Bipartisan Infrastructure Law Technical Support

Webinar #1: Introduction to BIL & Safety Committee Requirements

July 18, 2022

DRPT
VIRGINIA DEPARTMENT OF RAIL
AND PUBLIC TRANSPORTATION

Introductions and Opening Remarks

- DRPT

- AECOM

- TRA

Agenda

- Introductions: DRPT, AECOM, and TRA

- Applicability

- Overview of the new Bipartisan Infrastructure Law (BIL) Safety and Public Transportation Agency Safety Plan (PTASP) requirements

  - Safety Committee requirements, responsibilities, and deadline

  - Next steps

- Questions

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Applicability

- Most of the BIL requirements are based on the size of the Urbanized Areas (UZAs) that transit agencies serve
  - Changes to PTASP requirements for transit agencies serving a UZAs with a population of 200,000 or fewer
    - PTASP changes, frontline involvement
  - **Changes to PTASP requirements for transit agencies that receive Section 5307 funding and serve UZAs with a <u>population of 200,000 or more</u>**
    - All of above and risk reduction; funding use; de-escalation training; maintenance training; <u>**Safety Committee requirement**</u>

Applicability

Agencies serving UZA < 200,000 people

1. WinTran
2. Harrisonburg Transit
3. BRITE
4. Blacksburg Transit
5. Greater Lynchburg Transit Company
6. District 3 / Mountain Lynx
7. CATS
8. JAUNT
9. Radford
10. Bristol

Agencies serving UZA > 200,000 people

1. FRED Transit (Washington)
2. Williamsburg Area Transit Authority (Virginia Beach)
3. Valley Metro/Greater Roanoke Transit Company (Roanoke)
4. Petersburg Area Transit (Richmond)
5. Suffolk Transit (Virginia Beach)

Bipartisan Infrastructure Bill Overview

- For all agencies:
  1. **Exposure to infectious diseases:** ASP shall be consistent with Centers for Disease Control and Prevention and/or State health agency (applicable to all agencies)
  2. **Frontline personnel involvement**: Agencies must develop its ASP in cooperation with frontline employee representatives (applicable to all agencies)

- For agencies serving over 200,000 in UZA:
  1. **Safety Committee:** Must establish a Safety Committee by July 31, 2022

Bipartisan Infrastructure Bill Overview

For agencies serving over 200,000 in UZA:

1. A risk reduction program to reduce the number and rates of accidents, injuries, and **assaults on transit workers**

2. A risk reduction program to reduce vehicular and pedestrian accidents involving buses

3. Risk reduction performance targets using data submitted to the National Transit Database

4. A comprehensive safety training program for operations and **maintenance** staff that must include **de-escalation training**

5. Ensure that at least 0.75% of section 5307 funds are used for safety purposes

Safety Committee Requirements

- **For agencies serving over 200,000 in UZA:**

July 31, 2022

Transit agency establishes its Safety Committee

December 31, 2022

Safety Committee approves transit agency ASP that is compliant with new BIL PTASP requirements

Forming a Safety Committee

- **For agencies serving over 200,000 in UZA:**
  - The Safety Committee **must**:
    1. Have an equal number of **frontline employee representatives** and management representatives
    2. Be convened using a joint labor-management process
  - Representatives of frontline transit workers employed by the transit agency must be selected by a labor organization representing the majority of its frontline workforce
    - If not represented by labor organizations, the agency should determine a method to select frontline representatives
  - If Safety Committee exists, it must meet the BIL requirements; OR
    - A transit agency may choose to follow existing collective bargaining process to establish and operate its Safety Committee

Safety Committee Responsibilities

- The Safety Committee will be responsible for:
    - Identifying and recommending risk-based mitigations and/or strategies needed to reduce the likelihood and severity of hazards identified by the transit agency's safety risk assessment;
    - Identifying mitigations and/or strategies that may be inappropriate or ineffective; and
    - Identifying safety deficiencies for continuous improvement.

Next Steps

- Agencies should review this webinar and FTA guidance
  - Form a new committee as needed, repurpose an existing committee/meeting that meets the needs of PTASP
- Technical assistance
  - DRPT checklist development for agency use
  - DRPT will not be modifying PTASPs on behalf of agencies

- Webinar #2: August 2022
  - Review of additional Agency Safety Plan revisions for December 2022 deadline

Questions?

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