



ARKANSAS STATE SAFETY OVERSIGHT (SSO) PROCEDURES MANUAL

Adopted: June 9, 2022

DOCUMENT PURPOSE

This Arkansas State Safety Oversight Procedures Manual serves as a companion document to the Arkansas State Safety Oversight Program Standard administered by the Arkansas Department of Transportation.

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State Safety Oversight Officer, Arkansas Department of Transportation

Executive Summary

This Procedures Manual serves as a companion document to the Arkansas Department of Transportation (ARDOT) State Safety Oversight Program Standard (SSOPS). The SSOPS is a policy document, authorized by Commission Minute Order 2017-096, that gives the State Safety Oversight Agency (SSOA) the necessary authority to administer the enhanced oversight of rail fixed guideway public transportation systems (RFGPTS) in Arkansas as envisioned in 49 CFR Part 674.

The SSOA authority applies to any Rail Transit Agency (RTA) operating a RFGPTS in Arkansas. References to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Arkansas. (The Rock Region METRO is the only RTA/RFGPTS currently subject to oversight in the State of Arkansas.)

Note: This Procedures Manual differs from the previous Arkansas State Standard by placing emphases on defining the relationships and required communication, information documentation, and data collection associated with an RTA in Arkansas rather than specific paper forms. Utilizing email forms, spreadsheets, and other electronically transmitted forms will facilitate transition to a data driven coordinated system of access and communication for enhanced oversight of the safety programs at the RTA. The SSOA is working cooperatively, in an oversight capacity, with the RTA to develop meaningful communication that reduces duplication and error potential while protecting, as much as practicable, confidentiality of information, with a specific emphasis on sensitive security information.

*Assistance developing the
Arkansas State Safety Oversight Program Standard and
Procedures Manual was provided by:*



Substantive Updates

Table 1: Substantive Updates to the Procedures Manual

Date	Sections Affected	Substantive Change
March 2018	All	Document Origination
December 2020	State Safety Oversight Agency Role	How issues between the RTA and SSOA are resolved
December 2021	Minimum Safety Standards	How minimum safety standards are revised and distributed
	State Safety Oversight Program Standard	The administrative procedure for reviewing, adopting, and distributing the Program Standard
	RTA Safety Plan	How the SSO reviews and provides feedback on the ASP
	Investigations	How the SSO conducts an independent review of the RTA's findings of causation and how accident investigation reports are adopted
April 2022		Added notice of nondiscrimination

Adoption Signature and Date:



Greg Nation
 State Safety Oversight Officer

Date: 6-9-22

Greg Nation
 State Safety Oversight Officer

Date:

Notice of Nondiscrimination

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the ARDOT does not discriminate on the basis of race, sex, color, age, national origin, disability, religion (not applicable as a protected group under the FMCSA Title VI Program), LEP, or low-income status in the admission, access to and treatment in ARDOT's programs and activities, as well as the ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the ARDOT's nondiscrimination policies may be directed to Joanna P. McFadden, EEO/DBE Officer (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ardot.gov. Free language assistance for Limited English Proficient individuals is available upon request. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

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Definitions

49 CFR Part 674.7 Definitions

Accident means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision involving a rail transit vehicle; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause. An accident must be reported in accordance with the thresholds for notification and reporting set forth in Appendix A to this part.

Accountable Executive means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Administrator means the Federal Transit Administrator or the Administrator's designee.

Contractor means an entity that performs tasks on behalf of FTA, a State Safety Oversight Agency, or a Rail Transit Agency, through contract or other agreement.

Corrective action plan means a plan developed by a Rail Transit Agency that describes the actions the Rail Transit Agency will take to minimize, control, correct, or eliminate risks and hazards, and the schedule for taking those actions. Either a State Safety Oversight Agency or FTA may require a Rail Transit Agency to develop and carry out a corrective action plan.

Event means an Accident, Incident or Occurrence.

FRA means the Federal Railroad Administration, an agency within the United States Department of Transportation.

FTA means the Federal Transit Administration, an agency within the United States Department of Transportation.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a rail fixed guideway public transportation system; or damage to the environment.

Incident means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency. An incident must be reported to FTA's National Transit Database in accordance with the thresholds for reporting set forth in Appendix A to this part. If a rail transit agency or State Safety Oversight Agency later determines that an Incident meets the definition of Accident in this section, that event must be reported to the SSOA in accordance with the thresholds for notification and reporting set forth in Appendix A to this part.

Investigation means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

NTSB means the National Transportation Safety Board, an independent Federal agency.

Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock,

or infrastructure does not disrupt the operations of a rail transit agency.

Person means a passenger, employee, contractor, pedestrian, trespasser, or any individual on the property of a rail fixed guideway public transportation system.

Public Transportation Agency Safety Plan (PTASP) means the comprehensive agency safety plan for a transit agency, including a Rail Transit Agency, that is required by 49 U.S.C. 5329(d) and based on a Safety Management System.

Public Transportation Safety Certification Training Program means either the certification training program for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight, established through interim provisions in accordance with 49 U.S.C. 5329(c)(2), or the program authorized by 49 U.S.C. 5329(c)(1).

Rail fixed guideway public transportation system means any fixed guideway system that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration, or any such system in engineering or construction. Rail fixed guideway public transportation systems include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

Rail Transit Agency (RTA) means any entity that provides services on a rail fixed guideway public transportation system.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety risk management means a process within a Rail Transit Agency's Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Serious injury means any injury which:

- (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received;
- (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or nose);
- (3) Causes severe hemorrhages, nerve, muscle, or tendon damage;
- (4) Involves any internal organ; or
- (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State Safety Oversight Agency (SSOA) means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and the regulations set forth in this part.

Vehicle means any rolling stock used on a rail fixed guideway public transportation system, including but not limited to passenger and maintenance vehicles.

Acronyms

APTA - American Public Transportation Association
ARDOT – Arkansas Department of Transportation
AREMA - American of Railway Engineering and Maintenance of Way Association
ASP - agency safety plan
BIL – Bipartisan Infrastructure Law
CAP - corrective action plan
CFR - Code of Federal Regulations
FRA - Federal Railroad Administration
FTA - Federal Transit Administration
MAP-21 - Moving Ahead for Progress in the 21st Century
N/A - not applicable
NFPA - National Fire Protection Association
NPRM - notice for proposed rulemaking
NTD - National Transit Database
NTSB - National Transportation Safety Board
OSSRC – Operations Safety and Security Review Committee
PTASP - public transportation agency safety plan
RFGPTS - rail fixed guideway public transportation system
ROW - right of way
RRM – Rock Region METRO
RTA - rail transit agency
SEPP – system security and emergency preparedness plan
SMS - safety management system
SOP - standard operating procedure
SSCP - safety and security certification plan
SSCRC - Safety and Security Certification and Review Committee
SSO - state safety oversight
SSOA - state safety oversight agency
SSOPS - state safety oversight program standard
SSPP - system safety program plan
TAM - transit asset management
TASP - transit agency safety plan
U.S.C. - United States Code

Section 1: State Safety Oversight Agency Role

Program Policies and Objectives

SSOA Authority & Policy Statement:

The Arkansas Department of Transportation's State Safety Oversight Program is responsible for the development and implementation of an effective and comprehensive state safety oversight program to ensure that all rail fixed guideway public transportation systems in its jurisdiction fully define and implement a safety program that is compliant with all applicable state and federal rules and regulations.

Policy Objectives:

The objectives for the SSO program include the following:

- Develop and maintain an SSO program meeting all federal and state requirements, including but not limited to the following sections of 49 CFR Part 674:
 - 674.13(a)(1) The SSOA is financially and legally independent from any public transportation agency the SSOA is obliged to oversee.
 - 674.13(a)(2) The SSOA does not directly provide public transportation service in an area with a RFGPTS the SSOA is obliged to oversee.
 - 674.13(a)(3) The SSOA does not employ any individual who is also responsible for administering a RFGPTS the SSOA is obliged to oversee.
 - 674.41(c) A contractor may not provide services to both an SSOA and a RFGPTS under the oversight of that SSOA, unless the Administrator has issued a waiver of this prohibition.
 - 674.11(f) The State prohibits any public transportation agency in the State from providing funds to the SSOA.
- Assure that SSO program staff and contractors meet training and qualification requirements outlined in the Public Transportation Safety Certification Training Program Interim Provisions.
- Assure the SSO program and procedures are consistent with the National Public Transportation Safety Plan.
- Provide oversight and technical assistance to the RTA in developing, maintaining, evaluating, and implementing a safety program wholly owned by the RTA, not the State of Arkansas.
- Work cooperatively with the RTA and FTA Office of Transit Safety and Oversight (TSO), to improve system safety performance and reduce system safety risk to as low as reasonably practical.
- Ensure the RTA conducts investigations and internal audits as required and participate as appropriate (SSOA may choose to lead, participate in, or conduct independent investigations, audits, or inspections).
- Ensure the RTA executive staff fully supports the safety principles and methods of Safety Management Systems (SMS) as the basis for enhancing the safety of public transportation.
- Ensure the RTA safety staff and contractors meet training and qualifications outlined in the Public Transportation Safety Certification Training Program Interim Provisions.
- Participate in monthly safety meetings.
- Ensure that investigations are conducted to determine causality. Review investigations of accidents/incidents/events as appropriate.
- Provide guidance and input to the RTA safety implementation program.
- Investigate any allegations of an RTA's non-compliance with their Safety Plan.
- Ensure the RTA is effectively implementing its safety program and SMS by conducting SSO triennial audits.

Note: To assist in the effectiveness of the SSOA mission, the RTA will grant full access to all fixed guideway safety related records including equipment and rail maintenance records and access to personnel, and facilities at the RTA.

If, during the course of inspections, observations, analysis, interviews or other SSOA activities, potential unacceptable hazardous conditions are identified, the SSOA will discuss the concerns directly with RTA safety staff and management and may require development of a corrective action plan. These risk-related concerns will typically find resolution at this level of discussion and interaction. If the situation is an immediate safety risk, the RTA is directed to implement any necessary action to mitigate that risk with proper and timely notification to the SSOA. In addition, the SSOA will work closely with the RTA to monitor issue resolution to assure the corrective action does not create unintended risks.

If the SSOA identifies and communicates potential unacceptable hazardous conditions to the RTA staff, and either the corrective action or the timeliness of the action is not acceptable to the SSOA, the escalation protocols defined in the SSOPS will be implemented. However, if equipment of the RTA is determined to be unsafe for transporting passengers due to defective, excessively worn or non-functioning components, the SSOA may place such equipment out of service until such necessary repairs have been made by the RTA.

Internal Conflicts

In the event of a conflict between the RTA and SSOA both parties will work together to reach an amicable agreement. The RTA will provide a written notice to the SSOA, acknowledging the conflict. At a minimum, the notice shall include:

- Identification of the specific incidents, documents, or sections thereof taken issue with,
- RTA findings or recommendations regarding the problem (if applicable),
- Preferred action plan for resolution (if applicable).

The SSOA must respond to this notice within 15 days unless a different schedule is otherwise agreed upon. If a consensus cannot be reached a third-party arbiter will be engaged to bring about a conclusion.

Section 2: Minimum Safety Standards

Advising Rule

49 CFR Part 674.25(a) An SSOA must establish minimum standards for the safety of all rail fixed guideway public transportation systems within its oversight. These minimum standards must be consistent with the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, the rules for Public Transportation Agency Safety Plans and all applicable Federal and State law.

The SSOA defines minimum safety standards as those adopted and documented by the RTA that govern safe operations, command and control, and inspection and maintenance of the rail systems, including facilities, infrastructure, and rail-related vehicles. Those standards should be based on existing transit industry standards (APTA, AREMA, NFPA, etc.) that have been customized for the RTA equipment, infrastructure, and operations.

The SSOA may require new safety standards or updates to existing standards based on observations from investigations, audits, inspections, industry standards, or updates to practices and procedures. The SSOA may require a CAP be developed by the RTA to address these changes. The SSOA requires direct access to all such documents and will review any changes to safety related documents or newly developed safety related documents.

The investigation procedures developed by the RTA will be reviewed and then adopted by the SSOA for its' own use in conducting investigations.

All RTA documents should follow either internal or document specific procedures for update and review.

Rule Compliance

To ensure an RTA's minimum safety standard documents are current, the SSOA annually reviews the National Public Transportation Safety Plan, the Public Transportation Safety Certification Training Program, any rules governing development of Public Transportation Agency Safety Plans, and all applicable Federal and Arkansas State laws. The SSOA also reviews any safety information or advisories issued by the FTA (including those found in the Compendium of Transit Safety Standards) and recommendations by nationally recognized industry leaders such as APTA, CTAA and the NTSB. The SSOA will provide RTAs written notice of updates or changes to the required minimum safety standards and amend this procedures manual to reflect those changes at least annually.

When a new federal rule pertaining to State Safety Oversight programs is issued, the FTA's RTA and SSOA PTASP Review Checklist is used to compare the existing standard and the new requirements. In the event that a new federal rule has been issued but a checklist has not been created at the time of review, the SSOA creates their own checklist in accordance with the revised rule.

Minimum Safety Standard Updates

The SSOA may require new safety standards or revisions to the existing standards based on observations from investigations, audits, inspections, industry standards, or updates to practices and procedures. When necessary, the SSOA may require a Corrective Action Plan (CAP) be developed by the RTA to address these changes. The SSOA requires direct access to all such documents and will review any changes to safety related documents or newly developed safety related documents.

The investigation procedures developed by the RTA will be reviewed and then adopted by the SSOA for its' own use in conducting investigations. If there is no new federal guidance or significant updates to industry practices, the standards are not revised. If significant updates have been made, the SSOA submits a written advisement to the RTA. This advisement is submitted to the RTA within 15 days of receipt of the original program standard.

Current Standard

All RTA documents should follow either internal or document specific procedures for update and review. Table 2 lists the current documentation available for RTA.

Table 2: RTA Minimum System Safety and Security Related Documents

Control Document	Current Version
Agency Safety Plan (ASP)	September 8, 2021
System Security and Emergency Preparedness Plan (SEPP)	February 2017
METRO Streetcar Standard Operating Procedures (various)	December 2017
METRO Streetcar Line Operator's Manual	February 2017
River Rail Streetcar Operations Policies and Procedures Manual	March 2014
River Rail Maintenance Policies and Procedures Manual	August 2013
METRO Streetcar Emergency Responders Instructions	May 2017
Little Rock Replica Birney Trolley Operator's Manual	2004
Transit Asset Management Plan	October 2018
Accident Investigation Procedures- SOP: OPS-001	April 13, 2021
Right of Way Worker Protection	In revision
TSA Base Review	July 2016
Overhead Catenary System Isolation Procedure SOP: MT21-008	April 15, 2021
Traction Power Substation Shutdown & Lockout	November 11, 2020

Distribution of Minimum Safety Standards

When the SSOA requires new safety standards or updates to existing standards, these changes are distributed via written notice. In addition to providing the updated standard, the notice also highlights any substantive revisions as listed in Table 1: Substantive Updates to the Procedures Manual.

Section 3: State Safety Oversight Program Standard (SSOPS)

Advising Rule

49 CFR Part 674.27 State safety oversight program standards.

(a) An SSOA must adopt and distribute a written SSO program standard, consistent with the National Public Transportation Safety Plan and the rules for Public Transportation Agency Safety Plans. This SSO program standard must identify the processes and procedures that govern the activities of the SSOA. Also, the SSO program standard must identify the processes and procedures an RTA must have in place to comply with the standard. At minimum, the program standard must meet the following requirements:

(1) Program management. The SSO program standard must explain the authority of the SSOA to oversee the safety of rail fixed guideway public transportation systems; the policies that govern the activities of the SSOA; the reporting requirements that govern both the SSOA and the rail fixed guideway public transportation systems; and the steps the SSOA will take to ensure open, on-going communication between the SSOA and every rail fixed guideway public transportation system within its oversight.

(2) Program standard development. The SSO program standard must explain the SSOA's process for developing, reviewing, adopting, and revising its minimum standards for safety, and distributing those standards to the rail fixed guideway public transportation systems.

(3) Program policy and objectives. The SSO program standard must set an explicit policy and objectives for safety in rail fixed guideway public transportation throughout the State.

(4) Oversight of Rail Public Transportation Agency Safety Plans and Transit Agencies' internal safety reviews. The SSO program standard must explain the role of the SSOA in overseeing an RTA's execution of its Public Transportation Agency Safety Plan and any related safety reviews of the RTA's fixed guideway public transportation system. The program standard must describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA's accountable executive. Also, the program standard must establish a procedure whereby an RTA will notify the SSOA before the RTA conducts an internal review of any aspect of the safety of its rail fixed guideway public transportation system.

(5) Triennial SSOA audits of Rail Public Transportation Agency Safety Plans. The SSO program standard must explain the process the SSOA will follow and the criteria the SSOA will apply in conducting a complete audit of the RTA's compliance with its Public Transportation Agency Safety Plan at least once every three years, in accordance with 49 U.S.C. 5329. Alternatively, the SSOA and RTA may agree that the SSOA will conduct its audit on an on-going basis over the three-year timeframe. The program standard must establish a procedure the SSOA and RTA will follow to manage findings and recommendations arising from the triennial audit.

(6) Accident notification. The SSO program standard must establish requirements for an RTA to notify the SSOA of accidents on the RTA's rail fixed guideway public transportation system. These requirements must address, specifically, the time limits for notification, methods of notification, and the nature of the information the RTA must submit to the SSOA.

(7) Investigations. The SSO program standard must identify thresholds for accidents that require the RTA to conduct an investigation. Also, the program standard must address how the SSOA will oversee an RTA's internal investigation; the role of the SSOA in supporting any investigation conducted or findings and recommendations made by the NTSB or FTA; and procedures for protecting the confidentiality of the investigation reports.

(8) Corrective actions. The program standard must explain the process and criteria by which the SSOA may order an RTA to develop and carry out a Corrective Action Plan (CAP), and a procedure for the SSOA to review and approve a CAP. Also, the program standard must explain the SSOA's policy and practice for tracking and verifying an RTA's compliance with the CAP, and managing any conflicts between the SSOA and RTA relating either to the development or execution of the CAP or the findings of an investigation.

(b) At least once a year an SSOA must submit its SSO program standard and any referenced program procedures to FTA, with an indication of any revisions made to the program standard since the last annual submittal. FTA will evaluate the SSOA's program standard as part of its continuous evaluation of the State Safety Oversight Program, and in preparing FTA's report to Congress on the certification status of that State Safety Oversight Program, in accordance with 49 U.S.C. 5329.

Program Standard and Procedures Manual Development

The SSOPS is the policy document that addresses Arkansas' responsibilities to develop and promulgate rules setting forth the procedure to review, approve, oversee, investigate, and enforce rail fixed guideway public transportation system safety plans, for the purpose of regulating and enforcing the requirements set forth in 49 CFR Part 674.

The Procedures Manual is a companion document to the SSOPS and has been created to address changes in industry standards, safety related guidance from the FTA, and general procedural or administrative changes to standard operating practices between the SSOA and RTA. It defines the relationship and required communication, information documentation, and data collection associated with rail transit agencies in Arkansas. Utilizing email forms, spreadsheets, and other electronically transmitted forms will facilitate transition to a data driven coordinated system of access and communication for enhanced oversight of the safety programs at the RTA. The SSOA is working cooperatively, in an oversight capacity, with the RTA to develop meaningful communication that reduces duplication and error potential while protecting, as much as practicable, confidentiality of information, with a specific emphasis on sensitive security information. (A hazard log example is included in the appendix.)

The Procedures Manual will be reviewed by the SSOA at least annually for required updates to document the evolving oversight program. It will be sent to the RTA for review and comment 30 days prior to any updates. The RTA will be given 15 days to provide comments. The SSOA will work with the RTA to address any comments and make agreed upon changes accordingly. The SSOA will then distribute the updated Procedures Manual to the RTA. The changes will be documented in the Substantive Update Log, signed, and dated by the SSOA. The updated Procedures Manual will be submitted to the FTA with the annual report on or before March 15th of each year.

The SSOA authority applies to any RTA operating a RFGPTS in Arkansas. References to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Arkansas (The Rock Region METRO is the only RTA/RFGPTS currently subject to oversight in the State of Arkansas.)

Annual Review

In accordance with 49 Part 674.27, this manual includes provisions for annual updates of the Program Standard, Procedures Manual, and all supporting documents. The annual review will also determine whether the ASP includes a comprehensive staff training program for operations personnel directly responsible for RTA safety. This involves determining whether an adequately trained staff officer reports directly to the Accountable Executive and whether there are adequate methods for the CSO to execute the ASP. All changes will be noted, as discussed below, and the SSO Program Administrator will sign and date the final version of this Procedures Manual. Table 3 provides the general task list and time frames for reviewing and updating the Program Standard and Procedures Manual. As processes are revised or new processes are developed the RTA will track those changes for use in the annual review.

Table 3. Program Standard Annual Review Schedule

Task*	Oct	Nov	Dec	Jan	Feb	Mar
Review Changes to Federal Policy	→					
Review Updates to Industry Safety Standards		→				
Review Agency Updates to Safety Standards		→				
Incorporate Applicable Revisions		→				
Make Any Necessary Adjustments to Standard & Manual			→			
Final Review Manual for Federal Rule Compliance				→		
Share Program Standard Updates for Review with the RTA				→		
Submit Minute Order to Highway Commission for Updates					→	
Update Version No., Adopt & Certify Program Compliance						★

**Various tasks may be ongoing as applicable if new guidance is provided by the FTA or other governing authorities.*

The procedures manual will be reviewed by the SSOA at least annually for required updates to document the evolving oversight program. It will be sent to the RTA for review and comment 30 days prior to any updates. The RTA will be given 15 days to provide comments. The SSOA will work with the RTA to address any comments and make agreed upon changes accordingly. The SSOA will distribute the updated procedures manual to the RTA. The changes will be documented in Table 1, the Substantive Update Log, signed and dated by the SSOA. The updated Procedures Manual will be submitted to FTA with the annual report on or before March 15th of each year.

The SSOA authority applies to any Rail Transit Agency (RTA) operating a RFGPTS in Arkansas. Reference to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Arkansas. (The Rock Region Metro is the only RTA operating a RFGPTS currently subject to oversight in the State of Arkansas.)

Adoption and Distribution of Program Standard

As with the Procedures Manual, the SSOA provides proposed updates to the Program Standard to the RTA via written notice. This notice includes a copy of the updated Standard. The RTA will be given 15 days to provide comments. The SSOA will work with the RTA to address any comments and make agreed upon changes

accordingly. The changes will be documented in a Substantive Update Log in the Program Standard, signed, and dated by the SSOA. The updated Program Standard will be submitted to FTA with the annual report on or before March 15th of each year.

