation.¶¶

(15) "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.¶¶

(16) "Immediate" means occurring or accomplished without delay.¶¶

(17) "Incident" means an event that involves any of the following:¶¶

(a) A personal injury that is not a serious injury;¶¶

(b) One or more injuries requiring medical transport;¶¶

(c) Non-collision damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a RFGPTS;¶¶

(d) Evacuation of an RTV into the right-of-way or other adjacent track, or customer self-evacuation;¶¶

(e) Certain low-speed collisions involving an RTV that result in non-serious injury or property damage;¶¶

(f) Damage to catenary or third-rail equipment that disrupts transit operations;¶¶

(g) Fires that result in a non-serious injury or property damage;¶¶

(h) A train stopping due to an obstruction in the tracks/hard stops; or¶¶

(i) Most hazardous material spills.¶¶

(18) "Individual" means a passenger, patron, employee, contractor, other rail transit facility worker, pedestrian, trespasser, or any person on rail transit-controlled property.¶¶

(19) "Investigation" means the process of determining the causal and contributing factors of an accident, incident, occurrence, or hazard, for the purpose of preventing recurrence and mitigating risk.¶¶

(20) "National Public Transportation Safety Program" means the plan to improve safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53 and codified at 49 CFR 670, effective 9/12/2016.¶¶

(21) National Transit Database (NTD) Program means the program established in 49 U.S.C. 5335(a) to collect and analyze data related to transit systems and operations in the US. Congress established the NTD to be the Nation's primary source for information and statistics on the transit systems.¶¶

(22) "NTSB" means the National Transportation Safety Board, an independent federal agency that is charged with determining the probable cause of transportation accidents and promoting transportation safety.¶¶

(23) "Occurrence" means an event with:¶¶

(a) No personal injury;¶¶

(b) Non-collision-related damage to equipment, rolling stock or infrastructure that does not disrupt the operations of an RTA;¶¶

(c) Close calls/Near Misses;¶¶

(d) Violation of safety rule(s) or safety policies;¶¶

(e) Damage to catenary or third-rail equipment that does not disrupt operations;¶¶

(f) Vandalism, theft or loss;¶¶

(g) Unauthorized entry.¶¶

(24) "On-duty time" means the actual time an employee reports for duty to begin a safety sensitive assignment. Such time shall continue until that employee is released or relieved from all responsibility for performing safety sensitive work.¶¶

(25) "Patron" means an individual waiting for or leaving rail transit at stations, in mezzanines, on stairs, escalators, or elevators, in parking lots or other transit-controlled property.¶¶

(26) "Person" means a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property

of a rail fixed guideway public transportation system.¶¶

(27) "Personal Electronic Device" means an electronic device that was not provided to the RTA employee or contractor by the employing RTA for a business purpose.¶¶

(28) "Program standard" means a written document developed and adopted by the SSOA that identifies the processes and procedures that govern the activities of the SSOA, and the processes and procedures an RTA must have in place to comply with the standard, pursuant to 49 CFR 674.27.¶¶

(29) "Public Transportation Agency Safety Plan" (PTASP) means the comprehensive agency safety plan for an RTA, which is required by 49 U.S.C. 5329(d) and based on a Safety Management System.¶¶

(30) "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 the employees of public transportation agencies directly responsible for safety oversight, established in accordance with 49 U.S.C. 5329(c)(2), codified at 49 CFR 672, effective 8/20/2018.¶¶

(31) "Rail fixed guideway public transportation system" (RFGPTS) 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 the process of being designed, engineered or constructed. Rail fixed guideway public transportation systems include, but are not limited to, rapid rail, heavy rail, light rail, monorail, trolley, streetcar, inclined plane, funicular, and automated guideway used primarily for carrying passengers.¶¶

(32) "Rail transit agency" (RTA) means any entity that provides services on a RFGPTS.¶¶

(33) "Rail transit-controlled property" means property that is used by the RTA and includes property owned, leased, or maintained by the RTA.¶¶

(34) "Rail transit vehicle" or RTV means the RTA's rolling stock used on a rail fixed guideway public transportation system, including but not limited to, passenger and maintenance vehicles.¶¶

(35) "Record" means any writing, drawing, map, recording, tape, film, photograph, or other documentary material by which information is preserved. The term "record" also includes any such documentary material stored electronically.¶¶

(36) "Risk" means the composite of predicted severity and likelihood of the potential effect of a hazard.¶¶

(37) "Risk mitigation" means a method or methods to eliminate or reduce the effects of hazards.¶¶

(38) "Runaway Train" is an RTV that is no longer under the control of the operator regardless of whether the operator is physically on the vehicle at the same time;¶¶

(39) "Safety" means freedom from harm resulting from unintentional acts or circumstances.¶¶

(40) "Safety Management System" (SMS) means a formal, top-down, organization-wide data-driven approach to managing safety risk and assuring the effectiveness of a recipient's safety risk mitigations. SMS includes systematic procedures, practices and policies for managing risks and hazards.¶¶

