


Date: December 11, 2024

To: Board of Directors

From: Sam Desue, Jr. 

Subject: **RESOLUTION NO. 24-12-65 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) APPROVING THE UPDATED AGENCY SAFETY PLAN**

1. **Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) approve TriMet’s updated Agency Safety Plan, to become effective January 1, 2025.

2. **Type of Agenda Item**

- Initial Contract
- Contract Modification
- Approval of updated Agency Safety Plan

3. **Reason for Board Action**

The Board’s annual approval of TriMet’s updated Agency Safety Plan is required by Federal Transit Administration (FTA) regulations.

4. **Type of Action**

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

5. **Background**

Pursuant to 49 CFR Part 673, a public transportation agency recipient of FTA funds like TriMet must develop an Agency Safety Plan (ASP) that includes the processes and procedures needed to implement its Safety Management System (SMS), and must update the ASP annually. The FTA also requires that the Board of each public transit system annually approve its updated ASP, and each transit agency’s Accountable Executive must further certify that the agency has formally adopted the updated ASP on or before December 31 of each year.

On December 13, 2023, via Resolution No. 23-12-61, the Board approved TriMet’s current ASP, effective on January 1, 2024.

Each Agency Safety Plan must demonstrate that the transit agency's Safety Management System contains the following elements:

- 1) a Safety Management Policy, which must contain safety objectives, a confidential employee hazard reporting system, organizational safety accountabilities and responsibilities, and designate a Chief Safety Officer;
- 2) a Safety Risk Management process, including processes for hazard identification, risk assessment, and mitigation of risk;
- 3) a Safety Assurance process, including safety performance monitoring and measurement, change management and continuous improvement; and
- 4) a Safety Promotion program, including comprehensive safety training and safety communication.

In September of 2022, the FTA released an updated version of the Public Transportation Agency Safety Plan checklist for Rail Transit Agencies like TriMet, and State Safety Oversight Agencies (SSOA) like the Oregon Department of Transportation (ODOT), to use during the review process for ASPs. During the review period for the 2024 ASP, TriMet's Safety Department and its Infrastructure and Investment Jobs Act Safety Committee worked with internal stakeholders and the ODOT SSOA to update the ASP and incorporate all items required by the checklist.

These items include:

- Removal of redundant language throughout the document;
- Addition of a signature block on the General Manager's Safety Policy Statement;
- Additional responsibilities and authorities under Section 3.4.1 Duties & Responsibilities of Our Leaders, Key Staff, and Personnel;
- Additional designations of key staff;
- Additional provisions concerning prevention of transit worker assaults and de-escalation training required under 49 U.S.C. §5329;
- Additional provisions concerning required training for contractors who perform internal safety reviews and investigations:
- An updated Hazard Risk Index (HRI) frequency matrix to reflect reasonable spans of time applicable to definitions of improbable, remote, and occasional;
- A prescribed procedure for conducting scheduled internal safety reviews; and
- Addition of a section concerning the Risk Reduction Program and corresponding safety-related activities.

Also included in TriMet's ASP are FTA-required safety performance measures pertaining to:

- Transit Worker Assaults,
- Fatalities,
- Injuries,
- Safety Events, and
- System Reliability / State of Good Repair.

These FTA-required measures are designed to allow TriMet to set targets and gauge its performance in each area, and take affirmative steps to incorporate necessary improvements

in each. Along with specifically addressing these critical safety measures, overall adherence to the ASP is essential for maintaining and improving TriMet's safety performance.

Before submitting its updated Agency Safety Plan to the Board for final approval, TriMet circulated it to the General Manager, the Chief Safety Officer, and other Executive Directors for their review and approval. As shown on page 3 of the updated ASP, it has been reviewed, endorsed, and executed by TriMet's General Manager, Sam Desue, Jr.; the Chief Operating Officer and Accountable Executive, Bonnie Todd; the Executive Director for Safety and Security and Chief Safety Officer, Andrew Wilson; the Chief Financial Officer, Nancy Young-Oliver; the Executive Director for Transportation, Inessa Vitko; the Executive Director for Maintenance, John Weston; the Executive Director for Transit Systems and Asset Support, Dan Blair; and the Interim Executive Director for Engineering and Construction, Sean Batty. The ASP was also submitted to the Infrastructure Investment and Jobs Act Safety Committee for approval.

On November 21, 2024, in order to facilitate the Board's review in advance of the December meeting, a copy of the updated Agency Safety Plan was published to the Board internet portal. The ASP subsequently was made available to the public at www.trimet.org. Following the Board's approval of the updated ASP, it will be submitted to ODOT and published on www.trimet.org.

7. **Financial/Budget Impact**

The safety activities described in the updated 2024 ASP are integrated into TriMet's daily operations and incorporated into its annual budgetary decisions.

8. **Impact if Not Approved**

If the Board does not approve the updated 2024 ASP (effective for calendar year 2025) on or before December 31, 2024, it will jeopardize funding from the FTA and the U.S. Department of Transportation.

RESOLUTION NO. 24-12-65

**RESOLUTION NO. 24-12-65 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET)
APPROVING THE UPDATED AGENCY SAFETY PLAN**

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

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

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

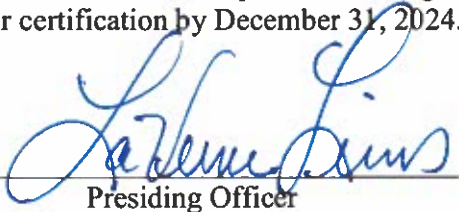
WHEREAS, TriMet's General Manager, Chief Operating Officer (COO), Chief Safety Officer, Executive Director for Transportation, Executive Director for Maintenance, Executive Director for Transit Systems and Asset Support, and Interim Executive Director for Construction and Engineering each reviewed, endorsed,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

WHEREAS, the Board has reviewed and has had an opportunity to inquire into TriMet's updated Agency Safety Plan, a copy of which was previously published to the Board on November 21, 2024, and to the public on December 6, 2024;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board hereby approves the updated TriMet Agency Safety Plan, which is dated November 7, 2024, and has been previously published to the Board and the public.
2. That the General Manager, the Accountable Executive (COO), or a designee is authorized to confirm and convey the Board's approval of TriMet's updated 2024 Agency Safety Plan when submitting it to the FTA for certification by December 31, 2024.

Dated: December 11, 2024


Presiding Officer

Attest:


Recording Secretary

Approved as to Legal Sufficiency:


Legal Department