Section 4: SSOA Oversight of RTA Agency Safety Plan

Advising Rule

49 CFR Part 674.25(b) *An SSOA must review and approve the Public Transportation Agency Safety Plan for every rail fixed guideway public transportation system within its oversight. An SSOA must oversee an RTA's execution of its Public Transportation Agency Safety Plan. An SSOA must enforce the execution of a Public Transportation Agency Safety Plan, through an order of a corrective action plan or any other means, as necessary or appropriate. An SSOA must ensure that a Public Transportation Agency Safety Plan meets the requirements at 49 U.S.C. 5329(d).*

49 CFR Part 674.25(c) *An SSOA has primary responsibility for the investigation of any allegation of noncompliance with a Public Transportation Agency Safety Plan. These responsibilities do not preclude the Administrator from exercising his or her authority under 49 U.S.C. 5329(f) or 49 U.S.C. 5330.*

Requirements for the PTASP

d49 CFR Part 674.29 *Public Transportation Agency Safety Plans: general requirements.*

(a) *In determining whether to approve a Public Transportation Agency Safety Plan for a rail fixed guideway public transportation system, an SSOA must evaluate whether the Public Transportation Agency Safety Plan is consistent with the regulations implementing such Plans; is consistent with the National Public Transportation Safety Plan; and is in compliance with the program standard set by the SSOA.*

(b) *In determining whether a Public Transportation Agency Safety Plan is compliant with 49CFR part 673, an SSOA must determine, specifically, whether the Public Transportation Agency*

Safety Plan is approved by the RTA's board of directors or equivalent entity; sets forth a sufficiently explicit process for safety risk management, with adequate means of risk mitigation for the rail fixed guideway public transportation system; includes a process and timeline for annually reviewing and updating the safety plan; includes a comprehensive staff training program for the operations personnel directly responsible for the safety of the RTA; identifies an adequately trained safety officer who reports directly to the general manager, president, or equivalent officer of the RTA; includes adequate methods to support the execution of the Public Transportation Agency Safety Plan by all employees, agents, and contractors for the rail fixed guideway public transportation system; and sufficiently addresses other requirements under the regulations at 49 CFR part 673.

(c) *In an instance in which an SSOA does not approve a Public Transportation Agency Safety Plan, the SSOA must provide a written explanation, and allow the RTA an opportunity to modify and resubmit its Public Transportation Agency Safety Plan for the SSOA's approval.*

Agency Safety Plan Annual Rule Compliance Review

The Agency Safety Plan (ASP) is reviewed using the current version of the Federal Transit Authority's Review Checklist for Rail Transit Agencies (RTAs) and State Safety Oversight Agencies (SSOAs). Discrepancies between the plan and the requirements of the latest federal rule are recorded and communicated to the RTA for revision.

The RTA will notify the SSO in writing if the RTA has any questions or concerns with the recommended revisions within 10 days. If no concerns are stated by the RTA, the RTA will revise and resubmit the ASP to the SSO with

documentation of the updates, either by red-line or tracked changes. Upon concurrence from the SSO, the RTA will bring it before their Board or similar governing authority for review and adoption. Upon adoption by the Board and signing by the Agency's Accountable Executive, the RTA will then send the adopted, signed ASP to the SSO.

During this review the SSOA will also determine whether the ASP includes a comprehensive staff training program for operations personnel who are directly responsible for RTA safety, whether a trained safety officer who reports directly to the Accountable Executive has been identified, and whether the ASP includes adequate methods for the execution of the ASP.

Section 5: System Security and Emergency Preparedness Plan

49 CFR Part 674 does not require the SSOA to oversee the development, revision or implementation of a System Security and Emergency Preparedness Plan (SEPP) for the RTA. The ARDOT SSOA will continue to provide support to the RTA in all aspects of its Security and Emergency Preparedness planning as it relates to safety of the system, its employees and passengers.

Section 6: RTA Internal Audits

49 CFR Part 674.27(a)(4) Oversight of Rail Public Transportation Agency Safety Plans and Transit Agencies' internal safety reviews. The SSO program standard must explain the role of the SSOA in overseeing an RTA's execution of its Public Transportation Agency Safety Plan and any related safety reviews of the RTA's fixed guideway public transportation system. The program standard must describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA's accountable executive. Also, the program standard must establish a procedure whereby an RTA will notify the SSOA before the RTA conducts an internal review of any aspect of the safety of its rail fixed guideway public transportation system.

Under 49 CFR Part 674, all identified elements of the Safety Plan must be audited by the RTA in an on-going manner over a three-year cycle to determine if all identified elements are performing as intended; determine if areas of non-compliance and hazards are being identified in a timely manner; and, ensure that no unit leads its own internal audit. The RTA internal audit program will encompass all SMS requirements as identified in FTA's National Safety Program at 49 CFR Part 670 and enumerated in the RTA's Safety Plan, and in the departmental documentation detailing how the SMS program is implemented within each department/functional area. System security and emergency preparedness elements that are an integral part of system safety will be included in the audits of those functional areas.

Under both 49 CFR Part 674, the RTA is required to notify the SSOA at least 30 days in advance of any planned internal audits. The RTA must submit checklists and a schedule to the SSOA for review and comment. The SSOA will submit any comments to the RTA within 15 days of receipt. The SSOA will also inform the RTA of its intended level of participation in the internal audits. The SSOA may attend all, some, or none of the actual interviews, but will review all reports for areas of concern. The SSOA may require CAPs be created by the RTA to address any concerns in a timely manner.

On or before February 1st of each year, the RTA will submit a report detailing all internal safety audits performed during the preceding calendar year. The report, signed by the RTA Accountable Executive, must contain at a minimum: a listing of the internal safety audits conducted the previous calendar year; an updated schedule for audits that will be conducted in the current three-year cycle; a status of all findings; and recommendations and corrective actions resulting from the audits conducted the previous calendar year.

The SSOA will review and approve the internal audit report submitted by the RTA prior to submission to the FTA each year on or before March 15th.

Section 7: Triennial Audits of RTA

49 CFR Part 674.31 Triennial audits: general requirements.

At least once every three years, an SSOA must conduct a complete audit of an RTA's compliance with its Public Transportation Agency Safety Plan. Alternatively, an SSOA may conduct the audit on an on-going basis over the three-year timeframe. At the conclusion of the three-year audit cycle, the SSOA shall issue a report with findings and recommendations arising from the audit, which must include, at minimum, an analysis of the effectiveness of the Public Transportation Agency Safety Plan, recommendations for improvements, and a corrective action plan, if necessary or appropriate. The RTA must be given an opportunity to comment on the findings and recommendations.

Audit Procedures

In addition to on-going inspections, investigations, and examinations of RTA safety implementation procedures, the SSOA will conduct an on-site audit of the RTA's implementation of its safety program at least once during each three-year cycle. The SSOA and RTA may agree that the SSOA will conduct its audit on an ongoing basis over the three-year cycle. The three-year audit will be a comprehensive review and evaluation of the effectiveness of the RTA Safety Plan and other standard operating procedures.

In anticipation of a three-year audit of the RTA Safety Program, the SSOA will establish an audit team and audit schedule; develop audit checklists for use during the audit; provide the RTA with written notification of the audit schedule 60 days in advance; and offer the RTA an opportunity to schedule a pre-audit meeting to ensure clarity of the SSOA audit objectives. The SSOA will provide the RTA with the list of team members and audit checklists 30 days in advance of the audit.

The audit is intended to be an open and collaborative process with the RTA with the primary goal of improving safety procedures documentation and implementation at the RTA.

Audit Findings

A list of audit findings will be incorporated into an audit tracking matrix. The matrix will provide the findings and any comments developed by the SSOA necessary to clarify the intent of the finding. The matrix will be used to track any findings to resolution.

Audit Report

At the conclusion of the three-year audit cycle, the SSOA will issue a report with findings and recommendations for improvements (including recommended CAPs) to the RTA Safety Plan or other documentation related to the effectiveness of the RTA Safety Plan and safe operations of the RFGPTS. The SSOA will issue a draft report within 60 days of the audit. The RTA will have 30 days to comment on the content of the draft report, including the findings and recommendations for improvement. The SSOA will respond to those comments within 15 days. If the RTA has alternative methods to address the recommendations for improvement provided by the SSOA in the draft audit report, the SSOA will consider those and initiate dialogue as appropriate. The SSOA review team will make revisions, if appropriate to the goals of the audit. The SSOA will then distribute the final audit report to the RTA and FTA. Corrective actions required, as a result of the audit, will be managed through the corrective actions process.

Section 8: Notification of Accidents

49 CFR Part 674.33 Notifications of accidents.

(a) Two-hour notification. In addition to the requirements for accident notification set forth in an SSO program

standard, an RTA must notify both the SSOA and the FTA within two hours of any accident occurring on a rail fixed guideway public transportation system. The criteria and thresholds for accident notification and reporting are defined in a reporting manual developed for the electronic reporting system specified by FTA as required in § 674.39(b), and in appendix A.

(b) FRA notification. In any instance in which an RTA must notify the FRA of an accident as defined by 49 CFR 225.5 (i.e., shared use of the general railroad system trackage or corridors), the RTA must also notify the SSOA and FTA of the accident within the same time frame as required by the FRA.

Requirements

The SSOA requires the RTA to report the following accidents (*reportable accident*):

- A fatality at the scene, or where an individual is confirmed dead within 30 calendar days of a transit-related incident
- Injuries requiring immediate medical attention away from the scene for two or more individuals
- Property damage to RTA vehicles, non-RTA vehicles, other RTA property or facilities, and non-RTA property that equals or exceeds \$25,000
- An evacuation due to life safety reasons
- A collision at a grade crossing
- A derailment at any location
- A collision with an individual on a RTA right of way
- A collision between a RTA vehicle and a second RTA vehicle or an RTA non-revenue vehicle
- A near-miss of a collision or derailment
- Runaway train
- Red signal violations
- Signal failures
- Significant arcing/electrical equipment malfunction or failure
- Reportable injuries/accidents as described below

In any instance in which the RTA is required to notify the FRA of an accident as defined by 49 CFR 225.5 (i.e., shared use of the general railroad system trackage or corridors), the RTA must also notify the SSOA and FTA of the accident within the same time frame as required by the FRA.

Methodology and Content

Two-Hour Notification

The RTA shall notify the SSOA and FTA within two (2) hours of a *reportable accident*. Notification shall be via email (or if unavailable, via telephone with follow-up email) or other electronic notification method defined by the SSOA. (Schedule A of 49 CFR Part 674, an example of the 2-hour notification email template and an accident tracking log example are found in the Appendix.)

The two-hour notification will contain the following information:

- Sender/Caller name
- Transit system name
- Type of accident (e.g., which accident criteria prompted the accident report to the SSOA)
- Time and date of the accident
- The location of the accident
- Transit vehicle identifying information, including route, direction, vehicle number, block number, etc.
- Information about any other vehicles involved

- Number of injuries (persons requiring immediate medical attention away from the scene)
- Number of fatalities
- Estimated property damage, if available
- A brief description of the accident
- A description of accident investigation activities completed and anticipated in the shortterm
- Preliminary determination of accident cause, if available
- NTSB determination, if available

Section 9: Investigations

49 CFR Part 674.35 Investigations.

(a) An SSOA must investigate or require an investigation of any accident and is ultimately responsible for the sufficiency and thoroughness of all investigations, whether conducted by the SSOA or RTA. If an SSOA requires an RTA to investigate an accident, the SSOA must conduct an independent review of the RTA's findings of causation. In any instance in which an RTA is conducting its own internal investigation of the accident or incident, the SSOA and the RTA must coordinate their investigations in accordance with the SSO program standard and any agreements in effect.