(41) "Safety risk management" means a process within an RTA's safety plan for identifying hazards and analyzing, assessing, and mitigating safety risk.¶¶

(42) "Safety sensitive employee" means an individual employed by, contracted by, or a volunteer of, the RTA that:¶¶

(a) Operates an RTV used for carrying passengers;¶¶

(b) Dispatches or controls the movement of such vehicles;¶¶

(c) Reports, transmits, receives or delivers orders pertaining to the movement of such vehicles;¶¶

(d) Is engaged in the installation or maintenance of the on-track vehicles, train control, train protection, or signaling system; or¶¶

(e) Is designated as such by the RTA.¶¶

(43) "Serious injury" means any injury which:¶¶

(a) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury occurred;¶¶

(b) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);¶¶

(c) Causes severe hemorrhages, nerve, muscle, or tendon damage;¶¶

(d) Involves any internal organ; or¶¶

(e) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.¶¶

(44) "State Safety Oversight Agency" (SSOA) means the Oregon Department of Transportation, Commerce and Compliance Division, Rail Safety Section, as designated, to meet the requirements and perform the functions specified by 49 USC 5329(e) and ORS 824.045, et seq.¶¶

(45) "Substantial Damage" means any physical damage to transit or non-transit property including vehicles, facilities, equipment, rolling stock or infrastructure that adversely affects the structural strength, performance or operating characteristics of the vehicle, facility, equipment, rolling stock or infrastructure requiring towing, rescue, onsite maintenance or immediate removal prior to safe operation. 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.¶¶

(46) "Unacceptable hazard" means a hazard determined to rank as unacceptable using the hazard risk index adopted by the RTA and approved by the SSOA.¶¶

(47) "Unauthorized Entry" is willful entry onto any RTA property, facility or structure, tunnel, or bridge, railyard, maintenance shop or administration area that prohibits regular public access or is protected by intrusion detection devices.¶¶

(48) "Undesirable hazard" means a hazard determined to rank as undesirable using the hazard risk index adopted by the RTA and approved by the SSOA.¶¶

(49) "Willful Violation" means an intentional voluntary act committed either with knowledge of the relevant law or reckless disregard for whether the act violated the requirements of the law.

Statutory/Other Authority: ~~ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

Statutes/Other Implemented: ORS 183.745, 824.045

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering required plans, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0030~~

~~Required Plans¶¶~~

~~(1) Public Transportation Agency Safety Plan (PTASP)¶¶~~

~~(a) Any RTA with an RFGPTS shall prepare a PTASP conforming to the requirements of CFR 49 Part 673, effective 7/19/2019, and OAR 741-060-0010 through 741-060-0107.¶¶~~

~~(b) RTAs are required to submit their draft PTASP to SSOA, for review, throughout the drafting process and upon completion of each pillar, rather than submitting it in its entirety upon completion. The draft PTASP must be submitted to SSOA for review not less than 60 days prior to its anticipated completion.¶¶~~

~~(c) An RTA shall submit a final PTASP in unalterable form to SSOA prior to getting final signatures. SSOA will review the final, unalterable, PTASP for full compliance with applicable state and federal rules. If the PTASP is determined to be in compliance, SSOA will issue a letter of provisional approval. After receipt of SSOA's provisional approval, the PTASP can then be submitted to the RTA's accountable executive and its governing body, whether it be a Board of Directors or an equivalent authority, for signature. Upon return of the signed and unalterable PTASP to SSOA, SSOA will provide a formal letter of final approval to the RTA.¶¶~~

~~(d) The PTASP, and all subsequent updates, must be signed by the Accountable Executive and approved by the agency's Board of Directors, or equivalent authority.¶¶~~

~~(e) The RTA must document the processes and activities related to Safety Management System (SMS) implementation.¶¶~~

~~(f) The PTASP must include performance targets based on the safety performance measures established under the National Public Transportation Safety Plan, (see 49 CFR 670, effective 9/12/2016).¶¶~~

~~(g) Each RTA must establish a process for conducting an annual review and update of the PTASP. By July 1 of every year, the RTA shall submit to the SSOA their current PTASP with proposed changes noted, along with identification and explanation of all changes. SSOA will perform a checklist review of the PTASP to assess compliance with Oregon Administrative Rules. The SSOA must approve all changes to the PTASP prior to implementation at the RTA. The Program Standard details the process by which the SSOA will review and approve any changes to the PTASP.¶¶~~

~~(h) Each RTA must include or incorporate by reference in its PTASP an emergency preparedness and response plan or procedures that address, at a minimum:¶¶~~

~~(A) Activities and programs in place at the RTA to support planning for emergency preparedness and response;¶¶~~

~~(B) The assignment of employee responsibilities during an emergency;¶¶~~

~~(C) Coordination with external response agencies, including Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area;¶¶~~

~~(D) Training and procedures available to ensure employee proficiency with the emergency preparedness and response procedures and processes at the RTA; and¶¶~~

