THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: May 9, 2023

Subject: Update to the City of Asheville Public Transportation Agency Safety Plan (PTASP)

Staff Resource(s): Ken Putnam, Transportation Department Director
Amber Wagner, Transit Planning Manager

Action Requested: Adoption of a resolution authorizing the City Manager to sign and approve the update to the City of Asheville Public Transportation Agency Safety Plan to be consistent with the requirements of the Bipartisan Infrastructure Law.

Background:

- On July 19, 2019, the Federal Transit Administration (FTA) adopted a regulation requiring all public transit agencies that receive 5307 Urban Transit Funds to develop Public Transportation Agency Safety Plans (PTASP) by December 31, 2020.
- The City of Asheville's PTASP was adopted by the City Council in June 2020 and includes performance measures related to passenger and transit-worker safety, crashes, and maintenance of the transit system.
- Data on these performance measures is reported in the Monthly Accountability Reports provided by the transit contractor, RATPDev.
- In November 2021, Congress adopted the Bipartisan Infrastructure Law (BIL) and the Infrastructure Investment and Jobs Act (IIJA), which included additional requirements for PTASPs.
- The primary new requirement from the BIL was that each public transit agency establish a Safety Committee and that the committee include representatives from management staff and front-line employees.
- The Safety Committee is intended to work cooperatively and collaboratively to identify potential areas for safety improvements and work to implement those improvements.
- To comply with the new BIL requirements, the City's transit contractor, RATPDev, has established the ART Safety Committee, which is meeting regularly, and the City has updated the PTASP to reflect this.
- The updated PTASP has been reviewed and approved by the ART Safety Committee, as required by the BIL.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Improve and Expand Core Services

Committee(s):

- N/A

Pro(s):

- The proposed changes to the PTASP include:
    - The establishment of the ART Safety Committee. The safety committee includes representation from front-line employees.
    - De-escalation training included in front-line employee training.
- The PTASP document and monitoring of performance measures will be managed by the Transit Planning Division and coordinated with the City's transit contractor, RATPDev Inc.
- The PTASP includes the establishment of the ART Safety Committee and includes representatives from management staff and front-line employees.

- The ART Safety Committee is intended to work cooperatively and collaboratively to identify potential areas for safety improvements and work to implement improvements.

Con(s):
- None

Fiscal Impact:
- This action requires no City resources and has no fiscal impact.

Suggested Motion:
- Motion to adopt a resolution authorizing the City Manager to sign and approve the update to the City of Asheville Public Transportation Agency Safety Plan to be consistent with the requirements of the Bipartisan Infrastructure Law.

Attachment(s)
- Resolution

RESOLUTION 23- ___

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND APPROVE THE UPDATE TO THE CITY OF ASHEVILLE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN TO BE CONSISTENT WITH THE REQUIREMENTS OF THE BIPARTISAN INFRASTRUCTURE LAW.

WHEREAS, the Federal Transit Administration (FTA) Public Transportation Agency Safety Plan (PTASP) regulation 49 CFR Part 673 requires transit operators of public transportation systems to develop safety plans that include processes and procedure for implementing Safety Management Systems; and

WHEREAS, the FTA PTASP regulation 49 CFR Part 673 required transit operators to certify that they have established safety plans that meet requirements of the rule by December 31, 2020; and

WHEREAS, The City of Asheville's PTASP was adopted by the City Council in June 2020 and includes performance measures related to passenger and transit-worker safety, crashes, and maintenance of the transit system; and

WHEREAS, the Bipartisan Infrastructure Law (BIL) amends FTA's safety program at 49 U.S.C. 5329(d) by adding to the PTASP requirements at 49 CFR part 673. These changes require that transit agencies that receive Section 5307 funding and serve a large urbanized area with a population of 200,000 or more must have created a safety committee compliant with the BIL changes to PTASP requirements at Section 5329(d); and

WHEREAS, the BIL requires that once established, the safety committee should work to meet its responsibilities as soon as practicable and must have complied with the statutory requirement to approve an update to the agency's Agency Safety Plan (ASP), incorporating applicable BIL changes to PTASP requirements at Section 5329(d); and

WHEREAS, the FTA requests a resolution approving the updates to the City of Asheville PTASP consistent with the requirements of the BIL;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT;

The City Council adopt a resolution authorizing the City Manager to sign and approve the update to the City of Asheville Public Transportation Agency Safety Plan to be consistent with the requirements of the Bipartisan Infrastructure Law.

Read, approved and adopted this 23rd day of May, 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney