

SBCAG STAFF REPORT

SUBJECT: SBCAG Public Transportation Agency Safety Plan

MEETING DATE: December 17, 2020

AGENDA ITEM: 4K

STAFF CONTACT: Whitney Rush

RECOMMENDATION:

Adopt Resolution 20-32 approving and certifying the Clean Air Express' Public Transportation Agency Safety Plan in compliance with Title 49 of the Code of Federal Regulations Part 673.

DISCUSSION:

In 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Rule, 49 C.F.R. Part 673, requiring certain recipients and sub-recipients that receive federal funds under FTA's Section 5307 Urbanized Area Formula Grants, to develop an Agency Safety Plan (ASP). The ASP includes identification of key roles, sets safety targets and shows the processes and procedures to implement a Safety Management System (SMS). The PTASP final rule intends to improve public transportation safety by guiding transit agencies to more effectively and proactively manage safety risks in their systems.

While SBCAG does not currently receive FTA 5307 funding, in 2017 the agency was a subrecipient to the City of Santa Maria, which made available surplus 5307 funds to purchase three coaches for the Clean Air Express service. SBCAG is planning on receiving FTA 5307 following the designation of the Santa Barbara urbanized area as exceeding 200,000 in population as part of the 2020 census. For the last two years, in preparation of receiving 5307 funds, SBCAG has followed FTA guidelines and adhered to FTA requirements for federal funding recipients.

The PTASP Rule requires the transit agency's governing body to approve the Agency Safety Plan and the Accountable Executive to sign the document. SBCAG will self-certify the PTASP through the FTA Certifications and Assurance process after Board approval to meet the compliance deadline of December 31, 2020.

The above recommended actions are not a "Project" under the California Environmental Quality (CEQA) Act under CEQA Guidelines section 15378.

ATTACHMENT:

- A. Resolution 20-32
- B. Public Transportation Agency Safety Plan (web posting only)

ATTACHMENT A

A RESOLUTION OF THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

APPROVAL AND CERTIFICATION OF THE CLEAN
AIR EXPRESS' PUBLIC TRANSPORTATION
AGENCY SAFETY PLAN IN COMPLIANCE WITH
TITLE 49 CFR PART 673

RESOLUTION 20-32

WHEREAS, the Clean Air Express operates safe, inter-city, fixed route public transportation; and

WHEREAS, the Clean Air Express is directly managed by the Santa Barbara County Association of Governments (SBCAG); and

WHEREAS, SBCAG contracts its Clean Air Express transit service to AmericanStar Incorporated; and

WHEREAS, the Clean Air Express is a sub-recipient of funding under Title 49 of the United States Code section 5307 (Section 5307) through the City of Santa Maria; and

WHEREAS, on July 19, 2018, the Federal Transit Administration (FTA) published Title 49, Code of Federal Regulations (CFR), Part 673 – Public Transportation Agency Safety Plan (PTASP) Final Rule; and

WHEREAS, on July 19, 2019, the PTASP Final Rule requires all FTA Section 5307 recipient and sub-recipient transit agencies establish an Agency Safety Plan that meets the requirements of Title 49 CFR Part 673; and

WHEREAS, on April 22, 2020, the FTA extended the PTASP compliance deadline to December 31, 2020 due to the extraordinary operational challenges presented by the COVID-19 public health emergency; and

WHEREAS, the PTASP mandates that through an Agency Safety Plan the Clean Air Express and its contractor(s) must meet the General Requirements including, but not limited to (1) documenting the processes and activities related to Safety Management System (SMS) implementation; (2) documenting performance targets based on the safety performance and

measures established under the National Public Transportation Safety Plan; (3) address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan; and (4) establish a process and timeline for conducting an annual review and update of Clean Air Express Agency Safety Plan (49 CFR § 673.11); and

WHEREAS, the PTASP mandates that SBCAG (1) designate an Accountable Executive who will sign the Agency Safety Plan; and (2) that the SBCAG Board of Directors approve and certify the Clean Air Express Agency Safety Plan (49 CFR § 673.11); and

WHEREAS, the Clean Air Express Agency Safety Plan meets the General Requirements of the PTASP, and identifies key roles, sets safety targets and shows the processes and procedures to implement an SMS that is already in use by the Clean Air Express and its contractor AmericanStar Incorporated, and sets forth improvements to the safety risk management, safety assurance and safety oversight processes; and

WHEREAS, the SBCAG Board of Directors desires to designate the Executive Director as the Accountable Executive for the Clean Air Express' Agency Safety Plan and to empower the SBCAG Executive Director to sign the Agency Safety Plan; and

WHEREAS, the SBCAG Board of Directors desires to approve and certify the Clean Air Express Agency Safety Plan.

NOW, THEREFORE, BE IT RESOLVED that the SBCAG Board of Directors designates the Executive Director as the Accountable Executive for the Clean Air Express' Agency Safety Plan and empowers the SBCAG Executive Director to sign the Agency Safety Plan; and

BE IT FURTHER RESOLVED that the SBCAG Board of Directors approves and certifies the Clean Air Express Agency Safety Plan.

(Signatures on following page.)

PASSED AND ADOPTED this 17th day of December 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Marjie Kirn
Executive Director

Gregg Hart, Chair
Santa Barbara County
Association of Governments

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel



Deputy County Counsel