(b) Within a reasonable time, an SSOA must issue a written report on its investigation of an accident or review of an RTA's accident investigation in accordance with the reporting requirements established by the SSOA. The report must describe the investigation activities; identify the factors that caused or contributed to the accident; and set forth a corrective action plan, as necessary or appropriate. The SSOA must formally adopt the report of an accident and transmit that report to the RTA for review and concurrence. If the RTA does not concur with an SSOA's report, the SSOA may allow the RTA to submit a written dissent from the report, which may be included in the report, at the discretion of the SSOA.

(c) All personnel and contractors that conduct investigations on behalf of an SSOA must be trained to perform their functions in accordance with the Public Transportation Safety Certification Training Program.

(d) The Administrator may conduct an independent investigation of any accident or an independent review of an SSOA's or an RTA's findings of causation of an accident.

49 CFR Part 674.25(d) *An SSOA has primary responsibility for the investigation of an accident on a rail fixed guideway public transportation system. This responsibility does not preclude the Administrator from exercising his or her authority under 49 U.S.C. 5329(f) or 49 U.S.C. 5330.*

49 CFR Part 674.25(e) *An SSOA may enter into an agreement with a contractor for assistance in overseeing accident investigations; performing independent accident investigations; and reviewing incidents and occurrences; and for expertise the SSOA does not have within its own organization.*

49 CFR Part 674.25(f) *All personnel and contractors employed by an SSOA must comply with the requirements of the Public Transportation Safety Certification Training Program as applicable.*

The SSOA must investigate or require an investigation of any *reportable accident* and is ultimately responsible for the sufficiency and thoroughness of all investigation reports, whether conducted by the SSOA, the RTA, or a third party. Investigations can be conducted by the SSOA, be delegated to the RTA by the SSOA, or conducted jointly by the SSOA and RTA.

RTA Investigations

In most cases, the SSOA requires the RTA to investigate their own accidents and the SSOA will conduct an independent review of the RTA's findings of causation. Investigations may also be appropriate for other incidents

or occurrences. When conducting an investigation on behalf of the SSOA, investigations are performed in accordance with investigation procedures developed by the RTA and approved by the SSOA. The RTA will maintain investigation procedures that meet or exceed all rules, guidance or industry standards associated with investigation procedures, including this SSOPS. Investigation procedures will be reviewed annually by the RTA against industry standards and updated as appropriate and necessary.

During investigations conducted by the RTA, the SSOA will provide any technical assistance or guidance requested by the RTA in support of the investigation.

The SSOA will conduct an independent review of the RTA's findings of causation. The review will compare the accident investigation report to the procedures outlined in the Standard Operating Procedures (SOPs). Any differences between the formal investigation report and the SOPs should be noted in the findings of causation. If these differences are noted, the SSOA will approve the findings of causation. If discrepancies are not included in the findings of causation, the SSOA will not approve them. Upon completion of their review the SSOA will provide written guidance to the RTA. This guidance will confirm whether the findings have been approved.

SSOA Investigations

If the SSOA determines that it will conduct its own investigation, the SSOA will inform the RTA of its decision to conduct or participate in an investigation, will use investigation personnel other than those employed or utilized by the RTA, and will use the RTA's approved investigation procedures. The SSOA investigation personnel will have the proper investigation training and expertise as outlined in the Public Transportation Certification Training Program.

The RTA will be provided with a list of SSOA investigation team members. The SSOA investigation team will arrive at the RTA as soon as practicable. The SSOA investigation team will wait until the RTA and/or other emergency response personnel have secured the scene before commencing its investigation. The SSOA reserves the right to request that the RTA preserve the scene to the maximum extent feasible until arrival and start of the investigation.

All SSOA investigation personnel will be granted authority to access records, materials, data, analysis, and other information which is pertinent to the investigation. The RTA is expected to provide the SSOA investigation team with the resources and information necessary to conduct the investigation in an effective and efficient manner.

Joint Investigations

The SSOA may request joint participation in an investigation. In such cases, the RTA will cooperate to the extent practicable in preserving the scene until the SSOA investigation team members arrive.

The SSOA investigation team will observe or participate in field analysis, operational surveys, interviews, record checks, data analysis, and other on-site and off-site tasks that may be necessary for a comprehensive investigation.

The SSOA investigation team will observe or participate in assessing physical evidence of the scene and document the environmental and physical factors of the scene through measurements, diagrams, and photographs.

As part of the investigation, the SSOA investigation team will observe or participate in assessing compliance with operating rules and procedures; conducting follow up interviews (if required); analyzing employee records and the results of post-accident drug and alcohol tests; and conducting vehicle and equipment inspections.

If the SSOA investigation team requires information or analysis which is not readily available, or which may require additional resources by the RTA, it will request this information or analysis in a written request to the RTA.

National Transportation Safety Board (NTSB) Investigations

In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB, the SSOA will participate in the investigation and will evaluate whether the findings or recommendations by the NTSB require a CAP development by the RTA, and if so, the SSOA will order the RTA to develop and carry out the CAP.

Reporting

All required accident investigations will result in a formal investigation report. Accident reports will describe the investigation activities; identify the factors that caused or contributed to the accident; and set forth a CAP, as necessary or appropriate. The SSOA will accept RTA accident investigation reports without explicit CAPs when existing CAPs address the causes identified in the accident and are clearly delineated in the final report. This occurs most often in conjunction with rules compliance or mixed traffic operating issues.

Final Accident Report Content

All final accident reports produced by the RTA for the ARDOT SSO must contain, at a minimum, the following information:

1. Event description
2. Notifications
3. Incident response and command
4. Precipitating event(s)
5. Immediate corrective actions/mitigation strategies
6. Operator/employee status, if applicable
 - i. Fatigue
 - ii. Training
 - iii. Post-accident testing
7. Investigation records
 - i. Employee/operator report, if applicable
 - ii. Responding supervisor report
 - iii. Field sketch
 - iv. Photographs
 - v. Post-accident hazard assessment
 - vi. Data analysis
 - vii. Causal and contributory factors; mitigating factors If applicable
 - viii. Findings
 - ix. Related CAPs

The SSOA may request any additional information about a particular accident to help identify accident or safety related trends.

The SSOA will review this report and within 30 calendar days approves it or requests changes. If the SSOA approves the report, it asks the RTA to finalize it. If the SSOA requests changes to the report, the RTA will develop and submit the revised report. In the very rare case that the RTA and the SSOA disagree about the changes and cannot come to a resolution, the SSOA may use the RTA's original report with the SSOA addenda or additional investigation as needed to fulfill the accident investigation.

In most cases, the RTA will conduct investigations of their own accidents and will be required to produce a final accident investigation report within 30 days of the accident, unless delayed by circumstances (e.g. unresolved

medical reports) or missing information (e.g. incomplete police reports). The RTA will provide a report indicating the status of the investigation including any significant new reports or report components, and any preliminary investigation conclusions by the 10th of the month until the investigation is completed and adopted by the SSOA. The SSOA maintains an independent ongoing tracking log (excel spreadsheet) of reportable accident investigations and meets at least monthly prior to the 10th of the month with the RTA to review the status of each report.

Upon submission of a final accident investigation report by the RTA, the SSOA will conduct an independent review of the findings of causation and either provide acceptance and adoption of the report in a timely manner or ask for additional information or analysis. In cases where the SSOA does not believe that adequate investigation into the cause of an accident has been performed, it may conduct its own investigation.

In cases where the SSOA decides to conduct its own investigation, the SSOA will produce an accident investigation report within 30 days of the accident, unless delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports).

The final accident report will be provided to the RTA for review and concurrence. If the RTA does not concur with the SSOA's report, the RTA may submit a written dissent of the report, which the SSOA may include in the final report.

In cases where the SSOA and RTA conduct a joint accident investigation, both agencies will collaborate on investigation, analysis, and determination of causal or contributing factors. Both agencies will also collaborate on developing the final accident investigation report. Upon completion, the SSOA will adopt the final report.

In special circumstances, the FTA may conduct an independent investigation of an accident or review the findings of causation contained in an accident report. The SSOA and RTA will cooperate, to the extent practicable, with the FTA's investigation and provide support for findings and recommendations.

Other Incidents that Warrant Investigation

In certain cases, the SSOA or the RTA may determine that a formal investigation is necessary for events occurring at the RTA, even though such events may not meet the SSOA's accident reporting or other regulatory criteria. These events may include hazards, significant operational incidents, significant failures of SMS, and other events that might, under other circumstances, lead to significant adverse events. The RTA will use its established investigation procedures and comply with all SSOA requirements and requests for participation for such an investigation.

If the SSOA determines that an investigation of this nature is necessary, it notifies the RTA as soon as possible. The SSOA may modify its required deadlines due to the nature of a particular hazard or condition.

Section 10: Confidentiality of Information

49 CFR Part 674.23 Confidentiality of information.

(a) A State, an SSOA, or an RTA may withhold an investigation report prepared or adopted in accordance with these regulations from being admitted as evidence or used in a civil action for damages resulting from a matter mentioned in the report.

(b) This part does not require public availability of any data, information, or procedures pertaining to the security of a rail fixed guideway public transportation system or its passenger operations.

The Arkansas Freedom of Information Act (FOIA) was established in 1967 and is one of the most comprehensive and strongest open-records and open-meetings laws in the country. Anyone can request public records and no

purpose is required. There are no restrictions on what can be done with the public documents once a records requester has them in hand. The custodian of the records must respond to requests within three business days.

The SSOA cannot legally protect the confidentiality of accident investigation reports from discovery except under the exemptions listed below or when the report contains sensitive security information. *Exemptions: state tax records, medical/adoption/education records, archaeological and historical information, grand jury minutes, unpublished drafts of judicial opinions, undisclosed police investigations, information that would create unfair competition, identities of undercover law enforcement, computer security information, home addresses of non-elected employees, license examinations, military service discharge information, or records relevant to the security of public infrastructure.*

The SSOA will handle all reportable information in accordance with all federal and state laws.

Section 11: Corrective Action Plans

49 CFR Part 674.37 *Corrective action plans.*

(a) In any instance in which an RTA must develop and carry out a CAP, the SSOA must review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given timely notification, and the SSOA provides subsequent review and approval. A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions. The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA may monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

(b) In any instance in which a safety event on the RTA's rail fixed guideway public transportation system is the subject of an investigation by the NTSB, the SSOA must evaluate whether the findings or recommendations by the NTSB require a CAP by the RTA, and if so, the SSOA must order the RTA to develop and carry out a CAP.

The SSOA's primary concern is the safety of the travelling public using a RFGPTS. CAPs are an integral part of ensuring safety. The SSOA will work with the RTA to ensure that corrective actions are implemented in a timely fashion and corrective actions are commensurate to the severity of the potential safety related hazard.

Development

CAPs may be identified and developed through a number of processes and procedures including: accident investigation reports developed by the RTA, SSOA, FTA or NTSB; internal safety audits conducted by the RTA; three-year audits conducted by the SSOA or FTA; or the RTA Hazard Management Program. CAPs may be identified by other activities as well and may be initiated by the RTA or required by the SSOA.

In any instance where the RTA must develop and carry out a CAP, the SSOA will review and approve the CAP before the RTA carries out the plan; however, an exception may be made for immediate or emergency corrective actions that must be taken to ensure immediate safety, provided that the SSOA has been given notification by email within 5 days, and the SSOA provides subsequent review and approval by email within 7 days.

A CAP must describe, specifically, the actions the RTA will take to minimize, control, correct, or eliminate the risks and hazards identified by the CAP, the schedule for taking those actions, and the individuals responsible for taking those actions.