~~(E) The process for annually reviewing and updating the plan including the process for its annual submission to the SSOA.¶¶~~

~~(i) The PTASP must address all applicable requirements and standards as set forth in FTA's National Public Transportation Safety Plan, codified at 49 CFR 670, effective 9/12/2016, and the Public Transportation Safety Plan, codified at 49 CFR 673, effective 7/19/2019.¶¶~~

~~(j) Each RTA shall establish and execute a Competency Management System or Rules Compliance Program for all safety sensitive employees at the RTA as part of the Safety Assurance portion of the PTASP. At a minimum, the plan must require at least one annual monitoring and assessment of the activities of each safety sensitive group, by job function. The RTA will submit a quarterly report to the SSOA indicating completion and detailing the results of the assessment and monitoring activities of the job functions reviewed.¶¶~~

~~(k) Each RTA shall establish and execute a Configuration Management Plan as part of the Safety Assurance portion of the PTASP. At a minimum, the Configuration Management Plan must describe how changes to the established transit system baselines will be proposed, accepted, monitored, and controlled within the RFGPTS. The Plan must apply to all equipment and systems related to the operation and maintenance of the RFGPTS including, but not limited to, vehicles, track, OCS and signals.¶¶~~

~~(2) Emergency Preparedness and Response Plan¶¶~~

(a) All RTAs shall have an Emergency Preparedness and Response Plan. The Plan may be combined with the RTA's PTASP, if desired, or prepared as a stand-alone document.¶¶

(b) The Emergency Preparedness and Response Plan must:¶¶

(A) Include activities and programs in place at the RTA to support planning for emergency preparedness and response;¶¶

(B) Detail the assignment of employee responsibilities during an emergency;¶¶

(C) Identify the ability to coordinate with external response agencies, including Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area.¶¶

(D) Describe the training and procedures available to ensure employee proficiency with the emergency preparedness and response procedures and processes at the RTA; and¶¶

(E) Describe the process for annually reviewing and updating the Plan, and the process for its annual submission to the SSOA.

Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329

Statutes/Other Implemented: ORS 183.745, 824.045

REPEAL: 741-060-0040

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering a monitoring requirement for plans, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0040~~

~~Monitoring Requirement for Plans ¶¶~~

~~(1) Monitoring the PTASP ¶¶~~

~~(a) The SSOA will approve, oversee and enforce the implementation of and compliance with the PTASP. ¶¶~~

~~(b) At least once every three years, either at one time or over a three year period, the SSOA or its contractor shall conduct an audit of the implementation of each RTA's PTASP to verify compliance with, implementation of, and evaluate the effectiveness of, the plan. ¶¶~~

~~(c) Following each on-site audit, the SSOA or its contractor shall prepare a written report of its findings and recommendations, and the need, if any, for updating or revising the PTASP. If the report identifies deficiencies for which a corrective action plan (CAP) is required, the RTA shall submit a CAP to the SSOA within 30 days after receiving the report, or within a different time period if specified by the SSOA. The CAP must comply with the requirements in OAR 741-060-0072. ¶¶~~

~~(d) The SSOA has primary responsibility for the investigation of any allegation of noncompliance with the PTASP. These responsibilities do not preclude the FTA administrator from exercising his or her authority under 49 U.S.C. 5329 or 49 U.S.C. 5330. ¶¶~~

~~(2) Monitoring the Emergency Preparedness and Response Plan ¶¶~~

~~(a) If the Emergency Preparedness and Response Plan is a stand-alone document, the SSOA may review the operation of each RTA to determine whether the RTA's actual emergency management practices comply with the Plan. If the Emergency Preparedness and Response Plan is part of the PTASP, it will be reviewed with the rest of the PTASP. ¶¶~~

~~(b) At least once every three years, the SSOA or its contractor shall conduct an on-site audit of the implementation of each RTA's Emergency Preparedness and Response Plan to verify compliance with, and evaluate the effectiveness of, the Plan. ¶¶~~

~~(c) Following each on-site review, the SSOA or its contractor shall prepare a written report of its findings and recommendations, and the need, if any, for updating or revising the Plan. If the report identifies deficiencies for which a CAP is required, the RTA shall submit a CAP to the SSOA within 30 days after receiving the report, or within a different time period if specified by the SSOA. The CAP must comply with the requirements in OAR 741-060-0072.~~

~~Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~

REPEAL: 741-060-0070

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering internal reviews, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0070~~

~~Requirements for Internal Reviews~~

~~(1) Annually, the RTA must conduct a minimum of five internal reviews that cover any aspect of the safety of its rail fixed guideway public transportation system to evaluate the implementation, execution, compliance with and effectiveness of its PTASP and its Emergency Preparedness and Response Plan;~~

~~(2) The RTA is required to include an internal review of rules compliance activities as outlined in an RTA Competency Management System or Rules Compliance Program. Additionally, the RTA is required to include an internal review of its configuration management activities as outlined in an RTA Configuration Management Plan. The description of these reviews must include:~~

