

Ohio Department of Transportation (ODOT) Rail Transit State Safety Oversight (SSO) Program

Procedure SSO-009: Investigation for Allegations of Rail Transit Agency (RTA) Noncompliance with Agency Safety Plan (ASP) Procedure (including public input).

Current Version: January 29, 2019 [Note: all older versions of this procedure should be discarded]

Scope: This procedure addresses receipt of allegations of RTA noncompliance with their ASP.

Agency Safety Plan Investigation of Noncompliance Requirement:

§ 674.25(c). An SSOA has primary responsibility for the investigation of any allegation of noncompliance with a Public Transportation Agency Safety Plan.

Sources of Allegations of RTA ASP Noncompliance: The following are potential sources of allegations of RTA ASP noncompliance:

- Public
- Patrons
- RTA Employees
- RTA Safety Department
- SSO Program
- Federal Transit Administration (FTA)
- Others

The ODOT SSO program requirements, processes and procedures are intended to be transparent. The program standard and contacts for the SSO program staff are publicly available on the ODOT Office of Transit webpage describing the SSO program. This information is published with the acknowledgement that anyone can contact the ODOT SSO program staff with any concerns, including allegations of RTA noncompliance with their ASP.

The ODOT SSO program also uses this regulatory requirement to add investigations beyond those required by FTA for accidents as state reportable events.

Investigation Procedure for RTA ASP Noncompliance: All allegations of RTA noncompliance with their ASP will be properly reviewed and investigated, as needed. If an allegation requires investigation, it will follow the procedures described in Appendix L of this program standard and/or the adopted and approved RTA investigation procedures. The ODOT SSO program may require the RTA Safety Department to complete the investigation for the program under the same authority as any other safety event investigations. The investigation report and any issues or recommendations required will be communicated and coordinated between the ODOT SSO program and the RTA Safety Department for resolution (and other RTA departments, as needed). The RTA will be required to develop a corrective action plan (CAP) or explanation of no need for a CAP. If CAP(s) are developed by the RTA, the ODOT SSO program will independently review and approve the CAP(s) in the same manner as any other investigation report CAP(s). Any investigations for allegation of noncompliance with the RTA will be designated a state reportable (SR) investigation and follow standard record-keeping for that type of investigation, including review, approval and adoption of the investigation report.

Updates:

- March 7, 2017 – initial release
- January 29, 2019 – minor wording changes.