Corrective Action Plan Required Components

The CAP must include the following minimum information:

- Identified hazard or deficiency
- Date corrective action plan was opened
- Process, plan or mechanism to address and resolve deficiency
- Deadline for implementation of corrective action
- Department(s) and person(s) responsible for implementation

The SSOA requires all information be entered into the dated CAP log and submitted to the SSOA.

The SSOA will notify the RTA in writing of its approval or rejection of a CAP within 15 calendar days of receiving the CAP. In the event the SSOA rejects a CAP, the reasons and recommended revisions will be stated in writing. The RTA shall submit a revised CAP to the SSOA no later than 15 calendar days following the rejection.

If the RTA does not agree with the proposed revisions, the SSOA and RTA shall meet to resolve differences regarding the CAP.

In any instance in which a safety event on the RTA's RFGPTS is the subject of an investigation by the NTSB, the SSOA will evaluate whether the findings or recommendations by the NTSB require CAP development by the RTA, and if so, the SSOA will order the RTA to develop and carry out the CAP.

Tracking

The RTA must periodically report to the SSOA on its progress in carrying out the CAP. The SSOA will monitor the RTA's progress in carrying out the CAP through unannounced, on-site inspections, or any other means the SSOA deems necessary or appropriate.

CAPs shall be tracked by using the following naming convention. Each CAP name shall begin with: YYYY-##. The first CAP for a year shall be 01 and the numbers shall increase one-by-one through the year. The following year, the numbers shall begin again at 01. CAPs shall be entered into the RTA CAP log upon creation and remain on the log the entire calendar year even after closure. CAP progress is tracked during monthly meetings.

Corrective Action Plan Schedule and Format

The RTA must submit current CAP logs to the SSOA at least every thirty (30) days. If there has been no activity during the 30-day reporting period, the RTA may notify the SSOA via letter, memo, or email that the last CAP log remains the most current.

Electronic CAP log submissions are preferred. The RTA ensures transmission of the document to the SSOA via electronic mail at an address agreed to by the SSOA. The SSOA reviews the CAP logs independently and may review select CAP items with the RTA during regularly scheduled meetings. (A CAP log example is included in the Appendix.)

Closure

Implementation of CAPs may require timeline adjustments. The SSOA should be informed of any implementation schedule changes and review the reasons for those changes.

CAPs will be acknowledged as closed by the SSOA once supporting documentation is provided by the RTA and review and/or inspection is conducted by the SSOA. The SSOA will provide the RTA with timely written acceptance of a CAP closure.

Internal Conflicts

Internal conflicts between the RTA and SSOA during the CAP process will adhere to the same process outlined in Section 1: State Safety Oversight Agency Role.

In the event of a conflict between the RTA and SSOA both parties will work together to reach an amicable agreement. The RTA will provide a written notice to the SSOA, acknowledging the conflict. At a minimum, the notice shall include:

- Identification of the specific incidents, documents, or sections thereof taken issue with,
- RTA findings or recommendations regarding the problem (if applicable),
- Preferred action plan for resolution (if applicable).

The SSOA must respond to this notice within 15 days unless a different schedule is otherwise agreed upon. If a consensus cannot be reached a third-party arbiter will be engaged to bring about a conclusion.

Section 12: Annual Reporting to FTA

49 CFR Part 674.39 State Safety Oversight Agency annual reporting to FTA.

(a) On or before March 15th of each year, an SSOA must submit the following material to FTA:

(1) The SSO program standard adopted in accordance with § 674.27, with an indication of any changes to the SSO program standard during the preceding twelve months;

(2) Evidence that each of its employees and contractors has completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;

(3) A publicly available report that summarizes its oversight activities for the preceding twelve months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions, changes to Public Transportation Agency Safety Plans, and the level of effort by the SSOA in carrying out its oversight activities;

(4) A summary of the triennial audits completed during the preceding twelve months, and the RTAs' progress in carrying out CAPs arising from triennial audits conducted in accordance with § 674.31;

(5) Evidence that the SSOA has reviewed and approved any changes to the Public Transportation Agency Safety Plans during the preceding twelve months; and

(6) A certification that the SSOA is in compliance with the requirements of this part.

(b) These materials must be submitted electronically through a reporting system specified by FTA.

SSOA Reporting Requirements

On or before March 15th of each year, the SSOA will submit the following material to the Arkansas Governor's Office, the Arkansas State Highway Commission, the RTA Board of Commissioners, and the FTA (submitted electronically through the State Safety Oversight Reporting (SSOR) Tool: (1)

The SSOPS and the accompanying Procedures Manual, with an indication of any changes to those documents during the preceding twelve months; (2) Evidence that each of its employees and contractors has completed the requirements of the Public Transportation Safety Certification Training Program, or, if in progress, the anticipated completion date of the training;

(3) A publicly available report that summarizes its oversight activities for the preceding twelve months, describes the causal factors of accidents identified through investigation, and identifies the status of corrective actions,

changes to the RTA Safety Plan, and the level of effort by the SSOA in carrying out its oversight activities; (4) A summary of the triennial audits completed during the preceding twelve months, and the RTAs' progress in carrying out CAPs arising from triennial audits (if conducted); (5) Evidence that the SSOA has reviewed and approved any changes to the RTA Safety Plans during the preceding twelve months; and (6) A certification that the SSOA is in compliance with the requirements 49 CFR Part 674.

RTA Reporting Requirements

On or before February 1ST of each year, the RTA will submit the following material in a report to the SSOA: (1) The Safety Plan, with an indication of any changes to that document during the preceding twelve months; (2) A report on all internal safety audits performed during the preceding calendar year to include, a listing of the internal safety audits conducted the previous calendar year, an updated schedule for audits that will be conducted in the current three-year cycle, and a status of all findings, recommendations and corrective actions resulting from the audits conducted the previous calendar year; (3) A report listing all reportable accidents and unacceptable hazards identified during the previous 12 month period that describes any causal factors identified through investigation, and identifies the status of corrective actions; (4) A certification that the RTA is in compliance with this SSOPS and any federal rules applicable to their Safety Plan.

Appendix

49 CFR Part 674 – Appendix A

Appendix to Part 674—Notification and Reporting of Accidents, Incidents, and Occurrences

Event/Threshold	Human Factors	Property Damage	Types of Events (Examples)	Actions
Accident: RTA to Notify SSOA and FTA within two hours	<ul style="list-style-type: none"> - Fatality (occurring at the scene or within 30 days following the accident) - One or more persons suffering serious injury 	<ul style="list-style-type: none"> - Property damage resulting from a collision involving a rail transit vehicle; or any derailment of a rail transit vehicle 	<ul style="list-style-type: none"> - A collision between a rail transit vehicle and another rail transit vehicle - A collision at a grade crossing resulting in serious injury or fatality - A collision with a person resulting in serious injury or fatality - A collision with an object resulting in serious injury or fatality - A runaway train - Evacuation due to life safety reasons - A derailment (mainline or yard) - Fires resulting in a serious injury or fatality 	<ul style="list-style-type: none"> - RTA to notify SSOA and FTA within 2 hours; Investigation required - RTA to report to FTA within 30 days via NTD - RTA to record for SMS Analysis
Incident: RTA to Report to FTA (NTD) within 30 days	<ul style="list-style-type: none"> - A personal injury that is not a serious injury - One or more injuries requiring medical transportation away from the event 	<ul style="list-style-type: none"> - Non-collision-related damage to equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency 	<ul style="list-style-type: none"> - Evacuation of a train into the right-of-way or onto adjacent track; or customer self-evacuation - Certain low-speed collisions involving a rail transit vehicle that result in a non-serious injury or property damage - Damage to catenary or third-rail equipment that disrupts transit operations. - Fires that result in a non-serious injury or property damage - A train stopping due to an obstruction in the tracks/"hard stops" - Most hazardous material spills 	<ul style="list-style-type: none"> - RTA to report to FTA within 30 days via the NTD - RTA to record for SMS Analysis
Occurrence: RTA to record data and make available for SSO and/or FTA review	<ul style="list-style-type: none"> - No personal injury 	<ul style="list-style-type: none"> - Non-collision-related damage to equipment, rolling stock, or infrastructure that does not disrupt the operations of a transit agency 	<ul style="list-style-type: none"> - Close Calls/Near Misses - Safety rule violations - Violations of safety policies - Damage to catenary or third-rail equipment that do not disrupt operations - Vandalism or theft 	<ul style="list-style-type: none"> - RTA will collect, track and analyze data on Occurrences to reduce the likelihood of recurrence and inform the practice of SMS

Example 2-hour Notification Email Template

Sender (Caller) name	
Transit system name	
Time and date of the accident	
Streetcar number & end	
Line & direction	
Nearest intersection - location	
Type of accident	
Operator name & badge #	
Information about any other vehicles involved	
Number of injuries (persons requiring immediate medical attention away from the scene)	
Number of fatalities	
Damages, if available	
A brief description of the accident	
A description of accident investigation activities completed and anticipated in the short term	
Preliminary determination of accident cause, if available	
NTSB determination, if available	

Accident Tracking Log Example

Unique ID	Date	Time	Event Type	Collision With	Event Location	2-Hr Notification	Fatalities	Injuries Transported	Est. Property Damage	Investigation By	Information Pending	Adopted by SSOA	Date Adopted	Probable Cause	Tow Required?	Comments	CAP Required?	Unacceptable Hazard?	Additional Comments	

CAP Log Example

CAP ID	Title	Date CAP Opened	CAP Source	Finding	Corrective Action	Current Status	Responsible Party	Date Due	Actual Closure Date	Comments

Hazard Log Example

HAZARD DESCRIPTION		HAZARD CAUSE/EFFECT		HAZARD RISK INDEX		HAZARD RESOLUTION / CAPS					
ID Number	Hazard Description	Potential Cause	Potential Effect on System/ Subsystem	Initial Assessment	Final Assessment	Recommendations/ Controlling Measures	Person/Department Responsible	Proposed Completion Date	Status	CAP Req'd	SSO Notice Req'd

Program Standard Rule Compliance Checklist

An SSO Program has 3 primary responsibilities. These responsibilities are in simplest terms to:

1. Issue and Maintain a Program Standard,
2. Review and approve the Agency Safety Plan (ASP) of any Rail Fixed Guideway Public Transportation System (RFGPTS) within the jurisdiction of the SSO, and
3. Review the RFGPTS' Implementation of the ASP.

Each of the above primary responsibilities contain components and requirements as listed in the following 3 checklists. The fourth section in this document contains additional resources for SSO programs.

§ 674.27 [State Safety Oversight Program Standards.](#)

Program Standard General Requirements	Y/N	How	Page Number
Statement acknowledging State's responsibility for overseeing the safety of the rail fixed guideway (statement of liability)	Y	Notes the Arkansas Department of Transportation (ARDOT) as the SSOA SSOPM acknowledges State's responsibility	Program Standard – 1 Procedure Manual - i
Is the SSO program standard consistent with the National Public Transportation Safety Plan and the rules for Public Transportation Agency Safety Plans? (49 U.S.C. 5329(e))	Y		Program Standard – 3
Does the SSO program standard identify the processes and procedures that govern the activities of the SSOA ?	Y	Program Standard includes a section on policies that govern SSOA activities.	Program Standard – 2
Does the SSO program standard identify the processes and procedures an RTA must have in place to comply with the standard?	Y	Program Standard identifies the federal legislation. The Procedure Manual includes a table of documentation for RTA standards and an RTA Safety Plan.	Program Standard – 1-2 Procedure Manual – 5-6
Does the program standard describe the annual review and update process for the program standard?	Y	The Program Standard includes the review procedures and deadlines for review.	Program Standard – 1-3

At least once a year an [SSOA](#) must submit its SSO program standard and any referenced program procedures to [FTA](#), with an indication of any revisions made to the program standard since the last annual submittal. [FTA](#) will evaluate the [SSOA](#)'s program standard as part of its continuous evaluation of the [State](#) Safety Oversight Program, and in preparing [FTA](#)'s report to Congress on the certification status of that [State](#) Safety Oversight Program, in accordance with [49 U.S.C. 5329](#).