~~(a) Identification of departments and functions subject to review;~~

~~(b) Responsibility for scheduling reviews;~~

~~(c) The process for conducting reviews, including the development of checklists and the issuing of reports and findings resulting from the reviews; and~~

~~(d) Tracking the status of findings.~~

~~(3) In conjunction with this rule, the RTA may determine the remainder of internal review topics to evaluate the execution, implementation and effectiveness of its PTASP and Emergency Preparedness and Response Plan.~~

~~(4) The SSOA may change the number of required annual internal reviews or the SSOA selected topics required for internal reviews. The SSOA will notify the RTA of changes by December 1st for the following year.~~

~~(5) The RTA shall notify the SSOA at least 30 days prior to any internal review. The RTA shall submit to the SSOA copies of the checklists and procedures it will use for the review, along with identification and explanation, if needed, of the area being reviewed at the time of notification.~~

~~(6) Each internal review must be performed in accordance with the written checklist by personnel technically qualified to verify compliance and assess the effectiveness of the plan components being reviewed. The reviewers may be organizationally assigned to the unit responsible for the activity being reviewed, but they must be independent from the first line of supervision responsible for performing the activity being reviewed, i.e., the person responsible for the activity being reviewed is not permitted to conduct the internal review nor is their supervisor. It must be someone without primary responsibility for the task. Within 30 days of completion of each internal review the RTA must produce and submit a written report to SSOA detailing the results of the internal review.~~

~~(7) Internal reviews must be documented in an annual report that covers the reviews performed and the results of each review in terms of the adequacy and effectiveness of the plans. The annual report for the internal reviews performed during the preceding year must be submitted to the SSOA prior to the 15th of February of each year, pursuant to OAR 741-060-0078(3).~~

~~Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering corrective action plan requirements, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0072~~

~~Corrective Action Plan (CAP) Requirements~~

- ~~(1) Each RTA that operates a RFGPTS shall prepare a CAP as required by this rule.¶¶~~
- ~~(2) Each RTA must develop a CAP for the following:¶¶~~
 - ~~(a) Hazards identified by the RTA or SSOA as Unacceptable or Undesirable using a Hazard Risk Index of the RTA's choice, as long as SSOA has approved the Risk Index's use.¶¶~~
 - ~~(b) New and previously unknown hazards that rank as Unacceptable or Undesirable, using an approved Hazard Risk Index, that are identified during an investigation and which cannot be rectified immediately, and any action that will either take additional time or require a change.¶¶~~
 - ~~(c) Hazards or deficiencies identified through inspections, internal or external safety audits, and reviews, emergency drills or exercises, or reviews of events that the safety risk management process identifies as Unacceptable or Undesirable using a Hazard Risk Index.¶¶~~
 - ~~(d) Causal and contributing factors identified during an investigation that are determined by the RTA or SSOA to require corrective action(s).¶¶~~
- ~~(3) The CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals or departments responsible for taking those actions.¶¶~~
- ~~(4) The RTA, within 30 days, shall submit the CAP to the SSOA for initial review and approval as soon as the need and the corrective action have been identified. The SSOA must review and approve all CAPs before implementation, except in cases where immediate or emergency corrective actions must be taken to ensure immediate safety.¶¶~~
- ~~(5) In cases where immediate or emergency corrective actions must be taken to ensure safety of the system, the RTA shall notify the SSOA immediately of the need for the CAP, and submit the CAP to the SSOA for review and approval as soon as practicable.¶¶~~
- ~~(6) The SSOA will review the CAP and issue written notice approving it, approving it with conditions, or rejecting it, as soon as practicable but not later than 15 days after receipt of the plan. The SSOA may provide verbal approval in certain circumstances, at the SSOA's discretion, but all decisions will be formalized by written notice.¶¶~~
- ~~(7) If the SSOA approves the RTA's CAP with conditions, or rejects it, the RTA shall have 15 days from the date the SSOA issues notice of the conditions or rejection to the RTA to submit a new plan for approval.¶¶~~
- ~~(8) The SSOA may monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or by any other means the SSOA deems necessary or appropriate.¶¶~~
- ~~(9) Upon completion the RTA shall submit verification that the corrective actions within the approved CAP have been implemented.¶¶~~
- ~~(10) The SSOA shall verify implementation and approve closure of the corrective action before the RTA may consider the action closed.¶¶~~
- ~~(11) Each RTA shall maintain a corrective action monitoring log and provide this log to the SSOA on a monthly basis with all updates, comments, new timetables and edits notated and explained. ¶¶~~
- ~~(12) The corrective action monitoring log that is to be delivered each month to SSOA must include all corrective actions identified through the provisions under OAR 741-060-0072 and must contain, at a minimum:¶¶~~
 - ~~(a) The source of the corrective action, with identifying information;¶¶~~
 - ~~(b) The classification and risk ranking of the issue needing corrective action;¶¶~~
 - ~~(c) The date the corrective action was determined;¶¶~~
 - ~~(d) A detailed description of the corrective action itself;¶¶~~
 - ~~(e) An estimate of the date upon which the corrective action will be completed;¶¶~~
 - ~~(f) A section for the SSOA initial approval date;¶¶~~
 - ~~(g) The person or department responsible for implementing the corrective action;¶¶~~
 - ~~(h) A section for the SSOA to verify completion of the corrective action; ¶¶~~
 - ~~(i) A section for showing the CAP is closed following SSOA verification; and¶¶~~
 - ~~(j) All corrective actions, open or closed.¶¶~~
- ~~(13) Closed corrective actions are to remain on the log after closure and must not drop off the log without~~

agreement and approval from the SSOA, or following the end of the calendar year that follows the year in which the CAP was completed. Without SSOA approval or without the required time limit having occurred, a CAP shall not be removed from the log.¶¶

(14) In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the FTA or NTSB, the SSOA will evaluate whether the findings or recommendations by the FTA require a CAP by the RTA, and if so, the SSOA will order the RTA to develop and carry out a CAP, as above. In the event the FTA orders the RTA to develop a CAP, that CAP shall be developed and carried out as above.¶¶

(15) An SSOA required CAP must be developed within 30 days of notification to the RTA, and submitted to SSOA for approval before carrying out the CAP.

Statutory/Other Authority: ~~ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

Statutes/Other Implemented: ORS 183.745, 824.045

REPEAL: 741-060-0076

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering the safety risk management process, as this is incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0076~~

~~Safety Risk Management Process~~

- ~~(1) The RTA shall develop and document as a part of its PTASP a Safety Risk Management Process to identify, assess, mitigate and resolve hazards for all elements of its public transportation system, including the engineering and construction phase of any new system extension or modification.¶¶~~
- ~~(2) Each RTA that operates a RFGPTS shall use a Hazard Risk Index to determine classification of a hazard in terms of severity and probability. The RTA may develop its own Hazard Risk Index or utilize already established standards. Each RTA shall submit their initial Hazard Risk Index and subsequent revisions to SSOA for review and approval.¶¶~~
- ~~(3) The Safety Risk Management Process must, at a minimum:¶¶~~
 - ~~(a) Establish methods or processes to report, identify and assess the safety risks and consequences of identified hazards;¶¶~~
 - ~~(b) Use, as a source for hazard identification, data and information provided by an oversight authority and the FTA;¶¶~~
 - ~~(c) Include an assessment of the consequences and severity of the hazard including existing mitigations and prioritization of the hazards based on the safety risk;¶¶~~
 - ~~(d) Establish methods or processes to identify mitigations or strategies necessary as a result of the agency's safety risk assessment to reduce the likelihood and severity of the consequences.¶¶~~
 - ~~(e) Develop and implement a safety assurance process to monitor its operations to identify safety risk mitigations that may be ineffective, inappropriate or were not implemented as intended.¶¶~~
 - ~~(f) The RTA will report hazard identification and resolution activities in the RTA monthly report to the SSOA. The monthly report must also include hazards identified by the RTA, and those identified by the SSOA as a result of inspections, investigations, audits or other reviews and observations.~~

~~Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~

REPEAL: 741-060-0078

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering reporting requirements, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

741-060-0078

Reporting Requirements

- (1) Monthly Reporting Requirements. Within 30 days of the end of the month being reported, an RTA shall submit to the SSOA a report, which includes:¶¶
- (a) A summary of the number of accidents, incidents and occurrences that occurred during the month including the categorization of any injured party or decedent as public, patron, passenger, or employee; ¶¶
 - (b) A summary of on-going hazard identification and resolution activities; ¶¶
 - (c) Documentation of any events that were not otherwise reported that meet the threshold for reporting, including hours of service violations; ¶¶
 - (d) A corrective action monitoring log each month listing all corrective actions identified through the provisions of OAR 741-060-0072 and containing all information identified in 741-060-0072(12)(a-j). ¶¶
- (2) Quarterly Reporting Requirements. Each RTA shall establish regular quarterly meetings with SSOA to discuss CAPs, Hazard and Safety Risk Management Activities, Rules Compliance, Internal Review Activities, PTASP Implementation and Compliance, and overall safety of the RFGPTS. ¶¶
- (3) Annual Reporting Requirements. By February 15 of each year, an RTA's Accountable Executive shall submit to the SSOA a comprehensive written report for review and approval, certifying that the RTA has complied with the provisions of OAR 741-060-0010 through 741-060-0107 for the preceding year and which includes all the documents and information listed below. First, a formal letter of certification signed by the RTA's Accountable Executive certifying to and including and indicating all of the following: ¶¶
- (a) A summary of the required annual review, its findings, and the modifications, if any, to the PTASP and the Emergency Preparedness and Response Plan as a result of said review, including any proposed CAPs resulting from the review; ¶¶
 - (b) A statement that the RTA is in compliance with its PTASP and Emergency Preparedness and Response Plan; or, if not in compliance, then a detailed explanation of the noncompliance and a description of how such non-compliance will be corrected, with documentation of corrective actions that will be or have been taken to achieve compliance. ¶¶
 - (c) Noncompliance findings from its internal audits and reviews, investigations, complaints, or through the Safety Risk Management Process, with documentation of corrective actions that will be or have been taken to achieve compliance, and ¶¶
 - (d) A summary of all reportable accidents, incidents, and occurrences, and all hazard and risk analyses conducted as part of the RTA's safety risk management process. This summary must include findings, identified causal and contributing factors, CAPs, mitigations, and all Safety Assurance activities and monitoring. ¶¶
 - (e) The written report must document the processes and activities completed as they relate to SMS implementation for that year. ¶¶
 - (f) The written report must document internal reviews performed that year along with the results of each review in terms of the adequacy and effectiveness of the plans, including any CAPs, if required, following the review(s). ¶¶
 - (g) The written report must include a review of the RTA's activities toward meeting the performance targets based on the safety performance measures for that year established under the National Public Transportation Safety Plan.

Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329

Statutes/Other Implemented: ORS 183.745, 824.045

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering recording and notification requirements, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0079~~

~~Recording and Notification Requirements~~

~~(1) Event Recording and Notification to SSOA:¶¶~~

~~(a) Event means an accident, incident or occurrence, as defined in OAR 741-060-0020, and further defined in OAR 741-060-0020(1), for accident; (17) for incident; and (23), for occurrence. ¶¶~~

~~(b) Each RTA must notify the NTD for many events, including all accidents. In doing so, the RTA must include its internal tracking number (such as an ACID or IMMS number) when describing the event to NTD.¶¶~~

~~(2) Each RTA shall notify the SSOA not more than 2 hours after any of the following events take place:¶¶~~

~~(a) Any accident as defined in section 741-060-0020(1); ¶¶~~

~~(b) Any incident or occurrence requiring the 2 hour notification as outlined in the SSOA Program Standard notification matrix.¶¶~~

~~(c) Each RTA that shares track with a general railroad system, and is subject to Federal Railroad Administration reporting requirements, shall notify the SSOA and FTA of any accident that they are required to report to the Federal Railroad Administration.¶¶~~

~~(d) Notification of an accident required under this section must be made by electronic mail to sso@odot.state.or.us, and, at a minimum, must contain the following information:¶¶~~

~~(A) Name of reporting agency;¶¶~~

~~(B) Reporting agency's internal control number assigned to the accident, if any;¶¶~~

~~(C) Date and time of the report;¶¶~~

~~(D) Date and time of the accident;¶¶~~

~~(E) Specific location of the accident and a brief description of the accident;¶¶~~

~~(F) Employee identification number of employee(s) involved in the accident.¶¶~~

~~(e) Within 72 hours of a reported accident, the RTA shall submit to the SSOA a status update of the accident that, at a minimum, contains the following information:¶¶~~

~~(A) Hours of Service records for involved employee(s) covering a period of no less than the 72 hours prior to the accident;¶¶~~

~~(B) The number of serious injuries or fatalities resulting from the accident;¶¶~~

~~(C) Causal and contributing factors if determined or suspected; if not yet available, an update on the status of the ongoing investigation; and¶¶~~

~~(D) Any additional information obtained or determined, including, but not limited to, employee and supervisor reports, applicable train orders, special instructions, records, operating conditions, and a description of equipment involved based on information available at that time.¶¶~~

~~(3) Incident recording and reporting to SSOA ¶¶~~

~~(a) The RTA shall report information of any incident to the SSOA in the RTA monthly report, except for those requiring notification not more than 2 hours after the incident, as described in the Program Standard Notification Matrix.¶¶~~

~~(b) The RTA shall categorize incidents by incident type using the definition of incident as defined in 741-060-0020(17).¶¶~~

~~(c) The RTA shall record the following information regarding each incident: ¶¶~~

~~(A) Date; ¶¶~~

~~(B) Time; ¶¶~~

~~(C) Employee number; ¶¶~~

~~(D) Location; ¶¶~~

~~(E) Brief description of the incident; ¶¶~~

~~(F) Agency's internal control number assigned to the incident; ¶¶~~

~~(G) Causal or contributing factors determined by the RTA.¶¶~~

~~(d) The RTA shall collect and make available to the SSOA upon request all additional records regarding the incident including, but not limited to, employee and supervisor reports, investigatory reports, applicable train orders, special instructions, and description of equipment involved.¶¶~~

~~(e) The SSOA may require the RTA to perform a hazard analysis utilizing safety risk management activities to~~

determine if any incident requires additional review, study or mitigation. If the RTA or SSOA determines an incident is unacceptable' or undesirable' using a hazard risk index, more timely reporting may be required. ¶¶

(f) The RTA will be advised by the SSOA of a change in reporting or notification requirements and a change in frequency of reporting 60 days prior to expected implementation of the change at the RTA. ¶¶

(4) Occurrence recording and reporting to SSOA ¶¶

(a) The RTA shall report information of any occurrence to the SSOA in the RTA's monthly report, except for those requiring notification not more than 2 hours after the occurrence, as described in the Program Standard Notification Matrix. ¶¶

(b) The RTA shall categorize occurrences by occurrence type using the definition of occurrence in 741-060-0020(23). ¶¶

(c) The RTA shall record the following information regarding each occurrence: ¶¶

(A) Date; ¶¶

(B) Time; ¶¶

(C) Employee number; ¶¶

(D) Location; ¶¶

(E) Brief description of the occurrence; ¶¶

(F) Agency's internal control number assigned to the occurrence; ¶¶

(G) Causal or contributing factors determined by the RTA. ¶¶

(d) The RTA shall collect and make available to SSOA upon request all additional records regarding the occurrence including, but not limited to, employee and supervisor reports, investigatory reports, applicable train orders, special instructions, and description of equipment involved. ¶¶

(e) The SSOA may require the RTA to perform a hazard analysis utilizing safety risk management activities to determine if any occurrence requires additional review, study or mitigation. If the RTA or SSOA determines an occurrence is unacceptable' or undesirable' using a hazard risk index, more timely reporting may be required. ¶¶

(f) The RTA will be advised by the SSOA of a change in a reporting requirements and a change in frequency of reporting 60 days prior to expected implementation of the change at the RTA.

Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329

Statutes/Other Implemented: ORS 183.745, 824.045

REPEAL: 741-060-0090

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering requirements for investigating accidents, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

741-060-0090

Requirements for Investigating Accidents

- (1) Each RTA shall investigate accidents that meet the notification thresholds as set forth in OAR 741-060-0079 (2)(a) and (c). The RTA may use its own staff or a contractor to conduct investigations.¶¶
 - (2) Upon completion of their investigation, and within 60 days from the date of the accident, the RTA shall submit to the SSOA a final investigation report. The report must describe the investigation activities, identify the factors that caused or contributed to the accident, and set forth a CAP, in compliance with OAR 741-060-0072, as necessary or appropriate. Along with the final investigation report, the RTA shall supply a copy of written records pertaining to the event that have not been provided prior to issuance of the report and make available for review audio and visual records upon request.¶¶
 - (3) If the RTA cannot complete a final investigation report within 60 days, the RTA must contact the SSOA and request an extension. Extensions will be granted in 15 day increments; only in limited circumstances will the SSOA grant an extension beyond 90 days of the event.¶¶
 - (4) The SSOA will conduct an independent review of the RTA's investigation activities, its findings, especially those of causal and contributing factors, and ensure that the final investigation report is complete and sufficiently addresses the results of the investigation.¶¶
 - (5) The SSOA will issue a written report upon completion of its review.¶¶
 - (6) The SSOA must formally adopt a final investigation report of an accident and transmit the adopted report to the RTA for review and concurrence. If the RTA does not concur with the adopted report, the RTA may submit a written dissent to the report, which the SSOA may include in its report at the discretion of the SSOA.¶¶
 - (7) The SSOA reserves the right to conduct an independent investigation of any accident or other event at its discretion.¶¶
 - (8) The RTA shall submit to the SSOA for review and approval a copy of all of its accident investigation procedures. Any subsequent modifications and revisions to the standard operating procedure(s) covering RTA accidents must be submitted to the SSOA for review and approval prior to implementation. ¶¶
 - (9) The RTA shall cooperate fully during any investigation conducted by the SSOA, FTA or the NTSB. All NTSB findings or recommendations that are adopted by the SSOA shall be implemented by the RTA.
- Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329
- Statutes/Other Implemented: ORS 183.745, 824.045

REPEAL: 741-060-0092

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering requirements for use of personal electronic devices, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0092~~

~~Use of Personal Electronic Devices~~

~~(1) Each RTA shall establish, implement and enforce minimum safety standards for the use of electronic devices. The standards and any subsequent changes must be submitted to the SSOA for review and comment prior to implementation.¶¶~~

~~(2) An RTA employee or its contractor shall not use any electronic device if that use would interfere with the employee's or another RTA employee's performance of safety-related duties.¶¶~~

~~(3) An RTA employee or its contractor may use an agency-supplied electronic device only for an authorized business purpose as specified within the RTA standards governing the use of electronic devices. Agency-supplied electronic devices shall not be used if that use would interfere with the employee's or another RTA employee's performance of safety-related duties.¶¶~~

~~(4) An RTA employee or its contractor must have each personal electronic device turned off, and remove any earpiece prior to performance of safety-related duties. Personal electronic devices are not permitted to be used by an RTA employee or contractor while fouling the track or inside the cab of an RTV.~~

~~Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~

REPEAL: 741-060-0094

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering the State Safety Oversight Agency's authority to establish minimum safety standards, as this is incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0094~~

~~Minimum Safety Standards~~

~~Each RTA shall establish, implement and enforce minimum safety standards for the construction and maintenance of track and equipment. The standards and any subsequent changes must be submitted to the SSOA prior to implementation.~~