Program Management.

Description of Program Management Requirements	Y/N	How	Page Number
Does the program standard explain the authority of the SSOA to oversee the safety of rail fixed guideway public transportation systems?	Y	Amendment 42 of the Constitution of Arkansas.	Program Standard – 1

Description of Program Management Requirements	Y/N	How	Page Number
Does the program standard explain the policies that govern the activities of the SSOA ?	Y	Provides overview of policies.	Program Standard – 2
Does the program standard explain the reporting requirements that govern both the SSOA and the rail fixed guideway public transportation systems?	Y	Provides list of procedures, with an annual due date, for reporting requirements.	Program Standard – 2
Does the program standard explain the steps the SSOA will take to ensure open, on-going communication between the SSOA and every rail fixed guideway public transportation system within its oversight?	Y	Monthly meetings, participation in safety related trainings, on-site inspections, and data collection.	Program Standard – 3

Program Standard Development.

Description of Program Standard Development Requirements	Y/N	How	Page Number
Does the program standard explain the SSOA 's process for developing, reviewing, adopting, and revising its minimum standards for safety?	Y	Sections 1 and 2 indicate the revision process for the Program Standard and Manual. This includes information pertaining to the Minimum Safety Standards.	Program Standard – 1-3
Does the program standard explain the process for distributing those standards to the rail fixed guideway public transportation systems?	Y	On or before March 15 th of each year.	Program Standard – 2-3 Procedure Manual - 6

Program Policy and Objectives.

Description of Policy and Objectives Requirements	Y/N	How	Page Number
Does the program standard set an explicit policy and objectives for safety in rail fixed guideway public transportation throughout the State ?	Y	Specific objectives listed in the Procedures Manual.	Procedure Manual – 1

Oversight of Rail Public Transportation Agency Safety Plans and Transit Agencies' Internal Safety Reviews.

Description of Oversight Requirements	Y/N	How	Page Number
Does the program standard explain the role of the SSOA in overseeing an RTA 's execution of its Public Transportation Agency Safety Plan ?	Y	See Section 3: Program Policy and Objectives.	Program Standard – 4
Does the program standard explain any related safety reviews of the RTA 's fixed guideway public transportation system?	Y	Escalation Process	Program Standard – 4-5
Does the program standard describe the process whereby the SSOA will receive and evaluate all material submitted under the signature of an RTA 's accountable executive ?	Y	Written notice and reasonable timeline.	Program Standard – 5-6
Does the program standard establish a procedure whereby an RTA will notify the SSOA before the RTA conducts an internal review of any aspect of the safety of its rail fixed guideway public transportation system ?	Y	Must notify SSOA at least 30 days ahead of any internal audit.	Program Standard – 6

Triennial SSOA audits of Rail Public Transportation Agency Safety Plans.

Description of Triennial Processes	Y/N	How	Page Number
Does the program standard explain the process the SSOA will follow and the criteria the SSOA will apply in conducting a complete audit of the RTA 's compliance with its Public Transportation Agency Safety Plan at least once every three years, in accordance with 49 U.S.C. 5329 ?	Y	See Section 5: Triennial SSOA Audits.	Program Standard – 6-7
Alternatively, the SSOA and RTA may agree that the SSOA will conduct its audit on an on-going basis over the three-year timeframe. <i>If this is the case, is it clearly described?</i>	Y	Includes a statement confirming the audit may occur on an on-going basis.	Program Standard – 6
Does the program standard establish a procedure the SSOA and RTA will follow to manage findings and recommendations arising from the triennial audit?	Y	Audit findings will be incorporated into an audit tracking matrix to help find resolutions.	Program Standard – 6

Accident Notification.

Description of Accident Notification Requirements	Y/N	How	Page Number
Does the program standard establish requirements for an RTA to notify the SSOA of accidents on the RTA 's rail fixed guideway public transportation system ?	Y	Lists criteria for reportable accidents	Program Standard – 9
Do these requirements address, specifically, the time limits for notification, methods of notification, and the nature of the information the RTA must submit to the SSOA ?	Y	Provides a timeframe, 2hrs, and a list of required details	Program Standard – 9

Investigations.

Description of Investigation Procedures	Y/N	How	Page Number
Does the program standard identify thresholds for accidents that require the RTA to conduct an investigation ?	Y	Any reportable accidents require an investigation	Program Standard – 8
Does the program standard address how the SSOA will oversee an RTA 's internal investigation ?	Y	Investigation procedures drafted by the RTA and approved by the SSOA	Program Standard – 9
Does the program standard address the role of the SSOA in supporting any investigation conducted or findings and recommendations made by the NTSB or FTA ?	Y	The SSOA is ultimately responsible for the sufficiency and thoroughness of all investigation reports, whether conducted by the SSOA, the RTA, or a third party. The SSOA will review any findings from an NTSB investigation and, after evaluation, will order the RTA to develop and carry out the CAP. Procedures Manual notes the process by which the	Program Standard – 8-11 Procedures Manual - 21

Description of Investigation Procedures	Y/N	How	Page Number
		SSOA will approve the RTA's Findings of Causation	
Does the program standard address procedures for protecting the confidentiality of the investigation reports?	Y	See Records Confidentiality under Section 7: Investigations.	Program Standard – 11

Corrective Actions.

Description of Corrective Action Procedures	Y/N	How	Page Number
Does the program standard explain the process and criteria by which the SSOA may order an RTA to develop and carry out a Corrective Action Plan (CAP)?	Y	The SSOA will communicate the need to develop the CAP to the RTA. The SSOA will also review, approve, and ask for revisions as necessary.	Program Standard – 12-13
Does the program standard explain the procedure for the SSOA to review and approve a CAP?	Y	See Section 8: Corrective Action Plans.	Program Standard – 12
Does the program standard explain the SSOA 's policy and practice for tracking and verifying an RTA 's compliance with the CAP?	Y	See Section 8: Corrective Action Plans, subsection: Tracking.	Program Standard – 12
Does the program standard explain the SSOA 's policy and practice for managing any conflicts between the SSOA and RTA relating either to the development or execution of the CAP or the findings of an investigation ?	Y		Procedure Manual – 28
Does the SSOA submit its SSO Standards at least once a year?	Y		Program Standard – 13

§ 673.13, and §674.25 SSOA Review of RFGPTS' ASP

ASP Review Process	Y/N	How	Page Number
Does the SSO review and approve the ASP (§674.25(b))?	Y	ASP Review process described in Program Standard. ASP requirements listed in Procedures Manual.	Program Standard – 5 Procedure Manual – 14
Does the SSO ensure that that the ASP meets the requirements at 49 U.S.C. 5329(d)(§674.25(b))?	Y	Current federal rule is noted as a requirement during plan review.	Program Standard – 5
Does the SSO evaluate whether the ASP is consistent with all applicable regulations and the National Public Transportation Safety Plan, and complies with the Program Standard (§674.29(a))?	Y	The Program Standard notes the SSOA will review the document for compliance with any federal rules that specifically address RTA Safety Plans.	Program Standard – 5
Does the SSO determine whether the ASP is approved by the RTA's board of directors or equivalent entity?	Y	The ASP must be approved by the RTA Board of Commissioners	Program Standard – 5

ASP Review Process	Y/N	How	Page Number
		and signed by a designee of the board.	
Does the SSO determine whether the ASP sets forth a sufficiently explicit process for safety risk management?	Y	Both the Program Standard and Manual refer to the SSOA's review of the RTA's plans to mitigate risks.	Program Standard – 5
Does the SSO determine whether the ASP SRM processes include adequate means of risk management?	Y	Both the Program Standard and Manual refer to the SSOA's review of the RTA's plans to mitigate risks.	Program Standard – 5
Does the SSO determine whether the ASP includes a process and timeline for an annual ASP review and update?	Y	The Procedures Manual highlights the SSO's role in the annual ASP review.	Procedure Manual – 9-15
Does the SSO determine whether the ASP includes a comprehensive staff training program for operations personnel directly responsible for RTA safety?	Y	Steps addressed during the annual PTASP review.	Procedure Manual – 15
Does the SSO determine whether the ASP identifies an adequately trained safety officer who reports directly to the Accountable Executive?	Y	Steps addressed during the annual PTASP review.	Procedure Manual – 15
Does the SSO review the ASP to ensure it includes adequate methods for the CSO to execute the ASP?	Y	Steps addressed during the annual PTASP review.	Procedure Manual – 15
Does the SSO review the ASP to ensure it sufficiently addresses other Part 673 requirements (§674.29(b))?	Y	The Program Standard notes the SSOA will review the document for compliance with any federal rules that specifically address RTA Safety Plans.	Program Standard – 5

State Safety Oversight Agency Review of RFGPTS' Implementation of the ASP

49 CFR §674.13(a)(6) Frequency and Consistency of Audits:

Description of Policy and Objectives Requirements	Y/N	How	Page Number
Does the SSOA perform an audit every three years for every RFGPTS within its oversight?	Y	See Section 5: Triennial SSOA Audits.	Program Standard – 6 Procedure Manual – 17-18
Do the audits review a RFGPTS' compliance with the public transportation agency safety plan required by 49 U.S.C. 5329(d)?	Y		Program Standard – 4 Procedure Manual – 17
Does the audit process follow the process defined in the program standard?	Y		Program Standard – 6 Procedure Manual – 17-18

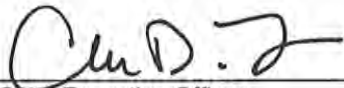
49 CFR §674.31 Contents of and Artifacts from Audits:


Description of Audit Outcome Requirements	Y/N	How	Page Number
At the conclusion of the three-year audit cycle, does the SSOA issue a report with findings and recommendations arising from the audit?	Y	See Section 5: Triennial SSOA Audits, subsection: Audit Report.	Program Standard – 7 Procedure Manual – 18
Does the audit report contain an analysis of the effectiveness of the Public Transportation Agency Safety Plan?	Y	See Section 5: Triennial SSOA Audits, subsection: Audit Report.	Program Standard – 6-7 Procedure Manual – 18
Does the audit report contain recommendations for improvements?	Y	See Section 5: Triennial SSOA Audits, subsection: Audit Report.	Program Standard – 6-7 Procedure Manual – 18
Does the audit report contain corrective action plan(s), if necessary or appropriate?	Y	See Section 5: Triennial SSOA Audits, subsection: Audit Report.	Program Standard – 7 Procedure Manual – 18
Is the RFGPTS given an opportunity to comment on the findings and recommendations?	Y	See Section 5: Triennial SSOA Audits, subsection: Audit Report.	Program Standard – 7 Procedure Manual – 18


Standard Operating Procedures for Accident Investigation



Standard Operating Procedure	SOP: OPS-001	
	Original Date: April 6, 2021	
	Version Number/Revision Date:	Department:
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Procedure for Streetcar Accident Investigations		

APPROVED:  4/13/21
 Chief Executive Officer DATE

APPROVED:  4/13/21
 Chief Operating Officer DATE

APPROVED:  4/6/21
 Chief Safety & Security Officer DATE

I. PURPOSE

To provide guidelines for the investigation of accidents, incidents and other adverse events as required by the Arkansas Department of Transportation (ARDOT) and the Federal Transit Administration (FTA); and in accordance with the requirements of the Rock Region METRO (RRM) Streetcar system.

II. INTRODUCTION

RRM defines an accident for the purpose of application and implementation of this Standard Operating Procedure (SOP) as "an unplanned event involving RRM property, equipment, and/or employees that interrupts the completion of an activity." Although this procedure will use the term "accident" for most activities and procedures described herein, this procedure is used for the investigation of collisions, derailments, employee injuries, reported hazards and unusual occurrences/adverse events meeting the definition in this section, and the use of the term "accident" should not be construed to mean only collisions or any other single type of event or occurrence.

This definition is not meant to supersede nor supplant the definition of accident, derailment, incident, occurrence, hazard or other adverse event per ARDOT or FTA requirements. Those requirements, and the compliance with those requirements, are described later in this procedure to document RRM's adherence to state and federal law.

The Chief Executive Officer (CEO), with the cooperation of the Chief Operating Officer (COO), has ultimate responsibility for ensuring compliance of all RRM employees with this SOP. All investigation reports will be provided to the Executive Safety Committee for review and approval.



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III. REQUIREMENTS

- A. Any Streetcar operations employee, or employees aboard a vehicle in operation, involved in, witnessing or discovering an accident, incident or adverse event must immediately contact the dispatcher or their immediate supervisor via appropriate means to report the circumstances.
- B. Other employees involved in, or witnessing adverse events not aboard a vehicle in operation must immediately contact emergency responders (911), and then notify the dispatcher if safe to do so.
- C. All streetcar employees must complete the proper written reports by the end of their shift for any accident, incident or adverse event for which they have responsibilities under RRM policy and procedure. All employees must also comply with all requirements of this procedure, and promptly and truthfully provide all information or activities requested as part of any RRM investigation.
- D. Investigations are concerned with facts rather than fault. Probable cause(s), contributing factors and mitigating factors must be identified for each event, and where appropriate, identify corrective actions to ensure the prevention of or reduce the recurrence of similar events.
- E. All streetcar employees involved in an adverse event must comply with the following:
 - 1. Do not discuss the accident/incident with anyone except police or RRM investigative personnel with proper identification.
 - 2. Obtain all possible information from other persons involved.
 - 3. Admit no fault.
 - 4. Make no statement about payment of damages.
 - 5. Do not sign anything unless it is legally required by law enforcement agents.

IV. GENERAL INVESTIGATION PROCESS AND PROCEDURES

A. Investigation Process

Due to the technical nature of many RRM systems, a team with a variety of expertise is often required to investigate and document accident causation and analysis.

The following RRM employees involved in the accident/incident investigation processes are trained on the contents of this procedure:

- 1. Chief Safety and Security Officer (CSSO)
- 2. All Operations personnel, including Supervisors and Dispatchers
- 3. All Safety and Security personnel
- 4. Other technical staff deemed necessary by the CSSO



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Select members of the above group will be designated to attend training outside of RRM to be certified and/or remain current in the application of accident investigation techniques, including training through the Transportation Safety Institute (TSI) and FTA.

The Accident Investigation Oversight Team members budget for, coordinate, and ensure attendance of their respective designated personnel at required trainings.

B. Accident Investigation Site Team

The Accident Investigation Site Team consists primarily of Operations Supervisors who are the primary responders to all accidents involving RRM vehicles (bus/rail/paratransit) and property. The Site Team is responsible for conducting the initial assessment of the accident, coordinating with required emergency response, and beginning the notification and investigation processes. The Streetcar Operations Manager must conduct a post-accident hazard analysis at the site of the incident and take immediate appropriate action to mitigate any unacceptable or undesirable hazards.

The Site Team shall fully document all activities, and cooperate fully with the Investigation Oversight Team.

C. Investigation Oversight Team (IOT)

The Investigation Oversight Team consists of the following personnel:

1. Chief Safety & Security Officer, Chair
2. Chief Operating Officer
3. Director of Maintenance
4. Director of Administrative Services

The Investigation Oversight Team is responsible for ensuring all necessary reports and documents are gathered; notifying federal and state agencies when required; initiating any follow-up investigations or interviews; and preparing, writing, and distributing the final, official report. In addition, the Investigation Oversight Team is responsible for ensuring appropriate accident data is entered into the Hazard Management Process. The Investigation Oversight Team is notified and responds to all accidents involving RRM rights-of-way. IOT response does not necessarily mean each individual will physically be on-site; it does mean participation in the conduct and oversight of the investigation process. RRM investigation of streetcar accidents on public streets are at the discretion of the CSSO and/or by request of the Chief Executive Officer or Chief Operating Officer.



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D. Event Reporting and Documentation

As a result of the on-site investigation, many issues may remain in question, unresolved, or to be completed. This is often the case involving accidents and/or those requiring formal reports to the ARDOT State Safety Oversight (SSO) or the National Transportation Safety Board (NTSB). Accidents requiring state or federal reporting criteria are coordinated and prepared by RRM's Investigation Oversight Team. The degree of follow-up documentation will vary from one accident to the next. The following issues may require documentation as determined by accident severity, employee discipline, or routine procedures as follows:

1. **Compliance with Operating Rules/Procedures** – Operator compliance to RRM's rules and procedures can be an issue in all accident investigations. Violations of Arkansas Motor Vehicle Code or any other legal requirement will be at the discretion of law enforcement agencies. The Director of Administrative Services is the liaison with law enforcement, and will make notifications and cooperate with law enforcement investigations where required by law.
2. **Follow-up Interviews** – Accidents involving multiple injuries, large numbers of potential witnesses, or clarification of statements may require follow-up interviews. The CSSO, with assistance from the Risk Manager, if required, is responsible for this action. The IOT may request follow-up interviews and/or conduct them at its discretion.
3. **Employee Records** – Training records certify employee knowledge of rules and procedures. Workday and schedule for the day in question also provide necessary information for the investigation.
4. **Post-Accident Drug & Alcohol Testing** – All employees are post-accident tested as defined by RRM's Drug and Alcohol Policy and associated procedures. The results of such testing are required to be provided to appropriate personnel in the case of NTSB, State and FTA accident. As the chairman of the IOT, the CSSO is provided with all post-accident drug and alcohol test results upon request.
5. **Site & Operating Conditions** – site and operating conditions, to include without limitation lighting, weather, vehicular traffic, etc. will be documented in the final report for accidents.
6. **Vehicle/Equipment Inspections** – All RRM vehicles, assets or equipment involved in an accident will remain in their fixed position or impounded until released by the Investigation Oversight Team. This action is necessary for follow-up investigation/testing, and required for those accidents involving vehicles that meet the threshold for NTSB notification.
7. **Post-Accident Vehicle and Equipment Inspections** – Post-accident inspections will be conducted with all rail/bus equipment when deemed necessary by the Investigation Oversight Team or by Operations, when potential vehicle operational issues are a



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concern. Vehicle maintenance records are provided to the Investigation Oversight Team, and are used for accident analysis and reporting. Other equipment and assets may or may not need to be inspected for assessment; the discretion of the CSSO or the COO will prevail.

8. **Track and Infrastructure Maintenance Records** – Track and infrastructure maintenance records are reviewed, in addition to any outside consultants/vendor analysis reports. Interviews may be held with maintenance personnel. Other maintenance records pertaining to equipment and assets may also be required and reviewed.
9. **Repair Estimates** – Repair estimates on vehicles, assets or equipment involved in the accident are documented in the final report for accidents.
10. **Simulation Tests** – Simulation tests may be conducted when deemed necessary by the Investigation Oversight Team, but only under controlled situations that ensure the safety of personnel and equipment, and using a simulation/reconstruction plan prepared in advance of the tests.

E. Accident Analysis

In preparation for the final report, investigators must use the data collected to determine the probable cause(s), contributing factors and mitigating factors. In addition, investigators must determine if any hazards exist that must be immediately mitigated; if any corrective actions are warranted for the system; and ensure follow-up to closure according to policy and procedure. The analysis is performed to meet the requirements of RRM's Safety Management System as described in its Agency Safety Plan; that is, to ensure that the event is investigated and analyzed as an organizational event, and all system components that may have contributed to the event occurring are identified and addressed appropriately through the risk management process.

The sequence of events for the off-site portion of accident/incident investigations involves:

1. The Chief Operating Officer will ensure all data is provided in a timely manner to the investigation oversight team
2. Assembly/inventory of all available data
3. Analysis of data
4. Documentation of findings and conclusions
5. Determining probable causes and all contributing factors as well as mitigating factors, if any; and assessing the risk associated with each cause and factor
6. Determining appropriate corrective actions to mitigate as far as practical unacceptable and undesirable risk
7. Preparing the Accident Report draft and final versions



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V. SPECIFIC EMPLOYEE PROCEDURES/RESPONSIBILITIES

A. Streetcar Operators

1. Distribute passenger comment cards to individuals on board the streetcar or external bystanders who may have witnessed the accident/incident.
2. Remain on the scene until instructed by dispatcher, supervisor or manager.
3. Provide facts of the event and cooperate fully with investigative personnel.
4. Submit the proper accident/incident information form and written report containing all facts of the incident no later than the end of the scheduled workday.
5. Submit to post-accident testing as required by FTA regulations.

B. Dispatch

1. Immediate Activities

- a. Determine the extent and severity of the accident/incident and injuries to ensure appropriate police, fire, emergency medical and other emergency agencies are dispatched to the scene.
- b. Dispatch at least one Supervisor and first responders (as warranted) to the scene to assist in securing, protecting and investigating the accident/incident.
- c. Initiate Emergency Notifications.
- d. Dispatch streetcar maintenance personnel to inspect and document the condition of any infrastructure elements, including signal pre-emption devices, catenary, switches and track involved or damaged in the accident/incident.
- e. Ensure all streetcar(s), involved are returned to the maintenance facility for a safety and damage inspection as required.
- f. Complete all required documentation before the end of the shift, including any special reports, and submit copies to appropriate RRM personnel.

2. Notification Responsibilities

- a. Dispatch, upon notification from the on-site personnel of the accident classification, will begin the following notifications:

i. Non-Reportable Accident (Class I):

If accident/incident/hazard involves damage, injuries and has not met thresholds for notification and reporting to ARDOT, FTA or NTSB, follow normal standard operating procedures and contact the Safety and Security Department.



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ii. Reportable Accident (Class II):

If accident/incident/hazard involves major damage, injuries and has met notification and reporting thresholds, ARDOT, FTA, and NTSB, as well as internal RRM personnel must be notified.

b. Internal Notifications

In the event of an accident or other unusual circumstances that may result in media coverage, it is absolutely vital that designated management personnel be notified as quickly and efficiently as possible; however, this should not be done until all appropriate emergency response personnel have been contacted. Accordingly, dispatch or an operations manager must notify the following personnel when such incidents occur:

- Chief Executive Officer
- Chief Operating Officer
- Streetcar Operations Manager
- Chief Safety and Security Officer
- Director of Public Engagement

To the extent possible, the following information is provided:

- Specific location and type of event
- Time event occurred
- Route and direction the streetcar was traveling, if applicable
- Extent of injuries and property damage
- RRM and public authorities responding to the scene
- Name of operator involved
- Streetcar number
- Any other relevant information

Dispatch must maintain the RRM logs that identify the date, time, person(s) called or paged, and time calls were returned per Standard Operating Procedures.

c. STATE

Federal and State statutes require ARDOT and FTA be notified by RRM within two (2) hours where one or more of the following occurs associated with the rail transit system:



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1. Fatality occurring at the scene or within 30 days following the accident. In the event of an employee fatality, OSHA must also be notified within eight (8) hours.
2. One or more persons suffering serious injury (Serious injury means any injury which: (a) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (b) results in a fracture of any bone (except simple fractures of fingers, toes, or nose); (c) causes severe hemorrhages, nerve, muscle, or tendon damage; (d) involves any internal organ; or (e) involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface).
3. A collision involving a rail transit vehicle.
4. A runaway train.
5. An evacuation for life safety reasons.
6. Any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

In order to notify the ARDOT SSO of an accident, RRM must telephone or email the SSO on-call representative. If the ARDOT representative is not available, the RRM representative must leave a voicemail message with pertinent accident information and a call-back number, and a follow-up email to the SSO will be provided.