~~Statutory/Other Authority: ORS 184.616, 184.619, 824.045, 823.011~~

~~Statutes/Other Implemented: ORS 824.045~~

REPEAL: 741-060-0098

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering inspections, as this is incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0098~~

~~Inspections~~

- ~~(1) The SSOA may conduct announced and unannounced inspections of an RTA at any time. An RTA must allow access to any SSOA inspector who presents valid identification. ¶¶~~
- ~~(2) These inspections may include, but are not limited to, field inspections and observations along the alignment, on and around the RTA's vehicles, infrastructure, at stations, platforms, rail yards, maintenance and other facilities. It may include review of activities, work practices, training, maintenance, safety records, rule compliance, and any other documents deemed by the SSOA to be relevant to the safety of the system. ¶¶~~
- ~~(3) An inspector will complete an inspection report which will identify defects or violations observed in the field which require development of a corrective action plan. When completing the inspection report, the inspector will mark any boxes designating whether a corrective action plan is required or if, in the inspector's opinion, a violation should result in a civil penalty. ¶¶~~
- ~~(4) The completed inspection report will be provided to the RTA by the inspector within 24 hours of the inspection. ¶¶~~
- ~~(5) An RTA receiving an inspection form marked as requiring a corrective action plan shall complete the form as directed and return it to the inspector within 30 days of receipt. The corrective action plan must be developed in accordance with OAR 741-060-0072. ¶¶~~
- ~~(6) If an inspector determines a violation requires the issuance of a civil penalty, that process will be handled as set forth in OAR 741-060-0105.~~

~~Statutory/Other Authority: ORS 184.619, 192.502, 823.011, 824.045, 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~

REPEAL: 741-060-0100

RULE SUMMARY: As the Oregon Department of Transportation proposes to designate the State Safety Oversight Program Standard, revised 10/2025, pursuant to OAR 741-060-0010, it is no longer necessary to have a standalone rule covering hours of service requirements, as these are incorporated in the State Safety Oversight Program Standard.

CHANGES TO RULE:

~~741-060-0100~~

~~Hours of Service~~

- ~~(1) Each RTA shall establish, implement and enforce an hours-of-service policy for its safety sensitive employees. The policy and any subsequent changes must be reviewed and approved by the SSOA.~~
- ~~(2) The policy must establish limitations on the number of daily and monthly hours on duty and a minimum number of hours of rest required between on-duty periods. In addition, the policy must prohibit a safety sensitive employee from:~~
- ~~(a) Performing work in excess of the daily maximum hours allowed;~~
 - ~~(b) Remaining on duty in excess of the daily maximum hours on duty;~~
 - ~~(c) Performing work in excess of the maximum hours of cumulative on-duty time permitted during a calendar month;~~
 - ~~(d) Performing work in excess of the maximum consecutive days without a rest day; or~~
 - ~~(e) Going on duty until the employee has had the minimum required number of consecutive hours off.~~
 - ~~(f) On-duty time shall begin only after the safety sensitive employee has completed at least the minimum number of continuous hours off duty.~~
 - ~~(g) In the event of comingled service the safety sensitive employee shall be subject to the most restrictive RTA hours-of-service policy based upon the safety sensitive function(s) being performed.~~
- ~~(3) The policy must contain a process for the RTA's declaration, administration and notification to the SSOA related to a temporary waiving of the hours of service limitations under certain situations. When a situation requiring the extended service of a safety sensitive employee occurs which is both unforeseeable and beyond the control of the RTA, the employee may be on duty in excess of the allotted hours. These situations are limited to severe winter storms, public emergencies such as an earthquake or fire, and accidents or events beyond the control of the RTA. During situations in which hours of service are temporarily waived, extended service of safety sensitive employees must be limited to the extent practical and monitored by the RTA. Increased service demand or special events including, but not limited to, civic events, festivals (such as the Rose Festival or the Starlight Parade), and sporting events are not considered unforeseeable and beyond the control of the RTA.~~
- ~~(4) The RTA shall maintain hours-of-service records for safety sensitive employees for a period of three years, and upon request, make such records available to the SSOA for review.~~
- ~~(5) The RTA shall notify the SSOA whenever a safety sensitive employee is not in compliance with the hours-of-service policy. The RTA shall notify the SSOA of the non-compliance by electronic mail, and shall do so within 30 days following the end of the calendar month in which it occurred. The notification required under this section must contain:~~
- ~~(a) The employee's identification number;~~
 - ~~(b) The employee's work title;~~
 - ~~(c) The type of violation;~~
 - ~~(d) The schedule of work and rest for the period of 72 hours prior to the infraction; and~~
 - ~~(e) A description of the circumstances of the specific violation.~~

~~Statutory/Other Authority: ORS 184.619, 192.502, ORS 823.011, ORS 824.045, ORS 824.990, 49 CFR 670, 49 CFR 671, 49 CFR 672, 49 CFR 673, 49 CFR 674, 49 USC 5329~~

~~Statutes/Other Implemented: ORS 183.745, 824.045~~