Upon initial report of an accident, the SSO requests information including the following, based on the type of incident:

- Caller/sender name
- Transit system name
- Type of accident (e.g., which accident criteria prompted the report to ARDOT)
- Time and date of the accident
- Location of the accident
- Transit vehicle identifying information, including route, direction, vehicle number, block number, etc.
- Information about any other vehicles involved
- Number of injuries (persons requiring immediate medical attention away from the scene)



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- Number of fatalities
- Estimated property damage, if available
- Brief description of the accident
- Description of accident investigation activities completed and anticipated in the short term
- Preliminary determination of accident cause, if available
- NTSB determination, if available

In accordance with the ARDOT Program Standard, RRM will transmit the Final Report to ARDOT by within 30 days of any safety or security event meeting the reporting thresholds.

d. Federal Transit Administration (FTA)

FTA notification will be provided per FTA requirements, as stipulated by FTA or ARDOT. Contact the U.S. Department of Transportation Crisis Management Center (CMC) within two hours of a reportable accident as described above, by email (recommended method) or phone: CMC-01@dot.gov/202-366-1863.

When providing two-hour notifications, please submit accident information details as specified in the SSO's program standard. The SSO required notifications may include, but are not limited to, a summary of the event and pertinent details such as:

- Number of fatalities
- Number of serious injuries (include type of injury if known)
- Primary and secondary event types (e.g., collision, derailment, fire, tc.)

e. National Transportation Safety Board (NTSB)

RRM notifies the NTSB:

- i. No later than **two (2) hours** after an accident/incident/hazard that results in:
 - A passenger or employee fatality or serious injury to two or more employees or passengers requiring admission to a hospital
 - The evacuation of a passenger train
 - A fatality at a grade crossing



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- ii. No later than **four (4) hours** after an accident/incident/hazard that does not involve any of the circumstances enumerated in paragraph (i) above, but which results in:
 - Damage (based on a preliminary gross estimate) of \$150,000 or more for repairs, or the current replacement cost, to rail transit agency and non-rail transit agency property.
 - Damage of \$25,000 or more to a passenger train, rail transit agency and non-rail transit agency property.

RRM makes notification to the NTSB via telephone at:

National Response Center 24-Hour Number: 1-800-424-0201

3. Special Notifications

Additional notifications may be required if circumstances dictate. These agencies are:

a. State of Arkansas Department of Labor (DOL)

Every employer shall report on forms furnished by the State Department of Labor, and in the manner directed by such forms, each injury employees suffer in connection with their employment.

The DOL website has a Public sector accident/injury reporting form at <https://www.labor.arkansas.gov/divisions/occupational-safety-and-health/aosh-arkansas-occup-safety-and-health/aosh-reporting/public-sector-accident/>.

This form must be completed and notification given to the Arkansas Department of Labor within 48 hours for each accident resulting in a fatality, amputation, loss of an eye, or when one or more employees are admitted for overnight hospitalization. RRM provides the following information for each fatality or multiple hospitalization incident:

- Name and address of agency
- Person filing the report & contact number
- Date of event
- Name(s) of victim
- Type of accident
- Cause(s) of accident
- Contributing factors
- Number of fatalities or hospitalized employees
- Names of injured employees
- Status of investigation
- Corrective actions taken



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If RRM does not learn of a fatality or catastrophe at the time that it occurs, and the incident would otherwise be reportable to DOL, the RRM reports the incident within 48 hours of the time that it is made known to any RM employee.

All reports must be made by telephone or in person at a DOL office. Under no circumstances are fatality or catastrophe reports to be made using e-mail or web site.

Contact: Mike Watson

Labor Inspector

Phone: (501) 682-9091 or (501) 690-5271

Email: Mike.Watson@arkansas.gov

Fax: (501) 882-4532

Mailing address:
 Arkansas Department of Labor and Licensing
 Division of Labor, OSH/CFOI Section
 900 West Capitol Avenue, Suite 400
 Little Rock, AR 72201

C. Service Supervisor

1. Maintain regular communication with the dispatch providing updates of the situation and preliminary facts of the event.
2. Assist with clearing the scene as soon as possible after an exchange of identification and information, and all other information necessary to complete the investigation is obtained.
3. Interview employees involved in or witnessing the accident/incident.
4. Examine the operating cab of the vehicle and note the position of the controls (Master Control Lever, Brake Application) and the condition of any operating equipment.
5. Obtain names and addresses of the injured and other witnesses by handing out courtesy cards.
6. Obtain names and badge numbers of attending police, fire and rescue personnel.
7. Collect and protect all physical evidence which might have bearing on the cause of the accident/incident.
8. Ensure a good description of the accident/incident is recorded through photographs, measurements, sketches, statements and other documentation as applicable and as contained in detailed field investigation procedures. Provide sufficient detailed information and data to reconstruct the accident/incident. The Supervisor should record the following:
 - a. Position of the streetcar and other vehicles before they are moved.
 - b. RRM vehicle (i.e. streetcar number(s) or other RRM equipment).
 - c. Other vehicle driver's name, address, telephone number, owner's name.



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- d. Other vehicle insurance company name, policy number and telephone number.
 - e. Other vehicle make, model, license plate number of other vehicle(s) involved.
 - f. All perishable evidence, including broken glass, damaged equipment, leaking fluids or other vehicle parts before they are removed or destroyed.
 - g. Skid marks, dropped sand, marks on the rail, condition of the rail and other road defects.
 - h. Condition of equipment or facilities, if another type of event has occurred
 - i. Traffic control signals and devices, area speed limit signs and other warning or control signs or devices for both rail and vehicular traffic.
 - j. All damage, abnormalities and defects to streetcars, wayside and track equipment and other vehicles, equipment or materials.
9. Provide only the following information to other parties involved in the accident/incident:
- a. Operator's name.
 - b. Streetcar(s) numbers.
 - c. For further information, the telephone number of the **Chief Safety and Security Officer: 501-766-0322**
10. For SSO/FTA reportable accidents, locate, by measurements, the point of impact and note the final position of the streetcar vehicle. Measurements should be made from fixed objects with key points marked with spray paint, chalk or grease pencil.
11. Observe and examine the condition of the road, tracks, switches, pre-emption devices, and other wayside equipment in the vicinity and the relationship to the train and/or bus to the equipment. Observe any unusual conditions or circumstances related to the event.
12. Determine how the event occurred.
13. Initiate arrangements for the operator to be relieved of duty and transported for required post-accident testing, if required.
14. Fully document all the above activities. They are required to be retained in the permanent accident file.
15. Complete the initial accident/incident investigation (or departmental) report prior to end of shift.
16. Follow-up information, contacts or other data required will be so noted in the report.
17. Assist in any follow-up investigation.

D. Chief Safety and Security Officer

The CSSO is responsible to ensure the implementation of this procedure. Activities required of the CSSO are:



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1. Oversight of the impartial, fact-finding nature of all investigations at the agency in compliance with the Agency Safety Plan, this procedure and all other applicable procedures.
2. Oversight of documentation related to all investigations, including completeness, legibility, appropriateness and proper distribution.
3. Training of all relevant personnel in this procedure, and safety assurance of all personnel performing their duties under this procedure. Ensuring appropriate corrective action is implemented, where needed, to ensure compliance with this procedure, including retraining, additional training and refresher training; hazard mitigation; and/or system modification.
4. Review and acceptance of all final reports prior to submittal to the SSO.
5. Oversight of safety data acquisition and analysis related to all events investigated under this procedure, including collection, reporting and distribution.
6. Coordination with ARDOT and ensuring compliance with all aspects related to investigations as stipulated by state and federal law and the Agency Safety Plan.

VI. REPORTING

For the purposes of SSO compliance, notification is described Section 3.5 of the Agency Safety Plan.

Regardless of the classification or reportability of accidents, RRM provides at least three pieces of document for all events. These are:

1. Initial notification
2. Draft report
3. Final Report

A. Final Accident Report Content

All final accident reports produced by RRM operations under this procedure must contain, at a minimum, the following information:

1. Event description
2. Notifications
3. Incident response and command
4. Precipitating event(s)
5. Immediate corrective actions/mitigation strategies
6. Operator/employee status, if applicable
 - i. Fatigue



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- ii. Training
- iii. Post-accident testing
- 7. Investigation records
 - iv. Employee/operator report, if applicable
 - v. Responding supervisor report
 - vi. Field sketch
 - vii. Photographs
 - viii. Post-accident hazard assessment
 - ix. Data analysis
 - x. Causal and contributory factors; mitigating factors If applicable
 - xi. Findings
 - xii. Related CAPs

The SSO may request more information to gain information about a particular accident or about accident trends.

The SSO will review this report and within 30 calendar days approve it or request changes. If the SSO approves the report, it will ask the RRM to finalize it. If the SSO requests changes to the report, RRM will develop and submit the revised report. In cases where the SSO decides to conduct its own investigation, the SSO will produce an accident investigation report within 30 days of the accident, unless delayed by circumstances (e.g. unresolved medical reports) or missing information (e.g. incomplete police reports). The final accident report will be provided to RRM for review and concurrence. If RRM does not concur with the SSO's report, the agency may submit a written dissent of the report, which the SSO may include in the final report.

VII. SPECIAL CASES

A. NTSB Conducts Investigation

Depending on the accident, another oversight agency such as the NTSB may conduct an accident investigation utilizing its own procedures and personnel. The SSO provides to the investigation team any information necessary to conduct the investigation in an effective and efficient fashion. If the incident in question is an SSO reportable accident, the SSO must review the NTSB's final report and formally adopt it as its own or prepare its own report for the accident (using its own personnel or authorizing RRM to conduct the investigation).

If the NTSB investigates an accident at RRM, the SSO will request that its representative(s) be permitted to participate in the investigation process.



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B. RRM/SSO Conducts Joint Investigations

In cases where the SSO and RRM conduct a joint accident investigation, both agencies will collaborate on investigation, analysis, and determination of causal or contributing factors. Both agencies will also collaborate on developing the final accident investigation report. Upon completion, the SSO will adopt the final report.

C. Other Incidents that Warrant Investigation

In certain cases, the SSO or the RRM may determine a formal investigation is necessary for events occurring at the RRM, even though such events may not meet the SSO's accident reporting or other regulatory criteria. These events may include hazards, significant operational incidents, significant failures of Safety Management System (SMS), adverse technology events and other events that might, under other circumstances, lead to significant adverse events. RRM will use this investigation procedure as well as any applicable industry standards and comply with all SSO requirements and requests for participation for such an investigation.

If the SSO determines that an investigation of this nature is necessary, it notifies RRM as soon as possible. The SSO may modify its required deadlines due to the nature of a particular hazard or condition.